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REPUBLIC OF KENYA

THE SENATE

FOURTH SESSION

THIRTEENTH PARLIAMENT

THE SENATE RECEIVED
- 2 OCT 2025
SPEAKER'S OFFICE

THE REPORT OF THE SENATE STANDING COMMITTEE ON LAND,
ENVIRONMENT AND NATURAL RESOURCES

ON

A PETITION CONCERNING THE DELAYED ALLOCATION OF ALTERNATIVE
LAND FOR MWABUNDUSI LAND SQUATTERS BOBARACHO WARD, KISII
COUNTY

PAPERS LAID	
DATE	07.10.2025
TABLED BY	Chairperson
COMMITTEE	Land, Environment and Natural Resources
CLERK AT THE TABLE	Ms. Cherop

SEPTEMBER, 2025

02/10/25

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ABBREVIATIONS

MoLPWHUD	-Ministry of Lands, Public Works, Housing and Urban Development
NLC	-National Land Commission
CoK	-Constitution of Kenya
KALRO	-Kenya Agricultural & Livestock Research Organization
KFTC	-Kisii Farmers Training Centre
KARI	-Kenya Agriculture Reforms & Innovations
NLC	-National Land Commission

PREFACE

Mr. Speaker sir,

The Standing Committee on Land, Environment and Natural Resources is established pursuant to standing order 228(3) of the Standing Orders of the Senate. As set out in the Fourth Schedule, the Committee is mandated to consider all matters relating to lands and settlement, housing, environment, forestry, wildlife, mining, water resource management and development.

Committee Membership

The Committee comprises the following Members.

1. Sen. Mohamed Faki, CBS, MP **- Chairperson**
2. Sen. Karen Nyamu, MP **- Vice-Chairperson**
3. Sen. Allan Chesang, CBS, MP
4. Sen. Johnes Mwashushe Mwaruma, MP
5. Sen. Joe Nyutu, MP
6. Sen. James Murango, MP
7. Sen. Mohamed Haji, MP
8. Sen. Mariam Sheikh Omar MP
9. Sen. Beatrice Akinyi Ogola, MP

CHAIRPERSON'S FORWARD

At a sitting of the Senate held on Thursday 18th October, 2023, the Honorable Speaker of the Senate, reported to the Senate that a Petition had been submitted through the Clerk, by the representatives of Mwabundusi land squatters residing in Bobaracho Ward, Kisii County. The Petition concerns the continued occupation and expansion of land by the Kenya Agricultural and Livestock Research Organization (KALRO, formerly KARI) and the Kisii Farmers Training Centre (KFTC), initially leased from the local communities in the 1960s.

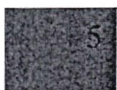
The Petitioners are seeking the intervention of the Senate to:

- a) Direct the National Land Commission to conduct an independent and accurate audit to determine the actual acreage occupied by KALRO and KFTC.
- b) Ensure the expeditious allocation and resettlement of the Petitioners on available public land as compensation for the alienated ancestral land.

Pursuant to Articles 37 and 119(1) of the Constitution, section 5(2) of the Petition to Parliament (Procedure) Act and standing order 238(2) of the Senate Standing Orders, the Committee is mandated to consider the Petition and respond to the Petitioners within the prescribed period.

To facilitate an informed disposal of the Petition, the Committee resolved to conduct an inquiry on the issues raised in the Petition. In this regard the Committee requested the Petitioners to submit written documents to elaborate further on the issues raised in the Petition and to supply supporting evidence on the same.

The Committee proceeded to seek responses from the Cabinet Secretary, Ministry of Lands, Public Works, Housing and Urban Development (MoLPWHUD) and from the Chair of the National Land Commission (NLC), to address the issues raised in the Petition.



Committee Observations

Prayer One:

That the Committee directs the National Land Commission to conduct an independent and accurate audit to determine the actual acreage occupied by KALRO and KFTC

The committee observed that according to article 67(e) and 67(h) of the CoK 2010 the NLC is established with the functions of initiating investigations into present and historical land injustices and to monitor and oversight land use planning in the country and make appropriate recommendations. The Committee observed that there is need for clarity from the various state organs on the acreage as there is no uniformity in the submissions received.

The Committee observed that indeed there are inconsistencies in the actual acreage of the land. The submissions by the Ministry of Agriculture and Livestock Development stated the acreage as estimated at 83.7 Ha(s) due to encroachment while the submissions by the NLC stated the acreage as approximately 100 Ha(s)

Prayer Two:

That the Committee recommends the immediate allocation and resettlement of the Petitioners on available public land as compensation for the alienated ancestral land.

The Committee observed that –

- 1) the National Land Commission cited the admissibility criteria as per Section 15 of the NLC Act, 2012 and that the matter is subjudice vide Environment and Land Court at Kisii (ELC Case No. 215 of 2013);
- 2) the case cited, *Jared Benson Kenagwa v Kenya Agricultural Research Institute (KARI)* was concluded and an ex parte judgment issued in favour of the Plaintiff on 24th May 2019;
- 3) an application seeking orders to set aside the said ex-parte judgment was made on 2nd December 2019 by the Applicant, Kenya Agricultural Research Institute (KARI), however the same was dismissed with costs to the Respondent, Jared



Benson Kenagwa on 23rd day of April 2020;

- 4) the matter was not subjudice as at the opening of the correspondence file NLC/HLI/608/2019 on 8th October 2019 as an exparte judgment had been issued on 24th May 2019;
- 5) the National Land Commission irregularly failed to admit, register and process the historical land claim opened under correspondence file opened NLC/HLI/608/2019 on 8th October 2019; and
- 6) the petitioners are currently residing on riparian areas where there is bound to be natural calamities such as flooded riverbanks and poor sanitation from the communicable diseases in the river waters.

Committee Recommendations

The Committee having investigated the matter in accordance with its mandate under the standing order 228(4) of the Senate Standing Orders recommends as follows -

That;

1. The National Land Commission (NLC) expedites its determination on the historical land injustice claim within 60 days of the tabling of the Report in the Senate;
2. The NLC and KALRO conducts a survey in the presence of the elected leadership, community representatives of the land to determine the actual acreage occupied by KALRO within thirty (30) days of tabling this report in the Senate.
3. Arising from the possible inconsistencies in the actual acreage of the parcel of land earmarked for KALRO activities, the NLC should consider allocating or resettling the affected petitioners on any surplus land to manage them from settling on riparian areas where there is bound to be natural calamities such as flooded riverbanks and poor sanitation.

ACKNOWLEDGEMENT

The Committee thanks the Offices of the Speaker of the Senate and the Clerk of the Senate for the support extended to the Committee in the execution of its mandate. The Committee further extends its appreciation to the Petitioners and the Ministry of Lands, Public Works, Housing and Urban Development and the National Land Commission for their submissions and contribution to the resolution of this matter.

Mr. Speaker Sir,

It is now my pleasant duty and privilege, on behalf of the Committee, to present this Report of the Standing Committee on Land, Environment and Natural Resources on the Delayed allocation of alternative land following alienation of ancestral land for the construction of Kenya Agricultural Research Institute and the Kisii Farmers Training Centre.

Signed:



Date: 30 / 09 / 2025.

**SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP,
CHAIRPERSON,
SENATE STANDING COMMITTEE ON LAND, ENVIRONMENT AND
NATURAL RESOURCES.**

CHAPTER I

INTRODUCTION

1. At a sitting of the Senate held on Thursday 18th October, 2023, the Honorable Speaker of the Senate, reported to the Senate that a Petition had been submitted through the Clerk, by the representatives of Mwabundusi land squatters residing in Bobaracho Ward, Kisii County.

Underlying Constitutional and Statutory Provisions

2. **Article 1(1) and (2)** of the Constitution, vests all sovereign power in the people of Kenya and shall be exercised only in accordance with the Constitution.
3. **Article 1(3) (a)** of the Constitution delegates sovereign power of the Constitution to, *inter alia*, Parliament and the legislative assemblies in the county governments.
4. **Article 37** of the Constitution provides that *every person has the right, peaceably and unarmed, to assemble, to demonstrate, to picket, and to present petitions to public authorities* while **Article 119(1)** of the Constitution provides that *“every person has a right to petition Parliament to consider any matter within its authority, including to enact, amend or repeal any legislation.”*
5. **Section 5(2)** of the Petition to Parliament (Procedure) Act, provides that *a petition that is tabled in Parliament under this Act shall be considered in accordance with the Standing Orders of the relevant House.*
6. **Article 40** of the CoK 2010 guarantees the protection of the right to acquire and own property and provides safeguards against arbitrary deprivation.
7. **Article 60** of the CoK 2010 provides for the fundamental principles that guide land policy and management in Kenya, making provisions for equitable access, sustainable use, and proper administration of land, addressing historical injustices and promoting social and economic development.
8. **Article 67:** Establishes the National Land Commission to manage public land and redress historical land injustices.

9. **Environmental Management and Coordination Act, 2012:** Regulates use of environmentally sensitive areas, including riparian reserves.
10. **Land Registration Act (2012), Section 24:** Provides for land ownership confirmation through proper registration processes.
11. **Land Act (2012), Section 26:** Protects the rights of registered landowners and allows correction of land ownership errors.
12. **Historical Land Injustices Policy and NLC Mandate:** Empowers NLC to investigate and recommend redress for past land-related injustices.
13. **National Land Policy (2009):** Prioritizes resolution of historical injustices and communal land rights.

Background of the Petition

14. The land currently occupied by KALRO and KFTC originally belonged to the families of Mogaka Nyabaro, Naftali Openda, Christopher Mbaka, Atogo Mogaka, and others, forming part of their ancestral heritage.
15. In 1963/1964, the Ministry of Agriculture and the then Provincial Director of Agriculture alienated 83 acres of this ancestral land under a 37-year lease agreement. This lease has since expired, yet no measures have been taken to revert the land to the rightful owners or provide alternative settlement.
16. The institutions currently occupy over 300 acres, far exceeding the original 83 acres allocated. The expansion occurred without consultation, compensation, or adherence to any known legal framework.
17. A complaint lodged in 2015 with the National Land Commission (NLC) regarding the illegal expansion and lease abuse has not yielded any satisfactory resolution or concrete action.
18. As a result of the occupation, original landowners have been displaced to riverbanks, designated riparian public lands under the Environmental Management and Coordination Act (2012), making them vulnerable to eviction and other risks.

19. Despite follow-up efforts, the NLC has failed to provide a clear roadmap for resolving the matter or securing alternative land for the squatters.

1.13 Analysis of Facts in the Complaint

20. The displacement of Mwabundusi residents reflects a broader trend of historical land alienation under colonial and post-independence administrations. The failure to revert or compensate for expired leases exacerbates landlessness and socio-economic disenfranchisement in rural areas.

21. The settlement of displaced persons on riparian reserves introduces environmental and legal conflicts, violating both land tenure rights and environmental laws.

22. Despite the residents' attempts at legal redress, institutional status quo, bureaucratic delays, and unclear land records continue to frustrate resolution.

The Petitioners prayed that:

23. The Petitioners are seeking the intervention of the Senate to:

- c) Direct the National Land Commission to conduct an independent and accurate audit to determine the actual acreage occupied by KALRO and KFTC.
- d) Ensure the expeditious allocation and resettlement of the Petitioners on available public land as compensation for the alienated ancestral land.

LEGAL BASIS FOR PETITIONS

24. Petitions to the Senate are governed by the Constitution, the Petition to Parliament (Procedure) Act, No. 22 of 2012 and the Senate Standing Orders.

25. **Article 37** of the Constitution provides that *every person has the right, peaceably and unarmed, to assemble, to demonstrate, to picket, and to present petitions to public authorities* while **Article 119(1)** of the Constitution provides that *“every person has a right to petition Parliament to consider any matter within its authority, including to enact, amend or repeal any legislation.”*

26. **Section 5(2)** of the Petition to Parliament (Procedure) Act, provides that *a petition that is tabled in Parliament under this Act shall be considered in accordance with the Standing Orders of the relevant House*. In this regard, standing order 238 of the Senate Standing Orders provides as follows-

27. *Committal of Petitions (SO 238)*

- a. *Every Petition presented or reported pursuant to this Part, shall stand committed to the relevant Standing Committee.*
- b. *Whenever a Petition is committed to a Standing Committee, the Committee shall, in not more than sixty calendar days from the time of reading the prayer, respond to the petitioner by way of a report addressed to the petitioner or petitioners and laid on the Table of the Senate and no debate on or in relation to the report shall be allowed, but the Speaker may, allow comments or observations in relation to the Petition for not more than thirty Minutes.*

28. Standing order 239 requires the Clerk to, within fifteen days of tabling of the report on a petition under Standing Order 238 (Committal of Petitions), submit a copy of the report to the petitioner or petitioners.

CHAPTER 2

CONSIDERATION OF THE PETITION

Approach taken by the Committee

29. In considering the Petition, the Committee observed that it would be important to verify the facts alleged in the Petition. The Committee therefore resolved to conduct an inquiry on the issues raised in the Petition.

30. In this regard the Committee received the Petition from the Petitioner through the House and further requested for written submissions and evidence from the Petitioners.

31. Thereafter the Committee invited the Cabinet Secretaries of the Ministry of Lands Housing Public Works and Urban Development (MoLHPUD), and the Chairperson, National Land Commission (NLC) who provided written responses to the Committee.

Petitioners Submissions

32. Vide a letter REF: SEN/DSEC/DPEAC/LENR/2024(3)(15) dated 14th March, 2024 the Committee invited the Petitioners to physically appear before the Committee on Thursday, 21st March, 2024. Further, the petitioners also submitted written submissions and evidence.

33. Evidence submitted includes;

- a. A copy of various correspondences between the petitioners and the KALRO and the NLC offices regarding the historical land issue.
- b. A copy of the original land agreement between the Mwabundusi community and the Ministry of Agriculture showing the acreage that was supposed to be utilized.

- c. A copy of the original land documents showing the total acreage occupied by the KALRO and the unutilized land thereunto.

Responses by the Cabinet Secretary, Ministry of Agriculture and Livestock Development

34. On 29th April 2025, the Ministry of Agriculture and Livestock Development presented a submission to the Senate Standing Committee on Land, Environment and Natural Resources regarding the petition by representatives of the Mwabundusi land squatters in Bobaracho Ward in Kisii County. The Submission was presented by the Director General KALRO (annex 1).

Historical background

35. The Kenya Agricultural and Livestock Research Organization, Kisii (formerly KARI Kisii) was originally established in 1963 when it operated as the Livestock Improvement Centre.
36. The Centre and existing infrastructure was later handed over to the Agricultural Department and the land was divided between the Agricultural Research Centre and the Kisii Farmers' Training Centre.
37. In 1968, the name of the Station was changed to Nyanza Agricultural Research Station to cover a wider mandate area that included the then Central Nyanza District. The research station continued to conduct its research under the Ministry of Agriculture until 1989 when its functions were transferred to the Kenya Agricultural Research Institute (KARI) under the Scientific Research Division.
38. The land was handed over to the Regional Research Centre (RRC), Kisii on 1st July, 1989 by the Scientific Research Division of the Ministry of Agriculture and Livestock Development. With the establishment of Kenya Agricultural and Livestock Research Organization (KALRO) under the Kenya Agricultural and Livestock Research Act of 2013, the Centre adopted its new name as KALRO Kisii.

39. The Centre covers four mandate counties namely Kisii, Nyamira, Homa Bay and Migori. It is located along the Kisii- Keroka road, about 3 km from the Kisii town. Details of various activities carried out at the centre are as indicated in annex 2.
40. The Centre is mandated to generate and promote technologies and innovations for demand-driven agricultural and livestock product value chains, to develop and promote markets and marketing strategies for agricultural and livestock product value chains and to enhance the availability of knowledge, information, and technologies on the agricultural and livestock product value chains.
41. Land occupation and ongoing threats
42. The Centre's original land as per our records and the documentation submitted to the National Land Commission is 100 ha under Kisii Municipality/Block IV. The Centre conducted research activities uninterrupted until 1980s when other organizations and individuals started encroaching on land. Since the 1980s, the then Kisii Municipality and prominent local leaders started lobbying the District Administration to sub-divide KARI research land for allocation to "Industrialists".
43. Due to the encroachment, the current land size available to KALRO Kisii is estimated at 83.7 ha.
44. Following issuance of circular No. CON/LH/A/23/20 VOL.11/111 issued by the Permanent Secretary dated 29th June, 2005 (annex 3) directing Government entities to repossess irregularly/illegally allocated public land, the Centre made several attempts to reclaim its land. With the support of the National Land Commission the following titles were revoked and reverted to KALRO as evidenced by the enclosed gazette notice dated 17th July, 2017 (annex 4).
45. KALRO has consistently objected to any aggression on its property and the organisation does not have any intention to relinquish its research land. On 11th February, 1993, the Director of KARI wrote a letter to the principal Secretary Ministry of Research and Technical Training objecting further alienation of research land to 3 parties and requesting for issuance of title to KARI (annex 5).

46. KALRO has formally submitted a request to the Ethics and Anti-Corruption Commission to assist in recovery of the irregularly allocated parcels of land. The EACC is actively pursuing the matter.
47. KALRO has also pursued court cases on the irregularly allocated plots and/or active aggressions from the Kisii County Government and individuals. To date, several court cases have been filed which include;
- I. Kisumu Court of Appeal Civil Application E108 of 2024 KALRO V Merenciah Kinanga Okemwa & Land Registrar Kisii - The plaintiff vide Environment & Land Case No. 204 of 2014 was claiming ownership of part of KARI's land illegally subdivided and known as LR. No. Kisii Municipality / Block IV/2. The Plaintiff was contesting the caution placed on the title by KARI. The Court delivered judgment in favour of the Plaintiff and permanently restrained KALRO from interfering with the plaintiffs ownership of the suit land. We have appealed the judgment.
 - II. Kisumu Court of Appeal No 114 OF 2020 KALRO V Jared Benson Kangwana - KALRO appealed the High Court judgment issued on 24/5/19 finding in favour of Qtr. Kangwana as the owner of illegal/irregular subdivision LR. No.17666.
 - III. Kisii ELC Constitutional Petition NO. 3 of 2018 KALRO Vs Kisii County Government and MCA, Bobaracho Ward - KALRO instituted the suit seeking orders to stop the illegal construction of a feeder road through KALRO land parcel. Judgment was delivered on 29th August, 2019 in favour of KALRO by Mutungi J. The court held inter-alia that KALRO the petitioner has proprietary interest over the suit property.
 - IV. Kisii Judicial Review NO. 1 of 2023 KALRO V County Secretary Kisii County Government & Another - KALRO seeks to have the Court grant orders compelling the County to settle the decretal sum issued in ELC PET NO 3 of 2018.

V. Kisii ELC Suit No 3 of 2024 KALRO V Kisii County Government and Others
– KALRO instituted the suit contesting the illegal construction of the Governor’s office/Residence on KALRO Kisii land.

The above matters are currently the subject of active proceedings and are still being canvassed by the Parties before the Court. Moreover, we wish to highlight that KALRO with the assistance of local law enforcement has managed to vigilantly keep off the illegal title holders and still maintains possession of the land.

The continued aggression on KALRO land and property will jeopardise the organization’s research mandate of generating top-notch agricultural technologies, innovations, and management practices for over three million smallholder farmers in its mandate counties.

Responses by the Cabinet Secretary, Ministry of Lands Public Works Housing and Urban Development.

34. Vide letter REF:SEN/DSEC/DPEAC/LENR/2025 (3) (213), dated 14th July, 2025, the Committee had invited the Cabinet Secretary to respond to Statements and Petitions and proceeded to admit written responses with a provision to seek for further clarification should the submissions be insufficient.

35. The Ministry further stated that the National Land Commission is better placed to address the issues raised in the petition.

Responses by the Chairperson, National Land Commission

The Chair NLC responded as follows;

The general particulars of the parcel of land in question:

Plot No: Kisii Municipality Block IV/16

Registered Owner (s): KARLO Kisii

Size: Approx 100 Ha

Term: 99 Years

From: 01/01/1963

Location: The plot is located within the Kisii Municipality opposite Kisii School on the Kisii Keroka Highway.

General Description of the neighborhood

36. The Land partly falls within the Kisii Municipality planned area and borders the freehold adjudication section of Mwabundusi. It is surrounded by homesteads, schools, the Kenya National Polytechnic Kisii and Agricultural Training Centre Kisii.

Current User

37. The current use on the ground is Research and a portion set aside for industrial use by the Kisii Bottlers.

Available Utilities:

38. The plot is served with infrastructural services that include: Power, sewer, water connectivity and a tarmacked road network.

Claimants:

39. The Mwanyabaro clan, comprising over 700 people.

Historical Context:

40. In 1953, the colonial government displaced the clan from their ancestral land to establish the Kisii Research Station (KARI) and Kisii Farmers Training Centre.

41. The acquisition was done under compulsory acquisition via Land Utilization PC/N/2/2/2016 Plan for Kisii (1963), totaling 50 acres.

Grievances:

42. The community has repeatedly sought compensation or return of unused land from successive governments without success.

43. They argue that portions of the acquired land not actively used by KARI should be reverted to them.

Legal Actions:

44. The claimants lodged a Historical Land Injustice (HLI) Claim with the NLC on 8th October 2019 (File No. NLC/HLI/608/2019).
45. The NLC reviewed the claim under Section 15 of the NLC Act (2012) but deemed it subjudice due to an ongoing case at the Environment and Land Court (ELC) in Kisii (Case No. 215 of 2013).

NLC in its initial decision made the following resolutions;

- i. The Commission dismissed the claim, citing the legal principle that two tribunals cannot adjudicate the same matter simultaneously.
- ii. The claimants must resolve the issue through the ongoing court process before the NLC can reconsider the claim.

In a subsequent response NLC further submitted as follows;

46. The parcel has been a subject of interest from various government agencies such as Kenya Institute of Highways and Building Authority (KHIBIT), National Youth Service (NYS), the Veterinary Department, Kisii Bottlers and Kisii Cancer Center.
47. On July 17th 2017, through Kenya Gazette No. 6862 the National Land Commission (NLC) reviewed the grant and disposition of the aforementioned parcel and found the land to be public utility and made recommendations to revoke existing titles on the land. The revoked numbers were LR-16757, LR-16758 and LR-17666 registered under Tegemea Oil Company, Geoffrey Asanyo, and Jared Kangwana and recommended that land revert to KARLO.
48. However, the Kisii Bottlers' title was upheld as well as that of the ICDC whose majority shareholding is with the Government. A Historical Land Injustices (HLI) claim was later logged by Mwanyabaro (clan) family on 7th October, 2019 and the claim was allocated No. NLC/HLI/608/2019. In the claim, the family sought compensation for the land which they claimed to have been taken away from their forefathers. The respondents to the claim are The Attorney General, Ministry of

Agriculture and Livestock Development, Ministry of Lands, the County Government of Kisii and KARLO.

49. The Commission organised a physical hearing for this claim on 24th June 2024 at Mama Grace Onyango Cultural and Social Centre in Kisumu, in which the family and the other parties involved were invited to participate. Further, the parties were given fourteen days to present their Submissions to the Commission after the hearings.
50. The Commission will present its determination to the matter upon conclusion of the Historical Land Injustice process.

CHAPTER 3

COMMITTEE OBSERVATIONS

Prayer One:

The Committee directs the National Land Commission to conduct an independent and accurate audit to determine the actual acreage occupied by KALRO and KFTC

51. The committee observed that according to article 67(e) and 67(h) of the CoK 2010 the NLC is established with the functions of initiating investigations into present and historical land injustices and to monitor and oversight land use planning in the country and make appropriate recommendations. The Committee observed that there is need for clarity from the various state organs on the acreage as there is no uniformity in the submissions received.

52. The Committee observed that indeed there are inconsistencies in the actual acreage of the land. The submissions by the Ministry of Agriculture and Livestock Development stated the acreage as estimated at 83.7 Ha(s) due to encroachment while the submissions by the NLC stated the acreage as approximately 100 Ha(s)

Prayer Two:

The Committee recommends the immediate allocation and resettlement of the Petitioners on available public land as compensation for the alienated ancestral land.

The Committee observed that –

- 1) the National Land Commission cited the admissibility criteria as per Section 15 of the NLC Act, 2012 and that the matter is subjudice vide Environment and Land Court at Kisii (ELC Case No. 215 of 2013);
- 2) the case cited, *Jared Benson Kenagwa v Kenya Agricultural Research Institute*

(KARI) was concluded and an ex parte judgment issued in favour of the Plaintiff on 24th May 2019;

- 3) an application seeking orders to set aside the said ex-parte judgment was made on 2nd December 2019 by the Applicant, Kenya Agricultural Research Institute (KARI), however the same was dismissed with costs to the Respondent, Jared Benson Kenagwa on 23rd day of April 2020;
- 4) the matter was not subjudice as at the opening of the correspondence file NLC/HLI/608/2019 on 8th October 2019 as an ex parte judgment had been issued on 24th May 2019;
- 5) the National Land Commission irregularly failed to admit, register and process the historical land claim opened under correspondence file opened NLC/HLI/608/2019 on 8th October 2019; and
- 6) the petitioners are currently residing on riparian areas where there is bound to be natural calamities such as flooded riverbanks and poor sanitation from the communicable diseases in the river waters.

CHAPTER 4
COMMITTEE RECOMMENDATIONS

The Committee having investigated the matter in accordance with its mandate under the standing order 228(4) of the Senate Standing Orders recommends as follows -

That;

1. The National Land Commission (NLC) expedites its determination on the historical land injustice claim within 60 days of the tabling of the Report in the Senate;
2. The NLC and KALRO conducts a survey in the presence of the elected leadership, community representatives of the land to determine the actual acreage occupied by KALRO within thirty (30) days of tabling this report in the Senate; and
3. Arising from the possible inconsistencies in the actual acreage of the parcel of land earmarked for KALRO activities, the NLC should consider allocating or resettling the affected petitioners on any surplus land to manage them from settling on riparian areas where there is bound to be natural calamities such as flooded riverbanks and poor sanitation.

APPENDICES

ANNEX I: MINUTES OF THE MEETINGS

- a. Minutes of the 54th sitting held on 29th April, 2025 – Meeting with KALRO in Kiisi County
- b. Minutes of the 55th sitting held on 29th April, 2025 – Meeting with Petitioners in Kiisi County
- c. Minutes of the 77th sitting held on 6th August, 2025 – Meeting with KALRO and the NLC
- d. Minutes of the 82nd sitting held on 22nd September, 2025 – Consideration and Adoption of the report

ANNEX II: SUBMISSIONS BY KEY STAKEHOLDERS

Annex II (A) – MoLPWHUD Submissions responding to the Petition

Annex II (B) – KALRO Submissions responding to the Petition

Annex II (C) – NLC Submissions responding to the Petition

ANNEX III: SUBMISSIONS BY THE PETITIONER

Annex III (A) – Petition as tabled in the Senate

Annex III (B) – Submissions presented by the Petitioner as evidence backing their
Petition

Annex I: Minutes of the Committee



MINUTES OF THE EIGHTY SECOND (82ND) SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD AT FOUR POINTS BY SHERATON, MACHAKOS COUNTY ON MONDAY, 22ND SEPTEMBER, 2025 AT 2:00 PM

PRESENT

- | | |
|--|---------------|
| 1. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - Chairperson |
| 2. Sen. Johnes Mwashushe Mwaruma, MP | - Member |
| 3. Sen. James Murango, MP | - Member |
| 4. Sen. Joe Nyutu, MP | - Member |
| 5. Sen. Mariam Sheikh Omar, MP | - Member |

ABSENT WITH APOLOGIES

- | | |
|-----------------------------------|--------------------|
| 1. Sen. Karen Nyamu, MP | - Vice Chairperson |
| 2. Sen. Beatrice Akinyi Ogola, MP | - Member |
| 3. Sen. Abdul Haji, MP | - Member |
| 4. Sen. Allan Chesang, CBS, MP | - Member |

IN ATTENDANCE

1. Mr. Victor Bett
2. Ms. Ivy Nyambura
3. Mr. Andrew Nyairo
4. Mr. John Gichia
5. Ms. Keziah Muthama
6. Mr. Simon Muinde
7. Mr. Boniface Mbithi

SECRETARIAT

- Clerk Assistant I
- Clerk Assistant III
- Legal Counsel II
- Research Officer III
- Fiscal Analyst III
- Audio Officer
- Serjeant at Arms

MINUTE SEN/LENR/443/2025:

PRELIMINARIES

The Chairperson called the meeting to order at 10.14 am followed by a word of prayer.

The Chairperson began by informing the meeting that eleven (11) draft reports in total to be considered that had been scheduled for discussion. The Secretariat then proceeded to take the Members through the reports highlighting the Petition backgrounds, engagements with various stakeholders, investigations and county visits conducted as well as the key observations and recommendations.

In the course of deliberations, the Committee examined the draft reports presented and took note of the recommendations advanced by individual Members and resolved that the necessary amendments and refinements be incorporated into the drafts.

Upon conclusion of the discussions and having satisfied itself that the reports adequately captured the issues raised in the petitions and the Committee's determinations thereon, the Committee unanimously resolved to adopt a total of eight (8) Petition Reports as amended with the three (3) remaining Petitions requiring further stakeholder engagements.

The Secretariat was accordingly directed to effect the agreed amendments and prepare the final versions of the approved and adopted reports for tabling before the Senate.

The following reports were approved and adopted with amendments as follows-

- i. **Petition by the Residents of Changara in Busia County concerning delays in implementation and completion of the Changara Water Pan World Bank funded project;**
- ii. **Petition on historical injustices and illegal alienation of L.R. No. 7153/1, 7153/2, 7153/R, also known as L.R. 12825 in Kiambu County;**
- iii. **Petition by Nyandarua IDPs on delayed compensation and occupation of parcels of land;**
- iv. **Petition regarding the plight of the landless in Muthanthara, Embu County;**
- v. **Petition by Marungu residents within Mghange Mwanda Ward, Taita Taveta County on the alleged threatened eviction from their ancestral land by Mghange Catholic Parish;**
- vi. **Petition on ownership dispute over Mwananchi Settlement Scheme in Mwatate Constituency in Taita-Taveta County;**
- vii. **Petition concerning recognition of land ownership rights and redress of Historical Injustices in Mombasa County; and**
- viii. **Petition by the Mwabundusi land squatters on delayed allocation of land by way of resettlement or compensation for their ancestral land.**



MINUTES OF THE SEVENTY SEVENTH (77TH) SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD ON TUESDAY, 6TH AUGUST, 2025 IN COMMITTEE ROOM 1, FIRST FLOOR, BUNGE TOWER BUILDING AT 11:00 AM

PRESENT

- | | |
|--|--------------------|
| 1. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - Chairperson |
| 2. Sen. Karen Nyamu, MP | - Vice Chairperson |
| 3. Sen. Mariam Sheikh Omar, MP | - Member |
| 4. Sen. Johnes Mwashushe Mwaruma, MP | - Member |
| 5. Sen. Joe Nyutu, MP | - Member |
| 6. Sen. Beatrice Akinyi Ogola, MP | - Member |

ABSENT WITH APOLOGIES

- | | |
|--------------------------------|----------|
| 1. Sen. Abdul Haji, MP | - Member |
| 2. Sen. James Murango, MP | - Member |
| 3. Sen. Allan Chesang, CBS, MP | - Member |

IN ATTENDANCE

I. SENATOR – FRIEND TO THE COMMITTEE

- | | |
|--------------------------|-------------------------|
| Sen. Richard Onyonka, MP | - Senator, Kisii County |
|--------------------------|-------------------------|

II. NATIONAL LAND COMMISSION

- | | |
|------------------------|-----------------|
| 1. Prof. J. K. Tuitoek | - Commissioner |
| 2. Elijah Letangule | - Dep. Director |

III. PETITIONERS

- | | |
|-------------------|--------------|
| 1. Philip Ndubi | - Petitioner |
| 2. John Kebaso | - Petitioner |
| 3. Bernard Mogaka | - Petitioner |
| 4. Pinton Momanyi | - Petitioner |
| 5. Evans O. Mose | - Petitioner |

IV. SECRETARIAT

- | | |
|-----------------------------|------------------------------------|
| 1. Mr. Victor Bett | - Clerk Assistant 1 |
| 2. Mr. Andrew Nyairo | - Legal Counsel II |
| 3. Mr. John Gichia | - Research Officer III |
| 4. Ms. Keziah Muthama | - Fiscal Analyst |
| 5. Mr. Simon Muinde | - Audio Officer |
| 6. Mr. Jack Lemeteki | -Assistant Media Relations Officer |
| 7. Ms. Christabelle Wasilwa | -Assistant Public Comms. Officer |

MINUTE SEN/LENR/415/2025:

PRELIMINARIES

The Chairperson called the meeting to order at 11.05 am followed by a word of prayer.

MINUTE SEN/LENR/416/2025:

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted after having been proposed by Sen. Beatrice Ogola, MP, and seconded by Sen. Johnes Mwashushe Mwaruma, MP as follows –

1. Prayer;
2. Adoption of the Agenda;
3. **Consideration of the Petition by the Mwabundusi land squatters on delayed allocation of land by way of re-settlement or compensation for their ancestral land (Committee Paper 54) -**
 - a. The Cabinet Secretary, Ministry of Agriculture and Livestock Development; and
 - b. The Chairperson, National Land Commission;
 - c. Petitioners
4. **Consideration of the Petition on a land ownership dispute relating to Mwananchi Settlement Scheme in Mwatate Constituency, Taita/ Taveta County (Committee Paper 55) -**
 - a. Meeting with the Chairperson National Land Commission; and
 - b. The proprietor, Wananchi Ranching Directed Agricultural Company Limited.
5. Any Other Business; and
6. Date of the Next Meeting and Adjournment.

MINUTE SEN/LENR/419/2025:

CONSIDERATION OF THE PETITION BY THE MWABUNDUSI LAND SQUATTERS ON DELAYED ALLOCATION OF LAND BY WAY OF RE-SETTLEMENT OR

**COMPENSATION FOR THEIR
ANCESTRAL LAND** (Committee Paper 54)

a. The Cabinet Secretary, Ministry of Agriculture and Livestock Development;

The Committee was in receipt of a letter Ref: MOALD/CS/ADM/13 VOL. VII dated 4th August, 2025 communicating the unavailability of the Cabinet Secretary following an earlier planned foreign travel and sought the Committee's indulgence to reschedule the Committee meeting and submit written responses which were attached.

The Committee acceded to the request and admitted the written responses.

b. The Chairperson, National Land Commission;

The National Land Commission (NLC) was represented by one of the Commissioners representing the Chairperson and informed the Committee as follows –

1. That general particulars of the parcel of land in question:

Plot No: Kisii Municipality Block IV/16

Registered Owner (s): KARLO Kisii

Size: Approx 100 Ha

Term: 99 Years

From: 01/01/1963

Location: The plot is located within the Kisii Municipality opposite Kisii School on the Kisii Keroka Highway.

2. The parcel in has been a subject of interests from various government agencies such as Kenya Institute of Highways and Building Authority (KHIBIT), National Youth Service (NYS), the Veterinary Department, Kisii Bottlers and Kisii Cancer Center.

3. On July 17th 2017, through Kenya Gazette No. 6862 the National Land Commission (NLC) reviewed the grant and disposition of the aforementioned parcel and found the land to be public utility made recommendations to revoke existing titles on the land. The revoked numbers were LR-16757, LR-16758 and LR-17666 registered under Tegemea Oil Company, Geoffrey Asanyo, and Jared Kangwana and recommended that land to revert to KARLO.

4. The Kisii Bottlers' title was upheld as well as that of the ICDC whose majority shareholding is with the Government. A Historical Land Injustices (HLI) claim was later logged by Mwanyabaro (clan) family on 7th October, 2019 and the claim was allocated No. NLC/HLI/608/2019. In the claim, the family, sought compensation for the land which they claimed to have been taken away from their forefathers. The

respondents to the claim are The Attorney General, Ministry of Agriculture and Livestock Development, Ministry of Lands, the County Government of Kisii and KARLO

5. The Commission organised a physical hearing for this claim on 24th June 2024 at Mama Grace Onyango Cultural and Social Centre in Kisumu, in which the family and the other parties involved were invited to participate. Further, the parties were given fourteen days to present their Submissions to the Commission after the hearings.
6. The Commission will present its determination to the matter upon conclusion of the Historical Land Injustice process
7. The Land partly falls within the Kisii Municipality planned area and borders the freehold adjudication section of Mwabundusi. It is surrounded by homesteads, schools, the Kenya National Polytechnic Kisii and Agricultural Training Centre Kisii.
8. The Current use on the ground is Research and a portion set aside for industrial use by the Kisii Bottlers.
9. The plot is served with infrastructural services that include: Power, sewer, water connectivity and a tarmacked road network.

The Commission concluded their submissions by informing the Committee that they are concluding investigations into this particular land and will be done by latest 30th September, 2025.

c. The Petitioners;

The Petitioners tabled their additional submissions on the Petition and reiterated on two aspects in their Petition that they would like addresses –

1. The land is not grabbed by external parties and is reverted back;
2. The Historical Injustices matter be concluded by NLC and that in their investigations ensure that they have verified that KALRO fenced off what belongs to them. The Petitioners aver that KALRO fenced off more land and that after Re-survey the excess land is reverted back to the original inhabitants who are represented by the Petitioners.

Noting the matters above the Committee resolved that –

- i. NLC ensures that they investigate that actual acreage that was meant for KALRO, in relation to what they fenced off including a verification of the actual acreages by

conducting a fresh survey on the ground. The survey should be done in the presence of the Petitioners, local leadership and thereafter the findings shared with the Committee; and

- ii. Fasten the consideration of the Historical Injustice Claim and stick to the timelines given, by 30th September, 2025.

MINUTE SEN/LENR/420/2025:

**CONSIDERATION OF THE PETITION ON
A LAND OWNERSHIP DISPUTE
RELATING TO MWANANCHI
SETTLEMENT SCHEME IN MWATATE
CONSTITUENCY, TAITA/
TAVETA COUNTY** *(Committee Paper 55)*

a. The Chairperson, National Land Commission;

The NLC informed the Committee that they were not adequately prepared to respond to the Petition and will be sending responses within seven (7) days.

The NLC further prevailed upon the Committee to withdraw the earlier summons that were issued and that they are fully committed to appear before the Committee and respond to the matters that were requested.

The Commissioner representing the Chairperson, committed to personally ensure that the all the Petitions responses that were asked by the Committee would be submitted in advance before appearance at the appointed date.

The Committee acceded to the Commissioners request on behalf of NLC and the Chairperson and resolved to invite NLC after the recess period. The Committee further reiterated that the submissions be sent latest seven (7) days before the scheduled appearance.

b. The proprietor, Wananchi Ranching Directed Agricultural Company Limited;

The committee was in receipt of correspondence from the proprietor, Wananchi Ranching Directed Agricultural Company Limited, Mr. Abdisatar Haji Mohamed indicating that the matters to be canvassed before the Committee are alive in court and he is under advice that it would amount to contempt of court.

MINUTE SEN/LENR/421/2025

ANY OTHER BUSINESS

There was no other business discussed.

MINUTE SEN/LENR/422/2025

**ADJOURNMENT AND DATE OF
NEXT MEETING**

The meeting was adjourned at 1.29 pm. The date of the next meeting was scheduled for Thursday, 7th August, 2025 at 9.00 am.



7/8/2024

SIGNED.....

DATE.....

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP

CHAIRPERSON

**STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL
RESOURCES.**



**MINUTES OF THE FIFTY FIFTH SITTING OF THE STANDING COMMITTEE
ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD ON
TUESDAY, 29TH APRIL, 2025 IN KARLO GROUNDS, KIISI COUNTY AT 12:30
PM**

PRESENT

- | | |
|---------------------------|--------------------|
| 1. Sen. Karen Nyamu, MP | - Vice Chairperson |
| 2. Sen. Joe Nyutu, MP | - Member |
| 3. Sen. James Murango, MP | - Member |

ABSENT WITH APOLOGIES

- | | |
|--|---------------|
| 1. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - Chairperson |
| 2. Sen. Mariam Sheikh Omar, MP | - Member |
| 3. Sen. Johnes Mwashushe Mwaruma, MP | - Member |
| 4. Sen. Allan Chesang, CBS, MP | - Member |
| 5. Sen. Beatrice Akinyi Ogola, MP | - Member |
| 6. Sen. Abdul Haji, MP | - Member |

IN ATTENDANCE

KARLO

- | | |
|--------------------------|-----------------------------|
| 1. Dr. Eliud Kireger | -Director General |
| 2. Dr. Felister Makini | -Director, Legal Department |
| 3. Ms. Patricia A. Ngutu | -Legal Counsel |
| 4. Mr. David Kithale | |
| 5. Ms. Joyce Koech | |

NLC

1. Mr. Collins Oteki
2. Ms. Risper Moraa
3. Ms. Ruth Osebe

PETITIONERS

1. Mr. Philip Achiki Ndubi
2. Mr. Benard Mogaka
3. Mr. John Kebaso
4. Mr Charles Nyandusi

SECRETARIAT

- | | |
|------------------------|------------------------------------|
| 1. Mr. Victor Bett | -Clerk Assistant 1 |
| 2. Ms. Ivy Nyambura | - Clerk Assistant III |
| 3. Mr. Andrew Nyairo | - Legal Counsel II |
| 4. Mr. John Gichia | - Research Officer III |
| 5. Mr. Simon Muinde | - Audio Officer |
| 6. Mr. Jack Lemeteki | -Assistant Media Relations Officer |
| 7. Mr. Boniface Mbithi | -Serjeant At Arms |

MINUTE SEN/LENR/283/2025:

PRELIMINARIES

The Chairperson called the meeting to order at 12.35 pm followed by a word of prayer.

MINUTE SEN/LENR/284/2025

**MEETING WITH PETITIONERS ON
PETITION BY MWABUNDUSI LAND
SQUATTERS IN BOBARACHO WARD IN
KIISI COUNTY;**

The Vice Chairperson gave her opening remarks informing the public of the key agenda of the meeting and the various organizations accompanying the Committee on the matter. The Petitioners were then invited to make their presentations regarding the aforementioned Petition.

They began by stating that the above matter has been in the public domain for a long time, however, the issue of compensation has never been addressed by the State despite the fact that the land in question was taken from their forefathers who had been promised land in Sotik as an alternative.

In light of the above they informed the Committee that they had previously made efforts to engage With NLC on the matter but they are yet to receive any response despite their persistence.

In concluding the petitioners stated that it is indeed in record that the government acquired and set aside 88 acres for development of livestock whereby land is not being utilized while the locals are denied access to the said bare land. Therefore, their wish is to that KARLO take the 88 acres allocated to them and give the rest back to the community for development as what they have is beyond allocation of the expired lease.

On responding to the issues raised the Committee noted that there was a need for NLC to provide answers on-

- i. The issues and status of the Sotik land that was to be provided as an alternative to the community; and
- ii. The need of construction of a road within the land for ease of commute by the locals as previously requested.

MINUTE SEN/LENR/285/2025

ANY OTHER BUSINESS

There was no other business discussed.

MINUTE SEN/LENR/286/2025

**ADJOURNMENT AND DATE OF
NEXT MEETING**

The meeting was adjourned at 1.05 pm. The date of the next meeting was to be called on notice.



13/5/2025

SIGNED.....

DATE.....

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP

CHAIRPERSON

**STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL
RESOURCES**



MINUTES OF THE FIFTY FOURTH SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD ON TUESDAY, 29TH APRIL, 2025 IN KALRO BOARD ROOM, KIISI COUNTY AT 11:00 AM

PRESENT

- | | |
|---------------------------|--------------------|
| 1. Sen. Karen Nyamu, MP | - Vice Chairperson |
| 2. Sen. Joe Nyutu, MP | - Member |
| 3. Sen. James Murango, MP | - Member |

ABSENT WITH APOLOGIES

- | | |
|--|---------------|
| 1. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - Chairperson |
| 2. Sen. Mariam Sheikh Omar, MP | - Member |
| 3. Sen. Johnes Mwashushe Mwaruma, MP | - Member |
| 4. Sen. Allan Chesang, CBS, MP | - Member |
| 5. Sen. Beatrice Akinyi Ogola, MP | - Member |
| 6. Sen. Abdul Haji, MP | - Member |

IN ATTENDANCE

KARLO

- | | |
|--------------------------|-----------------------------|
| 1. Dr. Eliud Kireger | -Director General |
| 2. Dr. Felister Makini | -Director, Legal Department |
| 3. Ms. Patricia A. Ngutu | -Legal Counsel |
| 4. Mr. David Kithale | |
| 5. Ms. Joyce Koech | |

PETITIONERS

1. Mr. Philip Achiki Ndubi
2. Mr. Benard Mogaka

3. Mr. John Kebaso
4. Mr Charles Nyandusi

SECRETARIAT

- | | |
|------------------------|------------------------------------|
| 1. Mr. Victor Bett | -Clerk Assistant 1 |
| 2. Ms. Ivy Nyambura | - Clerk Assistant III |
| 3. Mr. Andrew Nyairo | - Legal Counsel II |
| 4. Mr. John Gichia | - Research Officer III |
| 5. Mr. Simon Muinde | - Audio Officer |
| 6. Mr. Jack Lemeteki | -Assistant Media Relations Officer |
| 7. Mr. Boniface Mbithi | -Serjeant At Arms |

MINUTE SEN/LENR/279/2025:

PRELIMINARIES

The Vice Chairperson called the meeting to order at 11.20 am followed by a word of prayer. She went to give an overview of the purpose and objectives before the meeting and introduces all participants to introduce themselves.

MINUTE SEN/LENR/280/2025

**MEETING WITH KARLO ON A
PETITION BY REPRESENTATIVES OF
MWABUNDUSI LAND SQUATTERS IN
BOBARACHO WARD IN KIISI COUNTY**

The Vice Chairperson invited the Kenya Agricultural and Livestock Research Organisation to respond to the issues raised on the aforementioned Petition.

The Director, Legal Services, KARLO began by giving a brief background and overview of the establishment and mandate of the organization which entails promoting, streamlining, coordinating, and regulating research in crops, livestock, genetic resources, and biotechnology. Additionally, they focus on expediting equitable access to research information, resources, and technology and promoting their application in agriculture.

The meeting was informed that KALRO Kisii is a research center specializing in food crops research. Established in 1960, it was divided into the Scientific Research Division and Farmers Training Centre in 1963. The center's research mandate includes agronomy, commercial introduction of new crops, general cultivation systems, and suitable livestock and grasslands husbandry.

The original land allocation to KALRO Kisii was **100.3 hectares** which has since reduced to **83.97 hectares** to date since over the years, parts of the land were irregularly allocated to other entities as follows:

- Ministry of Public Works (Rural Access Roads) - **7.2 ha**

- Veterinary Department – **4.4 ha**
 - Nyayo Bus Corporation - **2.2 ha**
 - Tegemea Oil Company - **1.2 ha**
 - Kisii Coca Cola Bottlers- **1.2 ha**
 - Cattle Dip -**0.13 ha**
- Total 16.3 ha**

Regarding the specific issues raised by the petitioners, KALRO denies the charges, claiming that the area was used as a Livestock Improvement Centre by 1960 and was lawfully allotted for agricultural research purposes in 1963. The organization rejects any leasing agreements and asserts that the land was used for public purposes. It also rejects any past land compensation disputes pertaining to the property. Further the Committee was informed that the research activities they conduct have a substantial impact on agricultural growth and food security in Kisii, Nyamira, Migori, and Homabay counties, as well as nationwide.

Members inquired on whether KARLO had filed any complaints regarding the alleged grabbed land as well as the steps taken to secure the land they are currently in possession of from grabbers. They stated that indeed they had a number of ongoing cases in court such as with the Tegemea Oil Company, further, they informed the meeting that while they are presently working on securing their land by fencing they face challenges of vandalization.

On concluding the meeting resolve to have a meeting with the Ministry of Agriculture and Livestock Development to ascertain the history of the land in question before embarking on report writing.

MINUTE SEN/LENR/LENR/281/2025

ANY OTHER BUSINESS

There was no other business discussed.

MINUTE SEN/LENR/282/2025

ADJOURNMENT AND DATE OF NEXT MEETING

The meeting was adjourned at 12.20 pm. The date of the next meeting was to be on Tuesday, 29th April, 2025 at 12.30pm.



13/5/2025

SIGNED.....

DATE.....

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP

CHAIRPERSON

STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES

Annex II:
Submissions
by key
Stakeholders



REPUBLIC OF KENYA

MINISTRY OF AGRICULTURE AND LIVESTOCK DEVELOPMENT
OFFICE OF THE CABINET SECRETARY

Telephone: 2718870/9
Website: www.kilimo.go.ke
Email: cabinetsecretary@kilimo.go.ke
When replying please quote;

KILIMO HOUSE
CATHEDRAL ROAD
P. O. Box 30028
NAIROBI

REF: MOALD/CS/ADM/13 VOL.VII

4th August 2025

J. M. Nyegenye, CBS
Clerk of the Senate
Parliament Buildings
P.O. Box 41842-00100
NAIROBI

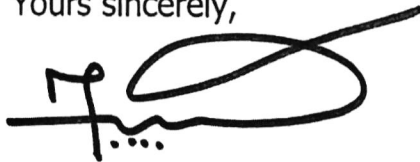
**PETITION OF THE SENATE ON DELAYED ALLOCATION OF
ALTERNATIVE LAND BY WAY OF RE-SETTLEMENT OR
COMPENSATION BY THE GOVERNMENT OF KENYA FOR CREATION
OF KISII AGRICULTURAL INSTITUTE AND KISII FARMERS
TRAINING CENTRE**

Reference is made to your letter Ref: **SEN/DSEC/DPEAC/LENR/2025/(3)(208)** dated **27th June, 2025**, inviting the Ministry of Agriculture and Livestock Development to appear before the Senate on **5th August, 2025** to provide submissions on the above-mentioned petition.

Regrettably, I will not be able to attend the meeting due to prior official engagements outside the country. I therefore seek your indulgence to reschedule the meeting to a later date that is convenient to the Committee. In the meantime, I am submitting the Ministry's written responses for the Committee's consideration ahead of the next meeting.

I remain committed to providing the necessary information and support regarding this matter.

Yours sincerely,

A handwritten signature in black ink, consisting of a stylized 'M' followed by a large, sweeping loop and a horizontal line with three dots underneath.

Sen. Mutahi Kagwe, EGH
CABINET SECRETARY

Encl.

Copy to: Dr. Kipronoh Ronoh P. CBS
Principal Secretary
State Department for Agriculture
NAIROBI



MINISTRY OF AGRICULTURE AND LIVESTOCK DEVELOPMENT

**SUBMISSION ON THE PETITION ON DELAYED ALLOCATION OF
ALTERNATIVE LAND BY WAY OF RE-SETTLEMENT OR COMPENSATION
BY THE GOVERNMENT OF KENYA FOR CREATION OF KISII
AGRICULTURAL INSTITUTE AND KISII FARMERS TRAINING CENTRE**

BY

**SEN. MUTAHI KAGWE, EGH
CABINET SECRETARY**

AUGUST, 2025

Introduction

On 29th April 2025, the Ministry of Agriculture and Livestock Development presented a submission to the Senate Standing Committee on Land, Environment and Natural Resources regarding the petition by representatives of the Mwabundusi land squatters in Bobaracho Ward in Kisii County. The Submission was presented by the Director General KALRO (**annex 1**).

Historical background

The Kenya Agricultural and Livestock Research Organization, Kisii (formerly KARI-Kisii) was originally established in 1963 when it operated as the Livestock Improvement Centre.

The Centre and existing infrastructure was later handed over to Agricultural Department and the land was divided between the Agricultural Research Centre and the Kisii Farmers' Training Centre.

In 1968, the name of the Station was changed to Nyanza Agricultural Research Station to cover a wider mandate area that included the then Central Nyanza District. The research station continued to conduct its research under the Ministry of Agriculture then until 1989 when its functions were transferred to the Kenya Agricultural Research Institute (KARI) under the Scientific Research Division.

The land was handed over to the Regional Research Centre (RRC), Kisii on 1st July, 1989 by the Scientific Research Division of the Ministry of Agriculture and Livestock Development. With the establishment of Kenya Agricultural and Livestock Research Organization (KALRO) under the Kenya Agricultural and Livestock Research Act of 2013, the Centre adopted its new name as KALRO-Kisii. The Centre covers four mandate counties namely Kisii, Nyamira, Homa Bay and Migori. It is located along the Kisii- Keroka road, about 3 km from the Kisii town. Details of various activities carried out at the centre are as indicated in **annex 2**.

The Centre is mandated to generate and promote technologies and innovations for demand-driven agricultural and livestock product value chains, to develop and promote markets and marketing strategies for agricultural and livestock product value chains and to enhance the availability of knowledge, information, and technologies on the agricultural and livestock product value chains.

Land occupation and ongoing threats

The Centre's original land as per our records and the documentation submitted to the National Land Commission is 100 ha under Kisii Municipality/Block IV. The Centre conducted research activities uninterrupted until 1980s when other organizations and individuals started encroaching on its land. Since the 1980s, the then Kisii Municipality and prominent local leaders started lobbying the District Administration to sub-divide KARI research land for allocation to "Industrialists". Due to the encroachment, the current land size available to KALRO Kisii is estimated at 83.7 ha.

Following issuance of circular No. CON/LH/A/23/20 VOL.11/111 issued by the Permanent Secretary dated 29th June, 2005 (**annex 3**) directing Government entities to repossess irregularly/illegally allocated public land, the Centre made several attempts to reclaim its land. With the support of the National Land Commission the following titles were revoked and reverted to KALRO as evidenced by the enclosed gazette notice dated 17th July, 2017 (**annex 4**).

Property Description	Interested Parties	Determination/Chief Land Registrar Directed to:
Kisii Municipality Block IV/16	KALRO Kisii Bottles Ltd	Chief Land Registrar directed to uphold title held by Kisii Bottlers Ltd. ICDC is a major shareholder in the firm and is owned by the Government.
LR NO. 16757 LR NO. 16758	Tegemea Oil Company Geoffrey Asanyo ICDC	ICDC to regularize/ uphold Revoke Tegemea & Geoffrey Asanyo Titles. Uphold title held by ICDC, land reverts to KALRO
LR NO.17666	Jared Kangwana	Chief Land Registrar directed to revoke title of Jared Kangwana and revert the land to KALRO

Other illegal subdivisions registered on KALRO land include the following:

Property Description	Area (ha)	Date of Search	Certificate of lease issue date
Almasi Bothers Ltd	2.021	20/01/2023	14/11/2019
Kisii Municipality Block IV/1			
Caution in Favour of KALRO Kisii Municipality Block IV/2	0.8415	20/01/2023	14/02/2007

Milcah Kemunto Matangi, Justin Nyagwanga Okemwa, Judith as trustees for Judith B. Nyanduko, Gladys Moragwa Okemwa, Samson Onserio Okemwa & Eliud Arori Okemwa Kisii Municipality Block IV/3	0.5560	20/01/2023	07/0R/2010
Bridge Camp Hotel Company Ltd Kisii Municipality Block IV/4	2.640	20/01/2023	10/08/1998
Almasi Bottlers Ltd Kisii Municipality Block IV/16	1.22	20/01/2023	14/11/2019

KALRO has consistently objected to any aggression on its property and the organisation does not have any intention to relinquish its research land. On 11th February, 1993, the Director of KARI wrote a letter to the principal Secretary Ministry of Research and Technical Training objecting further alienation research land to 3 parties and requesting for issuance of title to KARI (**annex 5**). KALRO has formally submitted a request to the Ethics and Anti-Corruption Commission to assist in recovery of the irregularly allocated parcels of land. The EACC is actively pursuing the matter.

KALRO has also pursued court cases on the irregularly allocated plots and/or active aggressions from the Kisii County Government and individuals. To date, several court cases have been filed which include;

1. Kisumu Court of Appeal Civil Application E108 of 2024 KALRO V Merenciah Kinanga Okemwa & Land Registrar Kisii - The plaintiff vide Environment & Land Case No. 204 of 2014 was claiming ownership of part of KARI's land illegally subdivided and known as L.R. No Kisii

Nmunicipality / Block IV/2. The Plaintiff was contesting the caution placed on the title by KARI. The Court delivered judgment in favour of the Plaintiff and permanently restrained KALRO from interfering with the plaintiff's ownership of the suit land. We have appealed the judgment.

2. Kisumu Court of Appeal No 114 OF 2020 KALRO V Jared Benson Kangwana — KALRO appealed High Court judgment issued on 24/5/19 finding in favour of Qtr. Kangwana as the owner illegal/irregular subdivision L.R. No.17666.
3. Kisii ELC Constitutional Petition NO. 3 of 2018 KALRO Vs Kisii County Government and MCA, Bobaracho Ward — KALRO instituted the suit seeking orders to stop the illegal construction of a feeder road through KALRO land parcel. Judgment was delivered on 29th August, 2019 in favour of KALRO by Mutungi J. The court held inter alia that KALRO the petitioner has proprietary interest over the suit property.
4. Kisii Judicial Review NO. 1 of 2023 KALRO V County Secretary Kisii County Government & Another - KALRO seeks to have the Court grant orders compelling the County to settle the decretal sum issued in ELC PET NO 3 of 2018.
5. Kisii ELC Suit No 3 of 2024 KALRO V Kisii County Government and Others — KALRO instituted the suit contesting the illegal construction of the Governor's office/Residence on KALRO Kisii land.

The above matters are currently the subject of active proceedings and are still being canvassed by the Parties before the Court. Moreover, we wish to highlight that KALRO with the assistance of local law enforcement has managed to vigilantly keep off the illegal title holders and still maintains possession of the land.

The continued aggression on KALRO land and property will jeopardise the

organization's research mandate of generating top-notch agricultural technologies, innovations, and management practices for over three million smallholder farmers in its mandate counties.

Conclusion

The land has been fully developed over the years through substantial investment by the Ministry and donor agencies. As such, it would not be in the best interest of the Ministry to relocate the research station, whose infrastructure, ongoing programs, and strategic location are critical to food security, economic development, and the public good.

Request by the Ministry Of Agriculture and Livestock Development

- In light of the foregoing, we urge the Senate to find that the land in question was rightfully allocated for research purposes and was duly inherited by Kenya Agricultural and Livestock Research Organization (KALRO) as part of its legal mandate.
- We appeal to the Senate to safeguard this vital national asset by ensuring the land remains preserved for its intended purpose (agricultural research and innovation).
- We request Senate to protect land for public interest and fostering sustainable land use for future generations.

Signature Date

SEN MUTAHI KAGWE, EGH
CABINET SECRETARY

Annex 1

SUBMISSION TO PETITION ON DELAYED ALLOCATION OF ALTERNATIVE LAND TO MWABUNDUSI LAND SQUATTERS, BOBARACHO WARD, KISII COUNTY

PRESENTED ON 29TH APRIL 2025 TO THE SENATESTANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES

The Kenya Agricultural and Livestock Research Organisation has reviewed the petition by representatives of the Mwabundusi land squatters regarding the alleged delayed allocation of alternative land. Having considered their submissions, the Organisation wishes to respond as follows:

Pursuant to Article 62(1)(b) that provides that public land is land lawfully held, used or occupied by any State organ that is not under private lease.

Pursuant to Article 40(3) that provides that the State shall not deprive a person of property of any description, or of any interest in, or right over, property of any description unless the deprivation is for a public purpose or in the public interest and is carried out in accordance with the Constitution and any Act of Parliament. The Organisation carries out its mandate for public good.

Pursuant to Section 3 of the KALR Act that establishes the Organisation as a body corporate with perpetual succession and a common seal with authority to take, purchase or otherwise acquire, hold, charge and dispose of movable and immovable property to enable it perform its functions under the Act;

1. Background on KALRO and the Kisii Centre

The Kenya Agricultural and Livestock Research Organization (KALRO) is a corporate body established under the Kenya Agricultural and Livestock Research Act No. 17 of 2013. KALRO's mandate includes:

- Promoting, streamlining, coordinating, and regulating research in crops, livestock, genetic resources, and biotechnology.
- Expediting equitable access to research information, resources, and technology and promoting their application in agriculture.

KALRO was formed through the merger of four institutions — Kenya Agricultural Research Institute (KARI), Coffee Research Foundation (CRF), Tea Research Foundation of Kenya (TRF), and Kenya Sugar Research Foundation (KESREF) — effective 1st July 2014. The Organisation currently operates 16 research institutes and 51 research centres nationwide.

KALRO Kisii is one of these research centres, specializing in food crops research. In 1960, the livestock improvement center was in existence. In 1963, the land was handed to the Department of Agriculture who decided it into two; the Scientific Research Division and Farmers Training Centre (**Annex 1**). Land was allocated to the Centre from the former Livestock Improvement Centre under the Department of Agriculture. The Centre was assigned a research mandate covering:

- all aspect of agronomy of locally important food and cash crops;
- of new crops with a view to their introduction in the area on a commercial scale;
- of general cultivation systems; and
- of systems of livestock and grasslands husbandry suitable to the area

The original land allocation to KALRO Kisii was **100.3 hectares (Annex 2)**. Over the years, parts of the land were irregularly allocated to other entities as follows:

- Ministry of Public Works (Rural Access Roads) – 7.2 ha
- Veterinary Department – 4.4 ha
- Nyayo Bus Corporation – 2.2 ha
- Tegemea Oil Company – 1.2 ha
- Kisii Coca Cola Bottlers – 1.2 ha
- Cattle Dip – 0.13 ha
- Total 16.3 ha

This left the Centre with **83.97 hectares**, which is currently fully utilized for its national research mandate (**Annex 3**- letter from Ministry of Lands).

2. Response to Allegations Raised in the Petition

The Organisation categorically refutes the allegations contained in the petition:

1. Land Ownership and Use- Paragraph 13:

- By 1960, the land was utilized for Livestock Improvement Centre under the Ministry of Agriculture and Livestock Husbandry.

- The land currently occupied by KALRO Kisii was legally allocated for public good for agricultural research purposes in May 1963.
- We are unaware of the alleged 37 year lease referred to by the Petitioners.

2. Lease Allegations- Paragraph 14, 16 and 19:

- The Centre was allocated 100.3 hectares outright and not 83 acres; no lease agreement existed in 1992 or any other period, contrary to what is alleged. About 16.3 hectares was allocated to Ministry of Transport, Veterinary Department and NYS but the remaining 83.97 hectares are actively used to fulfill KALRO's national research mandate.

3. Mwandabusi Community Claims-Paragraph 17:

- KALRO has no knowledge of any filed application by the Mwandabusi community before the National Land Commission concerning the Centre's land.

4. Public Purpose Use- Paragraph 18:

- Under the KALR Act, KALRO holds land strictly for public agricultural research purposes.

5. Compensation Claims- Paragraphs 20-24:

- KALRO is unaware of any historical land compensation issues relating to its KALRO Kisii land. Should any exist, they do not fall within the Organisation's mandate or responsibility.

6. Current Land Status:

- The Organisation remains the legitimate and rightful occupant of the land.
- Research activities continue to contribute significantly to agricultural development and food security in Kisii, Nyamira, Migori and Homabay counties and nationally.

3. KALRO's Position

KALRO respectfully prays that the Senate finds and affirms that:

- KALRO Kisii holds its land lawfully and for a legitimate public purpose.
- The Organisation has no part in any alleged historical injustices related to land compensation.

- KALRO remains committed to fulfilling its agricultural research mandate for the benefit of the nation, including the residents of Kisii County.
 - KALRO Kisii Centre requires more land for multi- disciplinary research.
-

Conclusion

The Kenya Agricultural and Livestock Research Organization (KALRO) reiterates its commitment to national service and respectfully requests the Senate Committee to dismiss any claims against its occupation of the Kisii research land.

Annex 2.

22

Annex 2

THE RESEARCH DIVISION
KENYA DEPARTMENT OF AGRICULTURE.

This compendium has been prepared by Section Heads and Officers in Charge of research units of the Department of Agriculture. It is intended to be a guide to the research work which is in progress at present and the places where this work is being conducted. Each officer who has contributed has outlined the part which his unit plays in the implementation of the overall research plan and some of the achievements of his unit since it began.

Kenya has been fortunate in being able to finance agricultural research on an increasing scale since 1908 when research began modestly with the activities of "Bug" Anderson. The Research Division is now one of the largest of its kind in Africa and employs 150 officers and a commensurate subordinate staff. The major expansion took place in the early 50.s, and research units were established at 23 centres spread over all the main ecological zones of Kenya. Only now is it becoming possible to gauge the real value of much of the long term investigational work and to begin to put into practice some of the major findings which have come from the immense number of investigations which have taken place, but long ago research began to make its contribution to the production of Kenya's major crops especially maize, coffee and other food and cash crops. Perhaps the most immediate benefits which will now come to Kenya's economy will be from the application of research findings to the production of milk and beef and of new cash crops.

Research is carried on under 3 general heads:-

1. Commodity Research.
2. Field Investigations.
3. Central Services.

1. Commodity Research. Into this category fall those crops on which research is partly or wholly subsidised by supporting industry. Research staff devote full time to the improvement of these crops. Crops include Maize, Wheat, Barley, Coffee, Cotton Tea, Pyrethrum, Sisal and Pineapples, research being carried on in commodity stations as follows:-

Plant Breeding Stations, Njoro, Kitale, Kakamega and Katumani

Research into the production of new varieties of wheat, maize barley and oats. Funds come from Kenya Government, Colonial Development and Welfare Grants, the Rockefeller Foundation, New York and from a small cess on cereal production.

Coffee Research Station, Jacaranda, and six Regional sub-stations

Research into improving yield and quality of coffee. There are coffee sub-stations at Koru, Kitale, Meru and Kisii. Funds come half from Kenya Government and half from the Coffee Board of Kenya.

Cotton Research Station, Kibos.

Research into improving yield and quality of cotton, mainly by improvement of production methods by cultivators and by insect control. There is a sub-station at Msabaha in Coast Region. Funds come from the Empire Cotton Growing Corporation and from the Cotton Board of Kenya. Kenya Government provides an entomologist.

Tea Research Stations Kericho and Kagochi

At Kericho, which is carried by a cess on tea production, research into problems of plantation-scale production is on behalf of the three Tea Boards of East Africa. At Kagochi a small experimental station conducts investigations to help smallholders.

Pyrethrum Research Station, Molo

Research into pyrethrum production is paid for by Kenya Government and the Pyrethrum Board of Kenya.

Sisal Research Station, Thika.

Research into sisal production is paid for by the Sisal Board of Kenya and by Kenya Government.

Horticultural Research Station, Thika

Horticultural research is paid for by Kenya Government with a subvention from the Kenya Canning Crops Board. There is a sub-station at Molo.

2. Field Investigations. Research into Animal Husbandry, and into the husbandry of crops not included under commodity research, is carried out at eight General Investigation research stations located as follows:-

Western Region:	Kakamega.
Nyanza Region:	Kisii.
Rift Valley Region:	Kitale.
	Eldoret.
Central Region:	Ol Joró Orok.
Eastern Region:	Embu.
	Katamani.
Coast Region:	Mtwapa.

There is also a Grassland Research Station at Kitale in the charge of the Senior Pasture Research Officer who is responsible for pasture research throughout Kenya. There are substations for Grassland Research at Marindas, Katumani and Thika.

3. Central Services. The Department's Scott Laboratories in Nairobi form the centre for the supply of technical information to both field and research divisions as well as to the general public. The laboratories are extensive and well equipped and are able to accommodate visiting scientists and units working on short term projects. The senior officer of the staff stationed there has additional administrative duties as Officer in Charge.

Soil Chemistry: The Senior Soil Chemist, has responsibilities for general analytical work, herbicides and essential oil plants as well as for all aspects of soil science.

Entomology: The Senior Entomologist has staff deployed in Nyanza, Rift Valley, Southern and Coast Regions, and is responsible for the technical direction of work on insect pests on crop plants, with the exception of coffee which has its own strong entomological team. He is also responsible for the inspection of plant imports and exports.

Plant Pathology: The Senior Plant Pathologist has responsibility for the control of diseases of cultivated plants, and is also responsible for the introduction of new potato varieties, for the Government Seed Testing Laboratory and for work on legume bacteriology. He has a staff of seven officers.

Intelligence Unit: This unit consisting of an Intelligence Officer and a Crop Introduction Officer is based at Scott Laboratories and is responsible for the collection and co-ordination of all experimental results arising from research projects throughout the country and for research into cash crop production at the various research centres.

Chief Research Officer's office; Head Office: This office, consisting of the Chief Research Officer and the Senior Research Officer is responsible for the technical direction and administration of the research services. In addition, the office supplies technical information on all agricultural subjects to the Ministry of Agriculture, and forms the link between Departmental research, research in the East African Agricultural and Forestry Research Organisation, and research

In addition to the three main kinds of research there are irrigation research units at Mwea/Tebere in Central Region, Galole on the Lower Taña River, Perkerra in Baringo and Ahero on the Kano Plains. These small units serve the needs of irrigation schemes or projected irrigation schemes in each of these places.

Rice research is centred at Mwea/Tebere. At Perkerra the emphasis of the research work is on onions which form the mainstay of the work there. At Galole and Ahero preliminary investigation work is in progress as a preface to a possibility of large scale irrigation developments.

E. Hainsworth

(E. Hainsworth)
Chief Research Officer

EH/CP
16.7.1963



MINISTRY OF AGRICULTURE
 NYANZA AGRICULTURAL RESEARCH STATION
 P.O. BOX 523
 KISII, KENYA

With the Compliment
 of the

Senior Research Officer & Staff
 Nyanza Agricultural Research Station
 P.O. Box 523,
 K I S I I

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INTRODUCTION:

Our station like any other public institutions is open for visits from all sorts of people with varying objectives. There are those who come with specific problems; those who want to see what is going on in the station; those who are eager to learn more about a proven finding and those who merely come as visitors to the residents. These may come as individuals or organized groups such as those of students, pupils, farmers, government or private organisations. The time taken during the visit may not be long for one to see and appreciate all that is going on here. It is with this in mind that the guide is prepared to portray in a nutshell what the station is all about. In this handout the history, description, objectives and achievements of the station are described. It also touches on the areas covered by the station; it is supporting substations, buildings and staff. The technical staff incharge of various sections are always available to give or show the visitor(s) any further information which may be required.

Most of our crops and pastures are at their best during the months of May, to July and during October to December. It is therefore advisable for interested parties to come during those periods. There is however, much to be seen any other time of the year.

Although we would welcome visitors all the time, it would be appreciated if the station is informed in good time so that arrangements are made for the relevant officers to be around.

HISTORY:

The station was started in May, 1963 after the former Livestock Investigation Centre was taken over by the Agricultural Department and divided between the research station and farmers training centre. The crop research activities previously at Sotik were later in the same year transferred to the station.

The station covers an area of about 90 hectares (225 acres) the majority of which is too steep for cultivation and is under permanent pasture. Only one third of the area is arable. The arable portion is subdivided into seven fields of about 5 hectares (12.5 acres) each undergoing a 7 year rotation of 4 years pasture and 3 years cropping. The experimental portions are located within the arable fields.

DESCRIPTION

The station is situated about 2 kilometres East of Kisii town at an altitude of 1806 metres above the sea level. It lies on latitude $0^{\circ}41'$ South and longitude $34^{\circ}47'$ East. The station has a mean annual rainfall of 2058mm and a mean annual potential evapotranspiration of 1200mm. The rainfall is bimodally distributed with the long rains starting from early March to June and short rains from August to November. The mean air temperature for the station is 19.3°C .

The soils of the area consist of well drained, very deep, dark reddish brown and very friable clays. The soil reaction is medium to slight acid (PH of about 5.9), which is also the characteristic of a large part of the region served by the station. The majority of nutrients are available in sufficient amounts apart from phosphorus. The dominant vegetation is Kikuyu/Star grass.

Grasses/Shrubs

AREA COVERED

Nyanza Region, the area that the station caters for is divided into four zones based mainly on rainfall and altitude namely;

A. THE MEDIUM POTENTIAL LAKE SHORE AREA:

This zone includes the areas along or near Lake Victoria (from Kisumu - Mohoru Bay). The zone is warm throughout the year with the mean annual rainfall of 1100mm of which the greater portion is during the long rain seasons, (March - April) as peak. The altitude

ranges between 1130 - 1550m above the sea level. The soils of this zone are generally poor with alot of striga weed-problem.

B. HIGH POTENTIAL ZONE (INTERMEDIATE ZONE):

This zone includes Oyani, Rongo, Kehanja and the adjacent lower areas of Kisii. This is a high potential area and is fairly warm at an altitude of about 1230-1806m above sea level. The mean annual rainfall is between 1200-1600m and is biomodially distributed. The soil conditions are however, not very favourable. The striga weed problem is experienced in some of its areas.

C. HIGH ALTITUDE ZONE:

This covers the Kisii Highlands with an altitude of 1860m above sea level. The zone enjoys a more or less continuos rainfall with a high March to May peak, while January, February and August are relatively dry months. The mean annual rainfall is 2050mm. The soils are generally deep; free draining redish clayey.

D. THE TRANS-MARA REGION OF NAROK DISTRICT

This is the zone (Masailand) bordering Kisii Highlands. It is a high potential area with annual rainfall of 1250mm which is more or less continuos. Although the zone has relatively low rainfall its altitude of about 2015m above sea level is fairly very high.

Sub-Stations:

There are three sub-stations attached to this station and they prepresent most of the areas covered by the four ecozones mentioned in the earlier paragraphs. These are Homa Bay Farmers' Training Centre, Oyani Animal Improvement Centre and Kilgoris in Narok District. These sub-stations are fully manned and carry out research work with the directives from the main station, Kisii.

CROPPING SEASONS:

Generally, there are two cropping seasons in the region namely Long Rains, January to July and Short Rains, August to December. However, these seasons do overlap for example the harvesting of most of the crops grown in either season would take place at the beginning of the other season.

THE AIMS AND OBJECTIVES OF THE STATION

1. To study the agronomic aspects of local food and cash crops such as maize, sorghum, finger millet, cassava, potatoes, horticultural crops, grain legumes, pyrethrum etc. and pasture with the view of increasing their yields.
2. To study the various intercropping systems such as maize-bean mixtures with the aim of finding out their advantages over their pure stands and adoptability in the region.
3. To study growth habits, diseases and pests of various new crops with a view of their introduction into the region.
4. To introduce into the region new grass/legume species and fodders.
5. To bulk planting materials which perform well and which are not in the market for distribution to the farmers. These include groundnuts, fodder crops or soyabeans etc.
6. To study nutrition and management of livestock. For example at the moment the station keeps the Jersey Breed which is quite acceptable in greater part of the region.
7. To carryout demonstrations on selected fields or government institutions such as Farmers Training Centres and our research stations. These cover all aspects of recommended crop husbandry techniques.

8. To organize open days during which farmers in the region visit the station to see for themselves the various activities going on in the station.
9. Screening out of high yielding and suitable food and horticultural crops.
10. To co-ordinate various research trials or programmes for Nyanza Region from other Research Stations, University of Nairobi and other international organizations. The main ones are soil fertility trials, grain legumes, pasture programmes, cow pea evaluation programmes, pyrethrum adaptability trial, millet varieties and sorghum varieties which may be resistant to striga weed attack.

EXPERIMENTAL SECTIONS:

In order to achieve the above objectives, the research programmes in the station are divided into six sections namely:-

1. Maize Section
2. Dry Bean Section
3. Horticultural Section
4. Oil Seed Crop Section
5. Root Crop Section
6. Pasture Section

STAFF:

The staff strength at the station at the time of writing this report is as follows:-

- 1 Senior Agricultural Officer (R) (who is the oi/c)
- 4 Agricultural Officers (Research)
- 1 Farm Manager
- 1 Executive Assistant (Ag)
- 5 Technical Officers
- 18 Technical Assistants
- 4 Clerical Officers
- 1 Copy Typist
- 5 Drivers
- 2 Plant Operators
- 1 Mechanic
- 1 Artisan (Carpenter)

BUILDINGS:

There is a serious office and residential accommodation problem in the station compared with the number of staff. There are only two office blocks of which the main block is substandard and the other one which is standard is too small. The following are however, the different grades of the few staff houses present:-

- 2 houses of grade C
- 4 houses of grade D
- 2 houses of grade E
- 13 houses of grade F

Other buildings in the station include:-

- 1 dairy house
- 1 calf house
- 2 store
- 1 library
- 1 garage
- 1 farm machinery shade

All these are in the main station Kisii.

The station has no laboratory which should be an essential part of such a station.

FARM MACHINERY:

Our field operations are done using four tractors and different farm implements. The four tractors are of the following make:-

- International 1050
- International 384
- Massey Ferguson 135
- Massey Ferguson 35

All these are serviceable. There is also one trailer which is in good condition.

TRANSPORT:

The station has three landrovers GK 181F, 753W and 839S. The first two vehicles however, had accidents during 1979. GK 181F is almost ready for use but GK 753W has not been repaired to date. There are also two Mazda Pick-Ups namely GK 537Q and GK 539Q, and a three ton Isuzu lorry GK 614W. Although these vehicles if in good condition are adequate for research programmes in the region, there is urgent need for a staff car for long trips especially where more than two officers are involved.

SOME ESTABLISHED FINDINGS AND AVAILABLE MATERIALS:

1. There is enough information on time of planting, spacing of various crops, maize-bean mixtures practice, the correct hybrids for different zones and fertilizer use.
2. There is also enough information on established vegetable and other horticultural crop varieties.
3. Some planting materials such as fodder crops, banana suckers and soyabean are also available for collection by interested farmers.

DISSEMINATION OF RESEARCH FINDINGS:

The research findings in the station are published in the annual reports of the station and the Scientific Research Division of the Ministry of Agriculture. The reports are always made available to the extension staff who pass down information to the farmers. There are also some research bulletins written by research officers on various technical fields. These are distributed to the field staff, Agricultural Schools, or Farmers Training Centres in the region and individual farmers who can interpret them.

The farmers are also made aware of our findings through field or open days in the station which should be organized annually. They are also made aware through field demonstrations conducted in different areas in the region by the field staff in conjunction with the research team.

CONFIDENTIAL



THE ROLE OR ECONOMIC VALUE OF OUR RESEARCH FINDINGS:

It is through our findings that most farmers in the region now get reasonable maize grain yield per unit land area. This is because of the use of the correct hybrid maize seed and other recommended agronomic aspects of maize production. Similar progress is highly noticed on other crops and on Animal Production in most parts of the region.

The recent high demand of milk in Kenya has undoubtedly caused the increased demand of the grade dairy stock in the region with more emphasis in Kisii District and with the limited land areas especially in Kisii District the results of our Zero Grazing Experiment and pasture work will prove of great value in the entire region.

OCTOBER, 1980



A/C/FARM/1/51.

CONF



75

4th May

60.

CONFIDENTIAL
Principal,
Kisii F.T.O. KISII.

STOCK KISII FARM.

The A.O. (R) Sotik has agreed to hold the Jerseys for Kisii until we are ready, he has asked if we could let him have 4 Sahiwals in exchange. As you know the Veterinary Department cannot make any animals available, the best we could do would be to let him have four of the best Sahiwal heifers from Kisii. I don't think any of the cows would be worth sending. May I have your comments, please?

J. W. GURR

(J.W. Gurr).
Ag. PROVINCIAL AGRICULTURAL OFFICER,
NYANZA PROVINCE.

JWG/SEW,
Copies to: D. Grooten
A.O. (R) SOTIK ✓

CONFIDENTIAL

MINISTRY OF AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES

Telegrams: "PROVAGRIC"
Telephone 191
When replying please quote



DEPARTMENT OF AGRICULTURE
PROVINCIAL AGRICULTURAL OFFICE
NYANZA PROVINCE

PRIVATE BAG, KISUMU

Ref. No. A/C/FARM/1/49.
and date

CONFIDENTIAL

6
4

27th April 1960

73

A.O. (R) SOTIK.

JERSEY COWS.

I have now obtained agreement with the P.C., and P.V.O., to establish a Jersey herd at Kisii, but I have undertaken not to bring in any Jerseys until the P.A.C., have officially agreed to a grade policy for the Kisii Highlands in about a months time. I shall therefore be grateful if you could hold the animals you are going to make available for about a month.

(J.W. Gurr).
Ag. PROVINCIAL AGRICULTURAL OFFICER.
NYANZA PROVINCE.

JWG/GEW.

Copy to : D.A.O.
South Nyanza, KISII.

CONFIDENTIAL

Annex 3

land.



MINISTRY OF LANDS AND HOUSING
OFFICE OF THE PERMANENT SECRETARY

Telegrams "MINLANDS", Nairobi
Telephone: Nairobi 718050
When replying please quote

ARDEH HOUSE
1st NGONG'A AVENUE
OFF NGONG ROAD
P.O. BOX 30450
NAIROBI

Ref. No. CON/LH/A/23/20 VOL.II/111

29th June, 05

MINISTERIAL CIRCULAR NO: 16/2005

- TO: The Attorney General
 All Permanent Secretaries
 The Controller and Auditor General
 The Private Secretary/Comptroller of State House
 The Secretary, Public Service Commission
 The Clerk of the National Assembly
 The Registrar of the High Court
 The Secretary, Teachers Service Commission
 The Chairman, Electoral Commission of Kenya
 The Director General, National Security Intelligent Service
 All Chief Executives of State Corporations
 All Provincial Commissioners (with sufficient copies for District Commissioners)

OSW / Maina / Kida
Please refer the circular but let us discuss when we meet.
[Signature]

RE: REPOSSESSION OF IRREGULARLY/ILLEGALLY ALLOCATED PUBLIC LAND

Upon release of the Report of the Commission of Inquiry into the Illegal/Irregular Allocation of Public Land through this office circular letter Ref. No. CON/LH/A/23/20 VOL.II/(19) dated 5th January 2005, the Government directed that all the public land that is subject of illegal/irregular allocation (including all that public land not contained in the report) be repossessed by the Government Institutions that have lost it. The

[Signature]

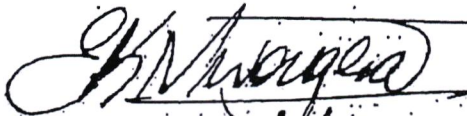
[Signature]
18/05

Government has further directed that all illegal/irregular allocation of public land, wherever it may be, shall attract repossession irrespective of the stage of the development on it.

The above policy directive notwithstanding, it has come to light that some Government Institutions have sat back waiting for the Advisory Task Force and the Land Titles Tribunal when established to repossess their land. To the contrary, the responsibility of repossessing all illegally/irregularly allocated land and plots is that of the dispossessed Institution. All dispossessed institutions therefore, public and private alike, should initiate necessary steps for repossession of such land. Where appropriate, Local Authorities and Provincial Administration may assist in the repossession process.

Regarding the allottees of the illegal/irregular land, they should be advised that they are at liberty to channel their grievances, if any, to the Advisory Task Force and the Land Titles Tribunal when it is eventually established, for review.

Please bring the contents of this circular to the attention of all public institutions (including schools, colleges, hospitals, etc) under your charge for their appropriate action.



ENG. E.K. MWONGERA, CBS, EBS, OGW
PERMANENT SECRETARY

Copy To: Amb. Francis K. Muthaura, E.G.H, M.B.S
Permanent Secretary, Secretary to the Cabinet
And Head of Public Service
Office of the President
NAIROBI

SPECIAL ISSUE**THE KENYA GAZETTE**

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GAZETTE NOTICE No. 6862

THE CONSTITUTION OF KENYA

NATIONAL LAND COMMISSION

DETERMINATION OF REVIEW OF GRANTS AND DISPOSITIONS OF PUBLIC LAND IN RESPECT OF THE FOLLOWING GRANTS AND ORDERS

IN EXERCISE of the powers conferred by Article 68 (c) (v) of the Constitution of Kenya and section 14 of the National Land Commission Act, 2012, the Chairman of the National Land Commission informs the general public that the National Land Commission upon receipt of complaints from the National Government, County Governments and members of the public, undertook review of grants and dispositions (titles) of public land to establish their legality or otherwise. The Commission via public notices in the national dailies invited all interested parties to appear before it to inspect documents and make written and oral representations and submissions. Consequently, the Commission has made determinations in respect of the following grants/Titles and orders for revocation, regularization, upholding of the titles where applicable as indicated or give further orders. Where the order calls for revocation, the Chief Land Registrar is thereby directed to revoke as per Section 14(5) of the National Land Commission Act and attendant laws.

TABLE 1—KILIFI COUNTY, MOMBASA AND KWALE COUNTIES

S/No.	Property Description	Location	Interested Parties	Determination/Chief Land Registrar Directed to:
	I.R. NO. MN/111/5333 also known as C.R 14272	Kilifi County	Joseph Malindi Lenguris Monika Herta Elfriede Behran Caroline Mwelu Mwandiku	Chief Land Registrar directed to revoke Title for Caroline Mwelu Mwandiku The title to vest in Monika Herta Elfriede Behran.
1.	L.R 4752/2 – or MURUMA FARM MN/111/5333 or C.R 14272	Kilifi County	County Government of Kwale Maruma Farm (Mbela Farm)	Chief Land Registrar directed to uphold Title for Maruma Firm Upheld
2.	L.R MN/1/6552	Kilifi County	Edwin Ndanyi Francis Mugo Njeru Peter Masha Kalama	Chief Land Registrar directed to revoke Title to Francis. Title to Hezron Ndanyi Lidede upheld
3.	L.R MN/III/3081 L.R MN/III/1923 L.R MN/III/3076 L.R MN/III/3080 L.R MN/III/1922	Kilifi County	Sahajanad Special Primary School Sahajanad Secondary School Sharif Mudar Hussein Twahir Zacharia Abdulsattar Haji	Chief Land Registrar directed to revoke Titles to the aforesaid properties. Title to vest in the PS Treasury to hold in trust for Sahajanad School.
4.	M.N/111/432 - 435	Kilifi County	-Hon Justice Charles P. Chemutut -Albert Tsuma Tonya -Mbaru Lewa Mbaru -Matubatu Investment Limited -Jacquiline Josephine Wanjiru	-Chief Land Registrar directed to revoke Grant Numbers; CR. 55799, CR. 55798, CR. 55781, CR. 55782. -A certificate of lease to be issued to Hon. Justice Charles P. Chemutut.
5.	-KAWALA 'A' KADZONDZO/399 -KAWALA 'A' KADZONDZO/405	Kilifi County	-Mr. Karsan Ramji & Sons -Mrs. Sarah Joseph Thoya -Mrs. Victoria Mishsi Maraga	Karsan Ramji & Sons Limited as absolute proprietor
6.	L.R 1705/233 AND 1705/50	Kilifi County	-Nayeni Mibuyuni Squatters Group -The Stubbs & Slater Family	Title/Grant in favour of The Stubbs & Slater Family Estate Upheld.
7.	L.R 11492/466, L.R. 27249, L.R 16142,	Kilifi County	-Eng. Jonathan Mwangi -Humphrey Kombe & Family -Timothy Kilonzo	Title/Grant in favour of the following upheld; 1126 - Jonathan Mwangi 1125 - Jonathan Mwangi

S/No	Property Description	Location	Interested Parties	Determination
33.	Kisii Municipality Block III/260	Kisii County	Samson Nyambati	Title/Grant revoked. The parcel of land be reinstated to National Government Housing Department as a market
34.	Manga Settlement Scheme Plot No.88	Nyamira County	Mabeno DEB Primary School-Nyansioigo	Chief Land Registrar directed to Revoke Title to Interested Party and issue title to Mabeno DEB Primary School, The Registered owner be Compensated for the Market value of the land and or be given an alternative land elsewhere.
35.	Kisii Municipality Block IV/16	Public Utility Land	KARLO Kisii Bottles Ltd.	Chief Land Registrar directed to Uphold title held by Kisii Bottlers Ltd. ICDC is a major shareholder in the firm and is owned by the Government.
36.	LR No. 16757 LR No. 16758	Public Utility Land	Tegemea Oil Company Geoffrey Asanyo ICDC	ICDC to regularize/uphold Revoke Tegemea & Geoffrey Asanyo titles Uphold title held by ICDC, Land Reverts to KARLO
37.	LR No. 17666	Public Utility Land	Jared Kangwana	Chief Land Registrar Directed to revoke title of Jared Kanwana and revert the Land to KARLO
38.	Kisii Municipality Block 1/547	Kisii county	Nyangau Maonga Monyonko Geoffrey Tinega Isaboke	Chief Land Registrar directed to revoke title to Geoffrey Tinega Isaboke and a new lease issued to Nyangau Maonga Monyonko

NAIROBI COUNTY

TABLE 11—WOODLEY ESTATE

S/No	Property Description	Reserved User	Parties Involved	Decision of the Commission	Reasons
1.	LR No. 209/13539/154	County Government Housing	Paul Moses Ngetha Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
2.	LR No. 209/13539/184	County Government Housing	Wairimu Kanga Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
3.	LR No. 209/13539/57	County Government Housing	Mwangi H. Wangonda Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
4.	LR No. 209/13539/102	County Government Housing	Thomas Kipkoeh S. Koros Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
5.	LR No. 209/13539/87	County Government Housing	John Muturi Thumi Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
6.	LR No. 209/13539/29	County Government Housing	Wilson Kipkimboi Kipkoti Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
7.	LR No. 209/13539/143	County Government Housing	Joseph Musa Ngati, Peter Muriithi Ngatia Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
8.	LR No. 209/13539/20	County Government Housing	Simon Kimondo Mubea Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
9.	LR No. 209/13539/101	County Government Housing	Harun Muhoro Methu Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
10.	LR No. 209/13539/60	County Government Housing	Johnson N. Ondieki Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
11.	LR No. 209/13539/122	County Government Housing	Helen Njambi Mbugua Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
12.	LR No. 209/13539/50	County Government Housing	Trade World Company Ltd, Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
13.	LR No. 209/13539/152	County Government Housing	Jacqueline Yvonne Amoid Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
14.	LR No. 209/13539/163	County Government Housing	Praise Place Limited Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
15.	LR No. 209/13539/49	County Government Housing	Margaret W Goko Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
16.	LR No. 209/13539/169	County Government Housing	Fred Wainaina Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
17.	LR No. 209/13539/2	County Government Housing	Jane Waagui Bono Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
18.	LR No. 209/13539/7	County Government Housing	Eva N Gaita Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
19.	LR No. 209/13539/13	County Government Housing	Chrisna Holdings. Limited Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
20.	LR No. 209/13539/23	County Government Housing	Solken Limited Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
21.	LR No. 209/13539/65	County Government Housing	Kennedy Nyabuti Ogeto Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing

Annex 5.



55

Annex 4.

KENYA AGRICULTURAL RESEARCH INSTITUTE

HEADQUARTERS:

P.O. BOX 57811 TEL: 444144/444029 32
TELEX: 25287 KARI HQ. KE FAX: 440771
NAIROBI

received 17/2/93

When replying please quote:

Our Ref: KARI/1/030C/(13)

Your Ref: _____

February 11, 1993

Date: _____

Permanent Secretary,
Ministry of Research, Technical
Training and Technology,
P.O. Box 30621,
NAIROBI.

Alleged Proposal to Alienate the Land Occupied
by the Regional Research Centre, KISII

I wish to bring to your attention pertinent issues on the above case and request for your kind assistance in conveying our view and appeal to the relevant authority for consideration.

KARI has a network of Regional Research Centres (RRCs) which are charged with the responsibilities of ensuring development and delivery of agricultural production technologies through adaptive research for adoption by farmers in the mandate districts. The research is conducted in close collaboration with the farmers and the extension agents.

There are a total of ten RRCs which are strategically located at various ecological zones of Kenya viz. at Mtwapa (Coast), Makamega (Western), Embu (Eastern), Katumani (Kitui, Machakos, Kajiado), Njoro (Central Rift), Kitale (West Rift), Perkerre (Central Rift), Kisii (Nyanza and parts of Rift Valley), Muguga (Kiambu and Nairobi) and Garissa (North Eastern).

The Regional Research Centre, Kisii (agricultural research mandate for the districts of Kisii, Kericho, Kisumu, Narok and South Nyanza). This Centre was established at its present site in 1963 after it was moved from its original site at Sotik (Kericho and Bomet District), and allocated a land area of 100 ha adjoining the Kisii Farmers Training Centre.

The current activities at the centre cover maize, oilseeds crops, beans, sorghum/millet, root and tuber crops, horticultural crops, agroforestry, and livestock research.

Due to gradual land alienation to other institutions in the recent past, the original land allocated for research purposes has greatly shrunk in size from original 100 ha to about 80 ha.

The following have been allocated research land.

1. Kisii Coca Cola Bottlers	-	1.2 ha.
2. Ministry of Public Works	-	7.2 ha.
3. Veterinary Department	-	4.4 ha.
4. Nyayo Bus Corporation	-	2.2 ha.
5. Tegemea Oil Mills Co.	-	<u>1.2 ha.</u>

Total - 16.2 ha.

Recently further alienation has left the centre with less than 10 ha. comprising the administrative unit and the laboratories only. The plan seemed to have been approved by the Commissioner of Lands (see physical plan No. 92 attached). This means that there will be no land left for agricultural research in future as no alternative relocation arrangements have been made. Contrary to the impression created, the KARI Board of Management has NOT CONSENTED to the transfer. We enclose herewith the Board's stand on the issue (MIN/FA/29/92).

The alienation of the Kisii RRC research land will therefore mean a lost opportunity for generation of appropriate agricultural production technology for over one and a half million smallholder farmers living in the area covered by the centre research mandate.

Investigations in the District Lands Office reveal that the Kisii RRC land, although allocated to Ministry of Agriculture (then the land was passed it on to KARI for research purposes, as well vested in the office of the Commissioner of Lands. Thus, any interested party can be legally considered for allocation of this land by the Commissioner. KARI, as the current user, and more so for public good, and having invested heavily on this land through international donors and through loan from the World Bank, has the edge over any other interested party and therefore should be

KARI therefore wishes to REQUEST to : ..strongly CONSIDERED for the allocation of the land (measuring about 80 ha). This portion of land is currently occupied by KARI's Kisii RRC. Furthermore KARI has recently invested very heavily (over KShs.50 million worth of investment) through the donor (principally the World Bank) and GoK support.

C. G. NDIRITU (DR)
DIRECTOR, K.A.R.I.

Encs.

cc: Chairman
KARI BoM

Commissioner of Lands
Nairobi

Provincial Commissioner
Nyanza Province

District Commissioner
Kisii District

**REPUBLIC OF KENYA
THE SENATE
STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL
RESOURCES**

29th April 2025

**RE: RESPONSE TO PETITION ON DELAYED ALLOCATION OF ALTERNATIVE
LAND TO MWABUNDUSI LAND SQUATTERS, BOBARACHO WARD, KISII
COUNTY**

The Kenya Agricultural and Livestock Research Organisation has reviewed the petition by representatives of the Mwabundusi land squatters regarding the alleged delayed allocation of alternative land. Having considered their submissions, the Organisation wishes to respond as follows:

Pursuant to Article 62(1)(b) that provides that public land is land lawfully held, used or occupied by any State organ that is not under private lease.

Pursuant to Article 40(3) that provides that the State shall not deprive a person of property of any description, or of any interest in, or right over, property of any description unless the deprivation is for a public purpose or in the public interest and is carried out in accordance with the Constitution and any Act of Parliament. The Organisation carries out its mandate for public good.

Pursuant to Section 3 of the KALR Act that establishes the Organisation as a body corporate with perpetual succession and a common seal with authority to take, purchase or otherwise acquire, hold, charge and dispose of movable and immovable property to enable it perform its functions under the Act;

1. Background on KALRO and the Kisii Centre

The Kenya Agricultural and Livestock Research Organization (KALRO) is a corporate body established under the Kenya Agricultural and Livestock Research Act No. 17 of 2013. KALRO's mandate includes:

- Promoting, streamlining, coordinating, and regulating research in crops, livestock, genetic resources, and biotechnology.
- Expediting equitable access to research information, resources, and technology and promoting their application in agriculture.

KALRO was formed through the merger of four institutions — Kenya Agricultural Research Institute (KARI), Coffee Research Foundation (CRF), Tea Research Foundation of Kenya (TRF), and Kenya Sugar Research Foundation (KESREF) — effective 1st July 2014. The Organisation currently operates 16 research institutes and 51 research centres nationwide.

KALRO Kisii is one of these research centres, specializing in food crops research. In 1960, the livestock improvement center was in existence. In 1963, the land was handed to the Department of Agriculture who decided it into two; the Scientific Research Division and Farmers Training Centre (**Annex 1**). Land was allocated to the Centre from the former Livestock Improvement Centre under the Department of Agriculture. The Centre was assigned a research mandate covering:

- all aspect of agronomy of locally important food and cash crops;
- of new crops with a view to their introduction in the area on a commercial scale;
- of general cultivation systems; and
- of systems of livestock and grasslands husbandry suitable to the area

The original land allocation to KALRO Kisii was **100.3 hectares(Annex 2)**. Over the years, parts of the land were irregularly allocated to other entities as follows:

- Ministry of Public Works (Rural Access Roads) – 7.2 ha
- Veterinary Department – 4.4 ha
- Nyayo Bus Corporation – 2.2 ha
- Tegemea Oil Company – 1.2 ha
- Kisii Coca Cola Bottlers – 1.2 ha
- Cattle Dip – 0.13 ha
- Total 16.3 ha

This left the Centre with **83.97 hectares**, which is currently fully utilized for its national research mandate (**Annex 3**- letter from Ministry of Lands).

2. Response to Allegations Raised in the Petition

The Organisation categorically refutes the allegations contained in the petition:

1. Land Ownership and Use- Paragraph 13:

- By 1960, the land was utilized for Livestock Improvement Centre under the Ministry of Agriculture and Livestock Husbandry.

- The land currently occupied by KALRO Kisii was legally allocated for public good for agricultural research purposes in May 1963.
- We are unaware of the alleged 37 year lease referred to by the Petitioners.

2. Lease Allegations- Paragraph 14, 16 and 19:

- The Centre was allocated 100.3 hectares outright and not 83 acres; no lease agreement existed in 1992 or any other period, contrary to what is alleged. About 16.3 hectares was allocated to Ministry of Transport, Veterinary Department and NYS but the remaining 83.97 hectares are actively used to fulfill KALRO's national research mandate.

3. Mwandabusi Community Claims-Paragraph 17:

- KALRO has no knowledge of any filed application by the Mwandabusi community before the National Land Commission concerning the Centre's land.

4. Public Purpose Use- Paragraph 18:

- Under the KALR Act, KALRO holds land strictly for public agricultural research purposes.

5. Compensation Claims- Paragraphs 20-24:

- KALRO is unaware of any historical land compensation issues relating to its KALRO Kisii land. Should any exist, they do not fall within the Organisation's mandate or responsibility.

6. Current Land Status:

- The Organisation remains the legitimate and rightful occupant of the land.
- Research activities continue to contribute significantly to agricultural development and food security in Kisii, Nyamira, Migori and Homabay counties and nationally.

3. KALRO's Position

KALRO respectfully prays that the Senate finds and affirms that:

- KALRO Kisii holds its land lawfully and for a legitimate public purpose.
- The Organisation has no part in any alleged historical injustices related to land compensation.

- KALRO remains committed to fulfilling its agricultural research mandate for the benefit of the nation, including the residents of Kisii County.
- KALRO Kisii Centre requires more land for multi- disciplinary research.

Conclusion

The Kenya Agricultural and Livestock Research Organization (KALRO) reiterates its commitment to national service and respectfully requests the Senate Committee to dismiss any claims against its occupation of the Kisii research land.



KENYA AGRICULTURAL RESEARCH INSTITUTE

HEADQUARTERS:

P.O. BOX 57811 TEL: 444144/444029/32
TELEX: 25287 KARI HQ. KE FAX: 440771
NAIROBI

17/2/93

When replying please quote:

Our Ref: KARI/1/030C/(13)

Your Ref: _____

February 11, 1993
Date: _____

Permanent Secretary,
Ministry of Research, Technical
Training and Technology,
P.O. Box 30673,
NAIROBI.

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by the Regional Research Centre, KISII**

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Annex 1

The Regional Research Centre, Kisii, has agricultural research mandate for the districts of Kisii, Kericho, Kisumu, Narok and South Nyanza. This Centre was established at its present site in 1963 after it was moved from its original site at Sotik (Kericho and Bomet District), and allocated a land area of 100 ha adjoining the Kisii Farmers Training Centre.

The current activities at the centre cover maize, oilseeds crops, beans, sorghum/millet, root and tuber crops, horticultural crops, agroforestry, and livestock research.

Due to gradual land alienation to other institutions in the recent past, the original land allocated for research purposes has greatly shrunk in size from original 100 ha to about 80 ha.

The following have been allocated research land.

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Total	-	16.2 ha.

Recently further alienation has left the centre with less than 10 ha. comprising the administrative unit and the laboratories only. The plan seemed to have been approved by the Commissioner of Lands (see physical plan No. 92 attached). This means that there will be no land left for agricultural research in future as no alternative relocation arrangements have been made. Contrary to the impression created, the KARI Board of Management has NOT CONSENTED to the transfer. We enclose herewith the Board's stand on the issue (MIN/FA/29/92).

The alienation of the Kisii RRC research land will therefore mean a lost opportunity for generation of appropriate agricultural production technology for over one and a half million smallholder farmers living in the area covered by the centre research mandate.

Investigations in the District Lands Office reveal that the Kisii RRC land, although allocated to Ministry of Agriculture (MOA) and later passed it on to KARI for research use, is still vested in the office of the Commissioner of Lands. Thus, any interested party can be legally considered for allocation of this land by the Commissioner. KARI, as the current user, and more so for public good, and having invested heavily on this land through international donors and through loan from the World Bank, has the edge over any other interested parties, and therefore should be given legal right to the remaining land in question.

KARI therefore wishes to REQUEST that be strongly CONSIDERED for the allocation of the land (measuring about 60 ha). This portion of land is currently occupied by KARI, Kisii RRC. Furthermore KARI has recently invested very heavily (over KShs.50 million worth of investment) through the donor (principally the World Bank) and GoK support.

C. G. NDIRITU (DR)
DIRECTOR, K.A.R.I.

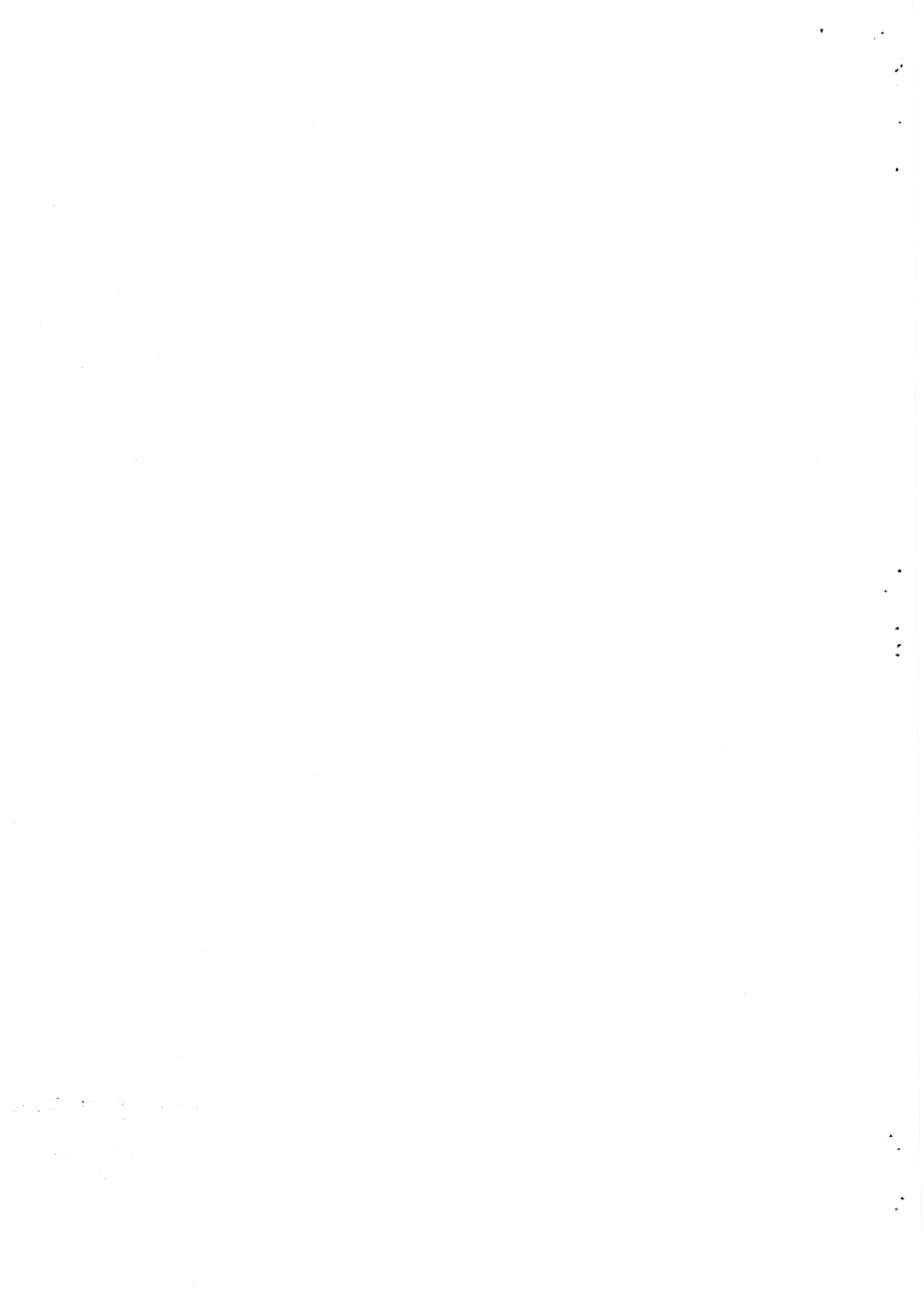
Encs.

cc: Chairman
KARI BoM

Commissioner of Lands
Nairobi

Provincial Commissioner
Nyanza Province

District Commissioner
Kisii District



MINISTRY OF LANDS AND HOUSING

61

Telephone: Kisii 058-30450
When replying please quote

Ref. No. RPD/KSI/37/VOL. X/133
and date



DISTRICT PHYSICAL PLANNING OFFICE
P.O. Box 2180
KISII

8th November, 2005

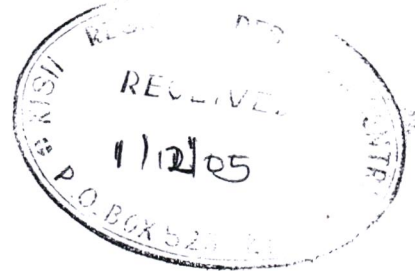
The District Commissioner,
Kisii Central,
KISII.

The Town Clerk,
Kisii Municipal Council,
KISII.

The District Surveyor,
KISII/GUCHA DISTRICTS.

~~The District Lands Officer,~~
KISII.

✓ The Director,
KARI
Kisii Regional Research Centre,
KISII.



RE: RPD REF. KSI/37/2005/6 - EXISTING KKENYA AGRICULTURAL RESEARCH INSTITUTE (KARI) PLOT

Enclosed is a print copy and a planning brief of the above part development plan for your comments.

Your comments should reach the undersigned within twenty one (21) days from the date of this letter.

M.K. Otieno
DISTRICT PHYSICAL PLANNING OFFICER
KISII/GUCHA DISTRICTS.

C.C. Kiangoi & Co. Advocates
NAIROBI.

/mmn.

Joe

PLANNING BRIEF

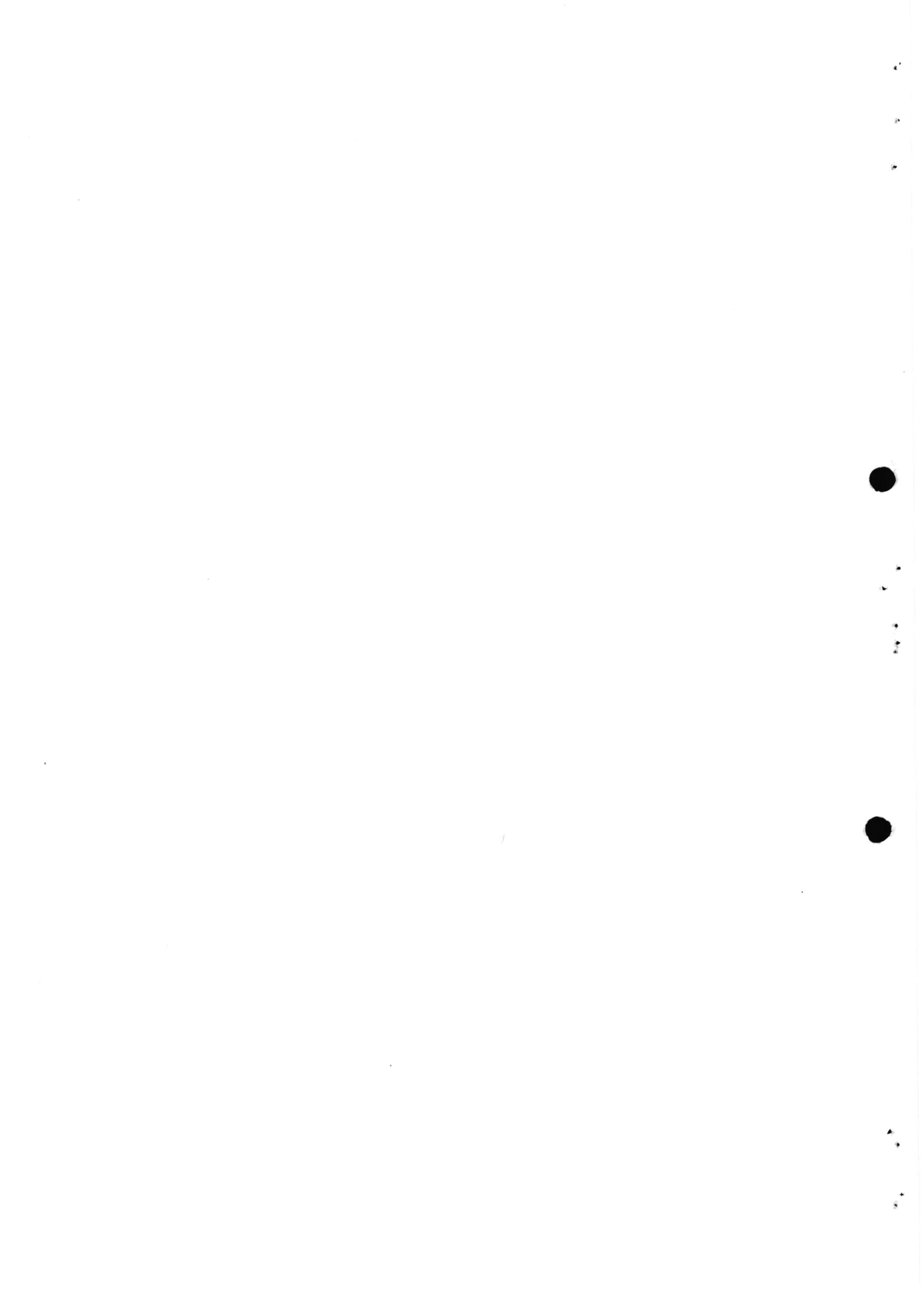
- (1) TITLE: Existing site for Kenya Agricultural Research Institute (KARI) - Kisii Regional Research Centre.
- (2) ACREAGE: App. 83.45 Ha
- (3) PLANNED USER: Institutional. The user is compatible to the abutting users.
- (4) ABUTTING USERS: These include Farmers Training Centre Energy Centre, Veterinary clinic and A.I. Centre, Public Works, staff training centre, Community Centre and Kisii High School. There are also freehold agricultural lands bounding it to the North Eastern side.
- (5) AUTHORITY TO PLAN: The preparations of the plan was authorised by the Director of Physical Planning vide his letter Ref. PPD/371/XV/110 of 13th June 2005.
- (6) OWNERSHIP STATUS: Planning site is Government land.
- (7) EXISTING DEVELOPMENT: The site comprises KARI Offices and staff residential houses, a primary school and farms. There are also an existing police post and National Youth Service Camps. Within the site also are two factories that is, edible oil and Coca cola (Kisii Bottlers) owned by private developer. There are also several plots with IR Nos owned by private developers. Some of these are IR Nos. 16758, 16756, 17256, 16757, 17863, 22770.

4.0



Land Utilization

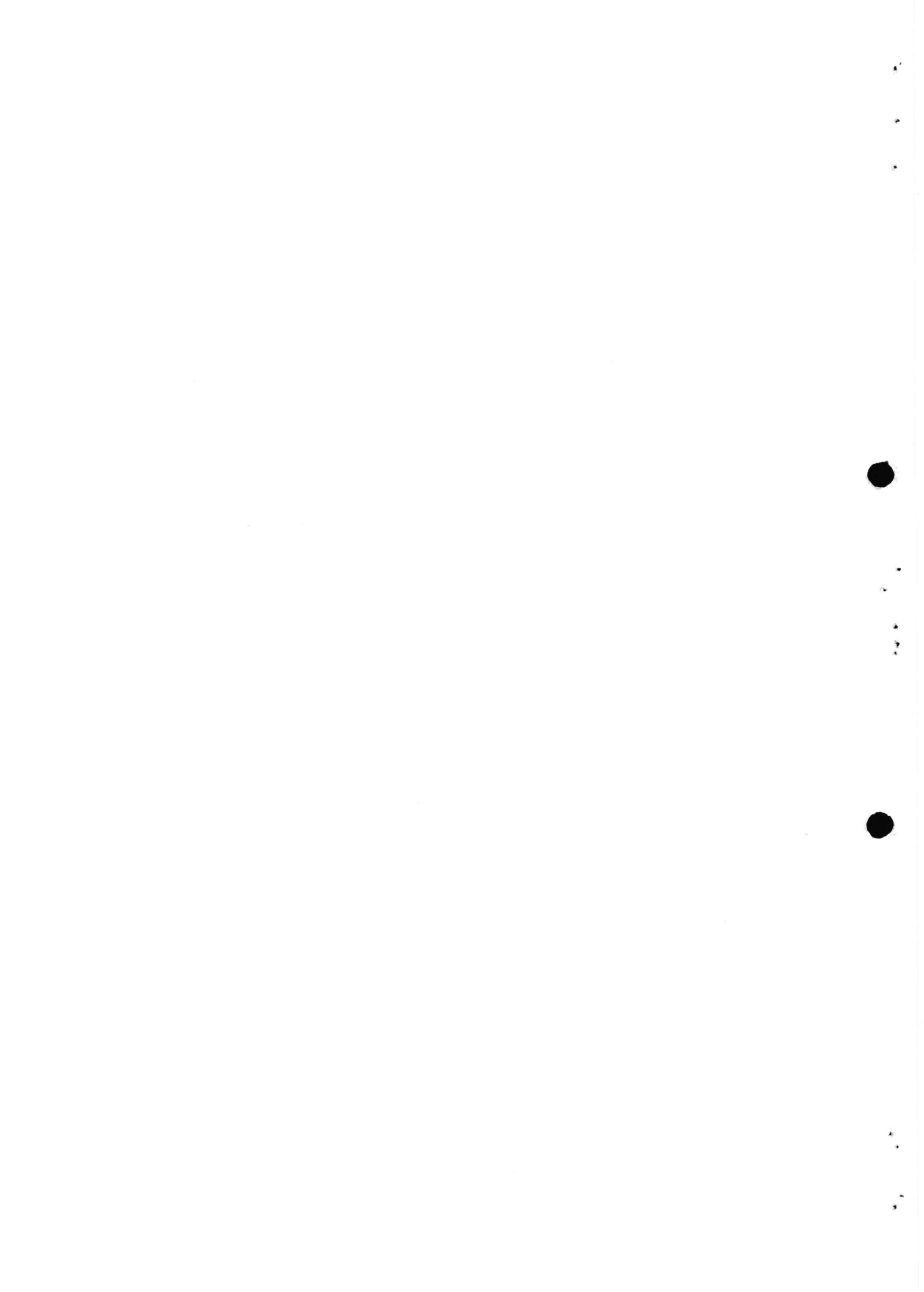
Crop	Acreage	% of Land	Remarks
Bananas	16.5	8.0	Commercial/Germplasm
Finger Millet	15	7.3	Commercial/Experiment
Maize	2	1.0	Experiment
Sweet Potato	2	1.0	Commercial/Germplasm
Beans	1	0.5	Experiment
Boma Rhodes	15	7.3	Commercial
Napier Grass	5	2.4	Commercial
Paddocks	25	12.1	Grazing
Techno Park	8	3.9	Research
Office Buildings	8	3.9	Administration
Staff Quarters	13	6.3	Residential
Forest	50	24.3	Environmental
Wetland	5	2.4	Environmental
Fallow	28	13.5	Grazing
Other	8.5	4.1	Disputed
Total	206	100	





Land Utilization

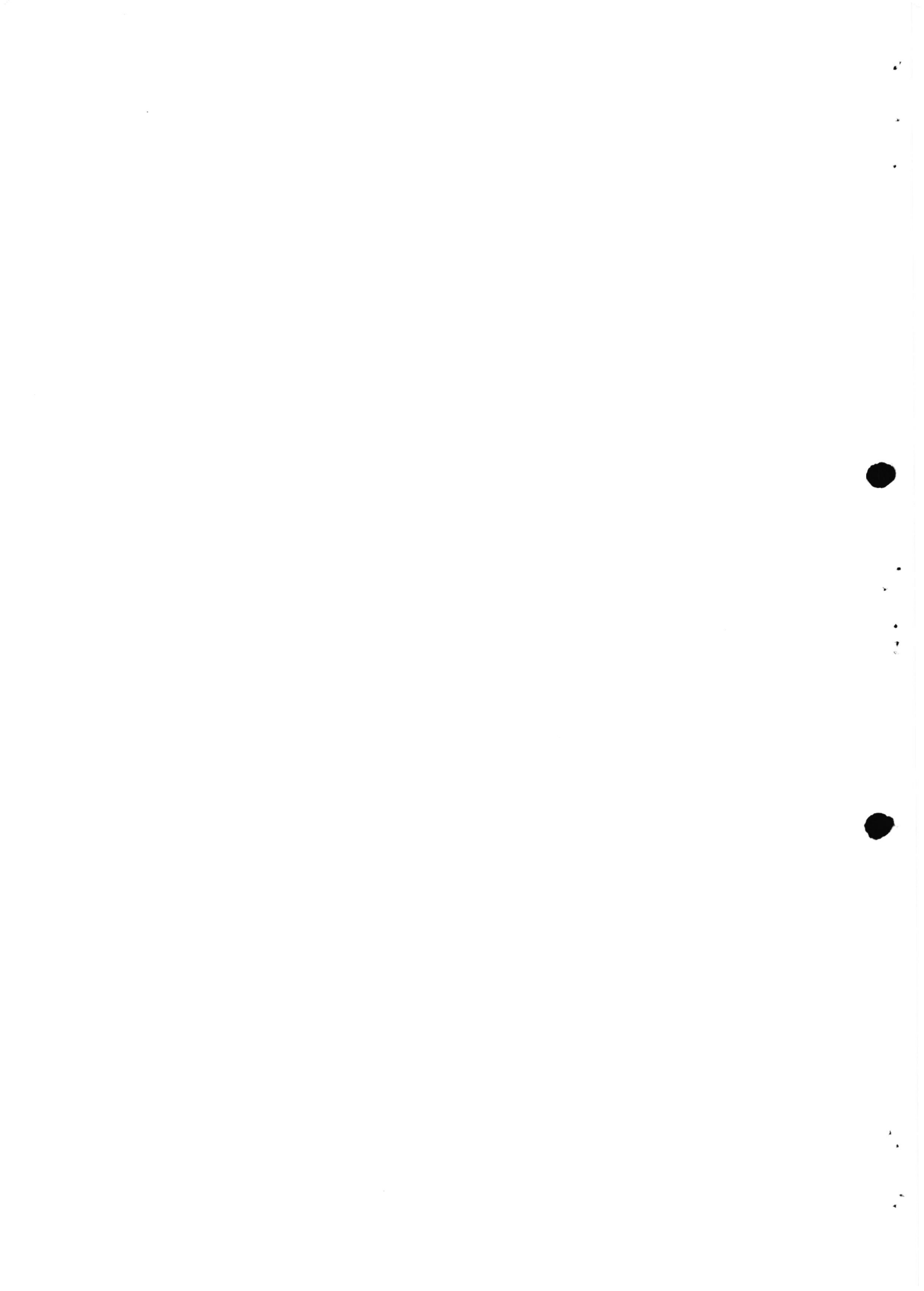
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Land Utilization

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NATIONAL LAND COMMISSION
Office of the Secretary/CEO



National Land Commission, 316 Upperhill Chambers, 2nd Ngong Avenue, off Ngong Road
P.O. Box 44417 – 00100, Nairobi-KENYA, Tel: 0111042800, Email: info@landcommission.go.ke
Website: www.landcommission.go.ke

REF: NLC/7/13/26

4th August 2025

J. M. Nyegenye, CBS,
Clerk of the Senate,
Parliament Building,
P.O. Box 41842 – 00100,
NAIROBI

Dear *Clerk*

PETITION BY MWABUNDUSI LAND SQUATTERS ON DELAYED ALLOCATION OF LAND BY WAY OF RESETTLEMENT OR COMPENSATION FOR CREATION OF KISII AGRICULTURAL INSTITUTE AND KISII FTC IN KISII COUNTY

Reference is made to your letters Ref. SEN/DSEC/DPEAC/LENR/2025(3) (211) dated 27TH June 2025 in which you invited the Chairman, National Land Commission (NLC) to respond to the statement referred above.

On **29TH APRIL 2025**, the Senate Committee on Land, Environment and Natural Resources accompanied by the National Land Commission visited the land in question which is commonly known as the KARLO land to familiarize itself with matter and collect further information.

The general particulars of the parcel of land in question:

Plot No: Kisii Municipality Block IV/16

Registered Owner (s): KARLO Kisii

Size: Approx 100 Ha

Term: 99 Years

From: 01/01/1963

Location: The plot is located within the Kisii Municipality opposite Kisii School on the Kisii Keroka Highway.

JKT

The parcel in has been a subject of interests from various government agencies such as Kenya Institute of Highways and Building Authority (KHIBIT), National Youth Service (NYS), the Veterinary Department, Kisii Bottlers and Kisii Cancer Center.

On July 17th 2017, through Kenya Gazette No. 6862 the National Land Commission (NLC) reviewed the grant and disposition of the aforementioned parcel and found the land to be public utility made recommendations to revoke existing titles on the land. The revoked numbers were LR-16757, LR-16758 and LR-17666 registered under Tegemea Oil Company, Geoffrey Asanyo, and Jared Kangwana and recommended that land to revert to KARLO.

However, the Kisii Bottlers' title was upheld as well as that of the ICDC whose majority shareholding is with the Government. A Historical Land Injustices (HLI) claim was later logged by Mwanyabaro (clan) family on 7th October, 2019 and the claim was allocated No. NLC/HLI/608/2019. In the claim, the family, sought compensation for the land which they claimed to have been taken away from their forefathers. The respondents to the claim are The Attorney General, Ministry of Agriculture and Livestock Development, Ministry of Lands, the County Government of Kisii and KARLO

The Commission organised a physical hearing for this claim on 24th June 2024 at Mama Grace Onyango Cultural and Social Centre in Kisumu, in which the family and the other parties involved were invited to participate. Further, the parties were given fourteen days to present their Submissions to the Commission after the hearings.

The Commission will present its determination to the matter upon conclusion of the Historical Land Injustice process

JKT

General Description of the neighborhood

The Land partly falls within the Kisii Municipality planned area and borders the freehold adjudication section of Mwabundusi. It is surrounded by homesteads, schools, the Kenya National Polytechnic Kisii and Agricultural Training Centre Kisii.

Current User

The Current use on the ground is Research and a portion set aside for industrial use by the Kisii Bottlers.

Available Utilities:

The plot is served with infrastructural services that include: Power, sewer, water connectivity and a tarmacked road network.

The Commission appreciates the continued support from the Senate standing Committee on Land, Environment and Natural Resources Roads and commit to continue to discharge its mandate in line with the existing laws.

Thank you.

J. Tuitoeke
JK TUITOEK

Gershon Otachi Bw'Omanwa, EBS

for. **CHAIRMAN**

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REPUBLIC OF KENYA

MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND URBAN DEVELOPMENT

**INVITATION TO A MEETING OF THE SENATE STANDING COMMITTEE ON LAND,
ENVIRONMENT AND NATURAL RESOURCES**

Honourable Chair,

Pursuant to a letter REF: SEN/DSEC/DPEAC/LENR/2025(3) (205) dated 25th June, 2025, the Committee invited the Cabinet Secretary Ministry of Lands, Public Works, Housing and Urban Development to a meeting on Tuesday, 22nd July, 2025 to discuss the following Petitions;

- 1) The Petition on historical injustices and illegal alienation of L.R. No. 7153/1,7153/2,7153/R, also known as L.R. 12825 in Kiambu County;
- 2) The Petition by Marungu Residents within Mchange Mwanda Ward, Taita Taveta County;
- 3) The Petition regarding the plight of the landless in Muthanthara, Embu County;
- 4) The Petition on delayed allocation of alternative land by way of re-settlement or compensation for the ancestral land that was alienated by the Government of Kenya for creation of Kisii Agricultural Institute and Kisii Farmers Training Centre;
- 5) The Petition concerning recognition of land ownership rights and redress of historical injustices in Mombasa County;
- 6) The Petition regarding land ownership dispute of the Mwananchi Settlement Scheme in Mwatate Constituency in Taita Taveta County;
- 7) Petition concerning land injustices against community members living in Olderkesi, Narok West Constituency of Narok County;
- 8) The Petition regarding eviction of Korogocho community living in the Nairobi River corridor after its declaration as a special planning area; and
- 9) The Petition regarding public land grabbing in Kithima Location in Meru County.

Honourable Chair, in addition, pursuant to a letter Ref: SEN/DSEC/DPEAC/LENR/2025(3) (213) dated 14th July, 2025 the Committee invited the Cabinet Secretary to a meeting on 22nd July, 2025 to provide information on the following;

10. The Petition by Nyandarua IDPs on occupation of parcels of land bought in 2010-2013 and compensation money frozen in banks.

RESPONSES

1. The Petition on historical injustices and illegal alienation of L.R. No. 7153/1,7153/2,7153/R, also known as L.R. 12825 in Kiambu County.

The Petitioners' claim

The Petition is based on Historic Injustices meted to Mbari ya Mbogo's Family, based on, violation of the Survey Act, the Land Act and the Land Registration Act. The petitioners allege that the foundation of LR. No. 12825 is based on illegalities and irregularities. They claim the matter was previously raised and heard before The National Land Commission's Historical Land Injustice Committee under Article 67(2)(e) of the Constitution of Kenya and Section 15 of National Land Commission Act in the Matter of Historical land Injustices Claim Ref. No. NLC/HLI/053/ 2017 between Mbogo's Family of Mbari Ya Mbogo as Plaintiff/Applicant and Margret Nyokabi Mbugua and families of 9 others as Respondents.

The petitioners further claim that the National Land Commission proceeded to conduct a sham "Hearing" of the "Dispute" and rendered a determination thereon on 7th February 2019 in favour of the Respondents. The family was served with a belated determination letter 12 days after the Commissioners had exited office.

The petitioners are seeking the following;

- i) Investigate the matter with a view to returning the ancestral land back to Mbogo's Family of Mbari ya Mbogo,
- ii) Stop any further day to day development, sale and leasing off, by defendants till the matter is settled,
- iii) Resolve that all beneficiaries, investors and stakeholders operating thereon to compensate on properties and all illegally occupied land, and
- iv) Resolve on the compensation for historical injustices, damages and other loses as a result of forceful eviction meted to Mbogo's family.

Response

Honourable Chair, the petition on historical injustices and illegal alienation of L.R. No. 7153/1,7153/2,7153/R, also known as L.R. 12825 in Kiambu County, with a view of compensating the petitioners can well be addressed by the National Land Commission which has the constitutional mandate of addressing historical land injustices and compensation.

2. The Petition by Marungu Residents within Mchange Mwanda Ward, Taita Taveta County;

The Petitioners' Claim

The petitioners who are residents of Marungu within Mwanda/Mgange ward in Taita Taveta County claim that they have lived in the area for more than four decades. They allege that they have buried their loved ones within the area and have been doing subsistence farming. The petitioners further claim that sometime in the year 2007, the Holy Rosary Catholic Church approached the elders of Marungu area and requested to be allocated land for purposes of putting up an orphanage and a church.

They claim that the elders donated a maximum of 75 Acres but on the site identification day, the area chief directed that 1000 acres be identified for the mission and not the initial 75 Acres. This they assert, did not auger well with the elders and the site identification exercise was not concluded.

The petitioners further contend that since the year 2007, there has not been a meeting of the elders and the authorities to identify the 1000 Acres for the mission nor the initial 75 Acres which was to be identified. However, they allege that in the year 2009, the area Chief together with church officials brought a surveyor to demarcate and excise the 1000 Acres but the surveyor declined to do the demarcation since the land was already settled on by Marungu residents.

The petitioners claim that sometimes afterwards, there was a water pan project within the area and the residents as well as non-residents were asked to come with copies of their Identity cards for them to be hired as casual workers and they suspect they could have been used to sanitize the demarcation.

The petitioners claim that in the year 2019, the mission constructed a church in the area falling within the 1000 Acres and in 2021, the Ministry of Lands set up an adjudication scheme covering Marungu area named Ngoloki Adjudication Scheme in May 2023.

The petitioners assert that the ongoing adjudication omitted approximately 1000 Acres in the area with the reason that the land is adjudicated and titled in favor of the Catholic mission. They claim that this is a very big omission and injustice if indeed the land was adjudicated without the knowledge of the residents.

The petitioners aver that the people of Marungu are now facing eviction from their ancestral land courtesy of unscrupulous dealings between the church, some lands officials and the current and former provincial administration officers.

The petitioners claim that in 2021, they tried to have the matter resolved by the National Land Commission but they have not received a response thus far and that the matter and issues are not before any Court of Law nor any Constitutional body.

The petitioners have therefore requested this Committee to;

- i. Use its constitutional powers to demand for explanations from relevant officers and authorities
- ii. Demands a correction of the injustice that is already underway and likely to culminate in a security and humanitarian crisis
- iii. Demands that the 1000 Acres be adjudicated in favour of residents already residing in the said parcel of land as they are the rightful land owners

Response

Honourable Chair,

According to our records, the subject parcel of land falls on former Trust land. The Holy Rosary Catholic Church applied for allocation of 1000 Acres of land at Marungu/Mkamwasi to the then County Council of Taita Taveta and the same was approved. A consent for setting apart the land was also issued by Wundanyi Land Control Board. Annexure 1 are copies of the minutes and the Land Control Board Consent.

On December 4, 2008, the then County Council of Taita Taveta justified the setting a part of the 1000 Acres as shown in the table below. Annexure 2 is a copy of the letter.

S. NO.	PURPOSE	ACREAGE (ACRES)
1	Administrative Centre	2 acres
2	Nursery school and related facilities	5 acres
3	Primary school with related facilities including school demonstration farm	30 acres
4	Secondary and all related facilities including school demonstration farm	65 acres
5	Vocation centre with all related facilities	20 acres
6	Health Centre	5 acres
7	FARMS	
i.	No. of families-20 each with a house and family shamba 4 acres	80 acres
ii.	Staff-Farm manager, drivers for farm machinery	4 acres
iii.	Bee keeping	20 acres
iv.	Water systems with boreholes, shallow wells, sand dams for drip irrigation	50 acres
v.	Tree planting	300 acres

vi.	Animal keeping- dairy cows, sheep and goat	360 acres
8	Police post	3 acres
9	Housing for the orphans	30 acres
10	Church	10 acres
11	Sisters (Nuns) Convent and farm	20 acres
	TOTAL ACREAGE	1004 acres

In accordance with provisions of the then Trust Land Act (Cap. 288), the parcel of land was set apart by the then Commissioner of lands vide Gazette Notice No. 761 of December 24, 2010. The area gazetted was approximately 404.71 hectares and the boundaries were clearly defined. Annexure 3 is a copy of the gazette notice.

On February 14, 2011, the entire gazetted land measuring approximately 404.71 Hectares was allocated to Catholic Archdiocese of Mombasa vide a letter of allotment Ref; 116402 T. C. Annexure 4 is a copy of the letter of allotment. They accepted the allocation and paid the required legal fees. Annexure 5 is a copy of the acceptance letter and the receipt. A lease document was processed for Catholic Archdiocese of Mombasa and registered on December 11, 2020 as CR 76335.

Honourable Chair, the land now falls in the category of private land and is therefore not available for adjudication.

3. The Petition regarding the plight of the landless in Muthanthara, Embu County

The Petitioners' Claim

The petitioners claim that they and the larger community of Muthanthara village in Mbeere North, Embu County have no title deeds to the land they have occupied since independence.

They further claim that they are faced with the threat of eviction and have visited several government offices without a solution to their problem.

- i. They have therefore lodged a petition for registration and issuance of title deeds;
- ii. The Senate to give direction regarding their ownership status and to be shielded from harassment by third parties;
- iii. The Senate to initiate proceedings for a declaration of Muthanthara as an adjudication area;
- iv. The Senate to make any other order it deems fit in respect of the petition

RESPONSE

Honourable Chair, Muthanthara village is part of the larger Kamarandi Registration section in Embu County. It resulted in 992 land parcels covering an area of 7454.00 Hectares at the time of registration.

This registration section was declared on 11th January 1972 in accordance with the provisions of Land Adjudication Act, Cap 284 of the Laws of Kenya. This act provides for ascertainment of rights and interests over community land (formally Trust land) in line with customary law. It gives guidance on the procedure and establishes mechanisms of dispute resolution through land adjudication committee, arbitration board, objection to adjudication register and finally appeals to the Minister (Cabinet Secretary).

The Ministry satisfactorily executed its mandate as per the Land Adjudication Act, Cap 284, laws of Kenya.

Honourable Chair, after completion of demarcation and survey work, the Adjudication Register for this registration section was published complete on 26th June, 1975 in accordance with section 25(c) of the same Act and whereby in the proceeding Section 26 which states that; *"Any person named in or affected by the adjudication register or who considers it to be incorrect or incomplete in any respect may, within sixty (60) days of the date upon which the notice of completion of the adjudication register is published, object to the adjudication officer in writing, saying in what respect he considers the adjudication register to be incorrect or incomplete."*

All objections to the adjudication register received were heard, determined and implemented and those aggrieved by the Adjudication Officers' decisions were allowed to file appeal to the minister (Cabinet Secretary) cases within sixty (60) days as provided for in Section 29 of Cap. 284.

All claims were heard, determined and implemented and the section was finalized on 15th April 1982 and registered on 13th February 1987.

Since the act had provided mechanisms for the petitioners to lay their claims during the land adjudication tribunals, it is assumed that they were contented with the way the adjudication of the section was done.

The issues being raised appear to challenge this process and there is no provision in the provided law for re-declaration of adjudication in the same section.

Honourable Chair, the Ministry will try to engage all stakeholders and conduct a ground verification to identify the people on the ground and title holders with an aim of addressing the issues raised in the petition.

4. The Petition on delayed allocation of alternative land by way of re-settlement or compensation for the ancestral land that was alienated by the Government of Kenya for creation of Kisii Agricultural Institute and Kisii Farmers Training Centre

The Petitioners' Claim

The petitioners state that complaint before the Senate is about the studious silence by the National Land Commission in addressing the land question in which the residents of Mwabundusi are languishing in abject poverty while their land that was alienated by the Kenya Government in 1963 is being utilized by Kenya Agricultural and Livestock Organization (KALRO) and Kisii Farmers Training Centre (FTC), who were allocated the said land.

The petitioners argue that the land originally belonged to the families of Mogaka Nyabaro, Naphtali Openda Christopher Mbaka and Atogo Mogaka and others. That in the year 1963/4 or thereabouts, the Ministry of Agriculture alienated a large parcel of land for the purpose of setting up a veterinary centre and later farmers training centre for the Nyanza Region. The lease was for 37 years and consequently it was to expire in the year 1992. They aver that the Government of Kenya in a decision was taken without involving the community as the original owners.

They further argue that KALRO was originally allocated 83 acres of land but is currently occupying more than 300 Acres of land which land remains fallow, underutilized and the original community owners do not derive any benefit from it. The petitioners add that in the year 2015, they presented a petition to the National Land Commission (NLC). However, the Commission did not act on their petition.

The petitioners lament that KALRO continues to hold large parcels of land, more than they need. That the petitioners were pushed by the Government to the river bank where they continue to suffer while they are prohibited from fully utilizing the land along the river banks due to the Environmental Management and Coordination Act 2015 since it is riparian land.

They further state that the Government has an obligation to ensure that every person whose land was alienated is compensated and the petitioners' case is a classic example of historical injustice. That despite the clear road map and constitutional mandate given to the NLC, the Commission has continued to be a bystander despite having raised their grievances to the Commission.

The petitioners state that efforts to have the NLC address this issue have proved futile and hence this petition to the Senate. The petitioners feel their issue is not being addressed contrary to the dictates of Articles 35 and 47 of the constitution.

On account of the above the petitioners are seeking the Senate to;

- a) Compel the NLC to determine the actual size of land that was allocated to KALRO and Kisii Farmers Training Center and set aside whichever land that is over and above 83 Acres allocated to the two institutions as per the lease.
- b) Order prompt and expeditious compensation or resettlement of the petitioners into any available public land.
- c) Any other recommendation that the Senate may deem fit and just over this matter.

RESPONSE

Honourable Chair, the issues contained in the petition fall under the mandate of the National Land Commission who are best placed to address them.

5. The Petition concerning recognition of land ownership rights and redress of historical injustices in Mombasa County;

The Petitioners' Claim

The petitioners aver that they are residents of Mombasa County residing on parcels of land registered as original plot numbers MN/II/803, 804, 805, 806, 807, 80, 49 and 79, Mainland North of Mombasa, VI/MN/211/12/R Kashani, 360/II/MN, Kisauni. 219/XVII, 232/XVII, Mwembe Kuku plot 1068/XVII, XLV/54 Bondeni Mombasa Island.

They claim that they have been paying rent to absentee landlords who conduct unfair rent practices by charging monthly rent without providing formal receipts and neither do they have formal/ registered leases despite paying rent for many years.

They allege that the landlords have gone ahead and subdivided the original plots into smaller parcels without their consent and without following the proper procedure for change of user from agricultural to residential and assigned exorbitant valuations to the subplots. The tenants claim pre-emptive right to purchase the subplots.

They posit that their efforts to have their grievances addressed by the relevant authorities have failed to receive a satisfactory response.

The petitioners pray that the Senate;

- i. Initiates investigation into allegations of human rights violations and land injustices within the affected plots of land in Mombasa County with a view to ensure that the petitioners are awarded land lease agreements;
- ii. Utilize the findings of this investigation to formulate lasting solutions to the ongoing land ownership issues faced by residents of Mombasa County;
- iii. Recommend Mechanisms that allow for the Petitioners to directly pay taxes and/ or to the government
- iv. Make a recommendation for the legal recognition of Petitioners' tenancy rights
- v. Undertakes a comprehensive analysis to define the specific challenges faced by coastal communities regarding land ownership
- vi. Make a recommendation on provision of clear definitions of terms such as 'squatters', 'absentee landlords' and 'houses without land' within the context of ongoing coastal land reforms.

RESPONSE

Honourable Chair, the matters raised in this petition can best be addressed by the National Land Commission pursuant to their mandate.

6. The Petition regarding land ownership dispute of the Mwananchi Settlement Scheme in Mwatate Constituency in Taita Taveta County; and

The Petitioners' Claim

The Petitioners state that Mwananchi settlement scheme was registered in May 2010 by the Government of Kenya in which Land Registration Number 12924 comprising of 9,070 Hectares was subdivided to settle 1322 people. The Government of Kenya through the Settlement Trust Fund bought the land at a cost of Kshs.40 million from Wananchi Estates Limited who was the owner of the land. Wananchi Ranching (Directed Agricultural) Company Limited filed a case at the Environment and Land court at Voi as ELC NO 7 of 2024 and sought the following reliefs:

- a) A permanent injunction restraining the defendants from dealing with LR NO 12924-CR 20403 in whatever way.
- b) A declaration that the transfer of the land to Settlement Trust Fund Trustees and all consequential transfers was null and void.
- c) A declaration that LR 12924 belongs to Wananchi Ranching (Directed Agricultural) Company Limited

They state that the case filed by Wananchi Ranching (Directed Agricultural) Company was against Wananchi Estates Limited, Settlement Trust Fund Trustees,

the Commissioner of Lands and the Attorney General of Kenya. The 1322 owners of land in the settlement scheme were not listed as defendants and thus had no opportunity to defend their interests in the suit. Wananchi Ranching (Directed Agricultural) Company alleged that Wananchi Estates Limited fraudulently sold land it didn't own to Settlement Trust Fund. They aver that on 18th October 2024, Judge E. K. Wabwoto at Voi Law Courts gave his judgment on the case in which among other things, declared that Wananchi Ranching (Directed Agricultural) Company is the bonafide and legitimate owner of LR No 12924 and that the land registration records should be rectified to reflect so. The judgement has caused a lot of anxiety amongst the owners of the land in the settlement scheme for fear of losing their land which they legally own as evidenced by the possession of valid title deeds some of which are shown below:

NO	NAME OF OWNER	TITLE DEED NO
1.	Ronald M.Mwakio	Taita-Taveta/Mwatate Wananchi/664
2.	Joseph Mwanguwe Mwamburi	Taita-Taveta/Mwatate Wananchi/1319
3.	Irene Wakesho Mjomba	Taita-Taveta/Mwatate Wananchi/613
4.	Bakari Kalema	Taita-Taveta/Mwatate Wananchi/1025
5	Ronald M.Shake	Taita-Taveta/Mwatate Wananchi/342
6.	Donald Bongosa Mcharo	Taita-Taveta/Mwatate Wananchi/880

The petitioners state that they have made best efforts to have the matters raised addressed by relevant authorities but the same remain unresolved. They claim that none of the issues raised in the Petition is pending in any Court of law, Constitutional or any other legal body.

They therefore pray that the Senate:

- i) Intervenes and investigates the matter with a view to ensure that the area residents are adequately compensated;
- ii) Inquires into the matter and makes appropriate recommendations on the irregular transactions on L.R No. 12924 situated in Mwatate Constituency;
- iii) Inquires into the matter and makes legislative interventions relating to land transfer and acquisition processes to ensure that innocent Kenyans are protected; and

- iv) Takes any other appropriate action it deems fit to resolve the matters raised here in Trustees.

RESPONSE

Honourable Chair, there is an ongoing Civil Appeal Case the Ministry has filed against the Judgement of the Honourable Judge E. K. Wabwato delivered on 18th October 2024 in Voi ELC CASE NO 7 of 2024 (Formerly MOMBASA ELC CASE NO. 40 OF 2017, Formerly NAIROBI CIVIL CASE NO 1663 OF 2000). The Ministry is awaiting the determination of the court. Annexure 6 is a copy of the appeal application.

7. Petition concerning land injustices against community members living in Olderkesi, Narok West Constituency of Narok County.

The Petitioners' Claim

The petitioners state that Olderkesi group ranch is situated in Narok west constituency, Esoit location, Naikarra ward in Narok County. It is a communal land that measures approximately about 101,313 Acres. About 7,818 Acres of this land was converted into a conservancy area by the name Olderkesi conservancy. On 5th January 2013, the conservancy became active. It borders Maasai Mara game reserve. There are currently 24 conservancies in Maasai Mara, Olderkesi being one of them.

They further state that there has been an investor by the name Calvince Cottars who leased the parcel of land since 1920's but the community has not received any returns/compensation for this leasehold. Olderkesi group ranch is in the process of being subdivided. Land adjudication and subdivision has already been done and community members have been shown their land and the title deeds were due for issuance in March 2025. Olderkesi group ranch has 25 clusters. Representatives from these clusters were nominated to be members of the land adjudication committee. These committee has been in existence for over 22 years now.

The petitioners aver that sub-dividing the Olderkesi land, each community member was to be allocated 3 Acres of land. Unfortunately, this was not the case as the committee members allocated huge chunks of land to themselves, their relatives and friends from other regions. The local leadership has colluded with the committee to intimidate and deny community members their rightful share. Some of the committee members have sold some parcels of land already. The list of original members has not been made public. There has been no transparency in the entire process. As a matter of fact, the adjudication officer with his team during the formulation of the adjudication register, which contains the record of rights

and interests to the land in the adjudication section left out bonafide members of the adjudication section and instead inserted the names of non-members and was not made public as required by law in the Land Adjudication Act Chapter 284, Laws of Kenya.

They state that the investor (Cottars) who has invested in this land since 1920's whose leasehold must have expired by now still runs his business in this land. The community is not aware if there was a renewal of his leasehold and haven't received any returns for this. The community members have visited several Government offices to seek intervention with no success. They reached out to the Governor of Narok County, The Ministry of Lands and the National Land Commission and have made the best efforts to have these matters addressed by the relevant authorities all of which have failed to give a satisfactory response with none of the issues raised in this Petition is pending in any court of Law, Constitutional or any other legal body

The petitioners therefore pray that the Senate-

- i) Intervenes and investigates the matter with a view to ensure that the original members of the Olderkesi Group Ranch are identified and are fairly allocated land, the total number of registered members is established and a list of the number of parcels of land sold and the beneficiaries is furnished;
- ii) Inquires into the matter and establishes when the Olderkesi Conservancy was founded, the lease amount paid by Mr. Calvince Cottars, detailed information of the lessor(s) and ensure that the community members are adequately compensated from the leasehold venture: and
- iii) inquires into the matter and makes legislative interventions relating to sale of land, transfer and acquisition processes to ensure that indigenous communities are protected.

RESPONSE

Honourable Chair, in response to questions (i), (ii) and (iii) I wish to respond as follows;

The Ministry vide notice of establishment declared Olderkesi location to be an Adjudication Section under Section 5 of the Land Adjudication Act Cap 284 Laws of Kenya on 30th September 2010. Annexure 7 is a copy of Notice of Establishment of Olderkesi Adjudication Section. The land is neither a group ranch nor community land since it was declared, demarcated and surveyed as an adjudication section.

The Ministry issued a notice of completion of the adjudication register and opened it up for inspection for 60 days as required by Section 25(C) and 26(I) of the Land

Adjudication Act, Cap 284. Annexure 8 is a copy of notice of completion. Any bona-fide member left out or non-member included ought to have filed an objection within this period as provided for in the law. This had been explained to the landowners in a baraza. Annexure 9 is a copy of letter through the Area Chief to all landowners to attend the baraza. Upon expiry of no objection notice, the adjudication register has been finalized and registered for titling. Out of the expected 7,818 titles, already about 6,676 titles have been issued.

The community set aside Parcel No.6147 of approximately 7000 Acres as a conservancy named Olderkesi Wildlife Conservancy and it has been operated as such even prior to demarcation and survey of the Olderkesi Adjudication Section. The Ministry is not privy to the details of the agreement between the community and the lessor. This would be addressed best by the officials/committee of the conservancy.

Honourable Chair, in the Constitutional Petition No.7 of 2019, the Court declared that a party must exhaust the provisions of Land Adjudication Act to settle any dispute arising prior to invoking the powers of the courts. The petitioners did not exhaust the provisions of the Land Adjudication Act.

8. The Petition regarding eviction of Korogocho community living in the Nairobi River corridor after its declaration as a special planning area

The Petitioners' Claim

Korogocho Community Forum is a community-based organization operating within Korogocho Location, Ruaraka Constituency, Nairobi City County. The petitioners claim that on 5th March, 2025, the Nairobi City County issued a notice in local dailies, declaring the Nairobi River Corridor as a Special Planning Area. This area spans the area along Nairobi River, from Naivasha Road to Ruai, including its tributaries. The notice declared that the corridor was to extend 60 meters beyond the high-water mark on each side of the river (30 meters riparian corridor and an additional 30 meters development area).

The petitioners have highlighted the following areas of concern:

- a) Lack of adequate notice and public participation;
- b) Unfair eviction criteria and intimidation;
- c) Lack of representation in decision making;
- d) Unresolved compensation issues arising from earlier evictions, and
- e) Lack of commitment to compensate affected persons by the Nairobi City County.

The petitioners, therefore, pray that the Senate should:

- a) Compel the Nairobi City County and the National Government to adequately compensate those already evicted and those who will be affected by future evictions;
- b) Ensure credible public participation is conducted as required by the Constitution; and
- c) Ensure that community representatives are included in all decision-making processes involving the Nairobi River Corridor.

RESPONSE

Honourable Chair, the matters raised in the petition fall within the mandate of the Nairobi City County. Therefore, they are best placed to provide a comprehensive response.

9. The Petition regarding public land grabbing in Kithima Location in Meru County

The Petitioners' Claim

Kithima Location is situated in Buuri East Sub County, Meru County. The petitioners claim that three parcels of land which had been earmarked for public utilities have been grabbed and occupied by a private entity. The lands in question are;

- i) Kiirua/Nkando 704 (earmarked for Kithima Dispensary)
- ii) Kiirua/Nkando 702 (earmarked for Kithima Primary School)
- iii) Kiirua/Nkando 690 (earmarked for C.C.M Secondary)

The petitioners, therefore, pray that the Senate intervenes and ensures that:

- i) The illegal occupants of the said parcels of public land are evicted;
- ii) The boundaries of the said parcels of land are mapped out and beacons erected to that effect; and
- iii) Any other action that the senate may consider necessary to protect public property and the constitutional rights of the residents of Kithima Location.

RESPONSE

Honourable Chair, according to our records Kiirua/Nkando 704 measuring 0.42 Hectares is reserved for Kithima Dispensary. It was registered on 28th January, 2014 in favour of County Council of Meru on freehold basis and has no encumbrances. Annexure 10 is a copy of the green card.

Honourable Chair, according to our records Kiirua/Nkando 702 measuring 6.40 Hectares is reserved for Kithima Primary School. It was registered on 28th January, 2014 in favour of County Council of Meru on freehold basis and has no encumbrances. Annexure 11 is a copy of the green card.

Honourable Chair, according to our records Kiirua/Nkando 690 measuring 7.86 Hectares is reserved for C.C.M Secondary School. It was registered on 28th January, 2014 in favour of County Council of Meru on freehold basis and has no encumbrances. Annexure 12 is a copy of the green card.

The three parcels are registered in favour of County Council of Meru (now County Government of Meru) and retain the reserved users with no encumbrances. Eviction of illegal occupants is a function of the Ministry of Interior and National Government. Once the evictions are done, this Ministry can then proceed to undertake re-establishment of boundaries and beaconing of the same.

10. Petition by Nyandarua IDPs on occupation of parcels of land bought in 2010-2013 and compensation money frozen in banks

At its sitting held on 10th July, 2025, the Committee considered the Petition by Nyandarua IDPs on delayed compensation and occupation of parcels of land and resolved to request the Cabinet Secretary to provide the following information:

- a) The land survey for the settlement of the IDPs;
- b) Status of sub-division of the land allocated for settlement of IDPs;
- c) The budget required to settle the IDPs being referred to in this Petition; and
- d) Total amount of money used to settle IDPs to date.

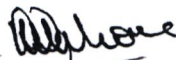
Honourable Chair, in response to (a) and (b) above, I wish to state as follows;

The presence of Internally Displaced Persons (IDPs) in Kenya was as a result of post-election violence following the disputed General Elections in 2007. The resettlement program for the IDPs commenced in 2009 following a Presidential Directive. The Government purchased farms for resettlement of IDPs. Before settling the IDPs the purchased farms were planned, demarcated and surveyed by the Ministry. However, some IDPs were allocated and settled on farms which were unplanned and un-surveyed with an intention of implementing the exercise later, which has not been done to date. Annexure 13 is a copy of the parcels of lands in Laikipia and Nyandarua counties that are settled and require planning, demarcation, survey and issuance of title deeds.

In August, 2013 the Government Shifted the Policy of purchase of land and adopted the cash payment. The number of IDPs who had been resettled by the time the new directive was issued was 6,656 households. The program for compensating IDPs who were living in camps through cash payments by the National Consultative Coordinating Committee was completed in 2016.

Honourable Chair, to regularize the IDPS settled in their farms, there is need to plan, survey, and demarcate the pending farms and issue title deeds to the beneficiaries, an exercise which requires Kshs. 25,946,900/=. Annexure 14 is a copy of the budget. To date, the Government has spent Kshs. 7,600,815,359.00 on resettlement of the Internally Displaced Persons countrywide.

Honourable Chair, I submit.



Hon. Alice Wahome, EGH
CABINET SECRETARY

21st July, 2025

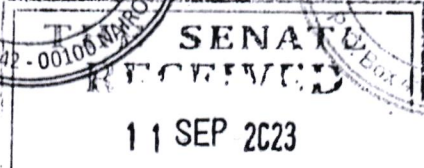
Annex III: Petitioners Submissions

② Mrs. Claver
please deal.

201
12.09.23



THE CLERK OF THE SENATE
PARLIAMENT BUILDINGS
P.O. BOX 41842 NAIROBI
Email; cSenate@parliament.go.ke



DLPS
Please deal.
11/09/23

Re. Petition To The Senate On Delayed Allocation Of Alternative Land By Way Of Resettlement Or Compensation For The Ancestral Land That Was Alienated By The Government Of Kenya In 1963 For Creation Of Kisii Agricultural Research Institute And Kisii Framers Training Centre, Situated In Bobaracho Ward In Kisii County Within The Republic Of Kenya.

We the undersigned citizens of the Republic of Kenya and representatives of Mwabundusi land squatters of Post Office No 854-40200 kisii wish to present to the senate this petition on delayed action by the government of Kenya through the National Land Commission the delayed allocation of alternative land or compensation for the land that was forcefully taken from their fathers thus rendering us landless and squatters.

We are representatives of Mwabundusi /Kanga/Jogoo Locations of kisii county , we lodge this petition pursuant section 3 of the Petition To Parliament Act on behalf of the residents of Mwabundusi , Mvamosioma And Jogoo/Kanga estate community within kisii municipality.

We humbly draw the attention of the senate to the following.

Pursuant to and underlying the following constitutional and statutory provisions .

- 1 ARTICLE 1(1) of the constitution of Kenya reposes all sovereign power in the republic of Kenya is exercised solely in accordance to the constitution.
- 2) ARTICLE 1(3)(a) of the constitution of Kenya delegates the sovereign power of the constitution inter alia :parliament and other legislative assemblies of respective county governments which power is exercisable at national and county government levels.
- 3. ARTICLE 37of the constitution provides that every person has a right to petition public authorities of which the senate is among the authorities contemplated therein.
- 4. ARTICLE 43 of the constitution provides for economic and social rights which include a right that every person has a right to health.
- 5. ARTICLE 60(4) of the constitution provide that public land shall not be disposed or otherwise used except in terms of an act of parliament specifying the nature and terms of the disposal.
- 6. ARTICLE 62(1)(C) of the constitution provide that land transferred to the state by way of sale or surrender is public land.
- 7. PURSUANT ARTICLE 62(2) of the constitution of Kenya, public land shall vest and be held by the county government in trust for the people resident in the county and shall be administered by the National Land Commission.

③ Mrs. Mwangi
Kindly review and
facilitate as per S.O.
D. Claver
12/09/2023.

Re. Petition To The Senate On Delayed Allocation Of Alternative Land By Way Of Resettlement Or Compensation For The Ancestral Land That Was Alienated By The Government Of Kenya In 1963 For Creation Of Kisii Agricultural Research Institute And Kisii Farmers Training Centre, Situated In Bobaracho Ward In Kisii County Within The Republic Of Kenya.

8. Pursuant Article 67(2) of the constitution of Kenya the National land commission is mandated to manage public land on behalf of the national government and county government.

9. Pursuant Article 96(1), the senate is mandated to represent counties and protects the interest of the counties and their governments.

10. Pursuant Article 119 of the constitution it is provided that any person (s) have a right to petition parliament to consider any matter within its authority.

11. Section 12 of the land act 2012 provide for the procedure for allocation of public land

THE COMPLAINT.

12. The complaint before the senate is about the studious silence by the National Land Commission in addressing the land question in which the residents of mwabundusi are languishing in abject poverty while their land that was alienated by the Kenya government in 1963 remains utilized by the an entity that was allocated the said land.

BACKGROUND AND FACTS OF THE COMPLAINT

13. Originally the land where Kenya Agricultural Research Institute (KARI) Kisii farmers training centre (FTC) are situated belonged to the families of Mogaka Nyabaro, Naphtali Openda Christopher Mbaka and Atogo Mogaka and the rest .

14. THAT on or around the year 1963/4 or thereabout , the ministry of agriculture through the directors and orders or participation of the provincial director of agriculture the late DR WILLIAM ODONGO OMAMO Alienated large swathes of land for the purpose of setting up a veterinary centre and later farmers training centre for the Nyanza Region for a 37 year lease which was to expire in the year 1992.

15. THAT the government of Kenya in a decision was taken without involving the community as the original owners decided to allocate a large portion of the subject land to various parties who included that be political figures who were allocated divers parcels of land which issue was raised by the late hon. GEORGE ANYONE MOSETI (Former Member For Kitutu Masaba Constituency).

16. THAT the said allocation was pardoned by the politicians and the land remained with the current holders the Kenya agricultural research institute who were originally allocated 83 acres of land but who are now occupying more than 300 acres of land which land remains fallow, utilized and the original community owners do not derive any benefit.

17. THAT sometime in the year 2015, on an application to the National Land Commission by the residents of mwabundusi/ now petitioners who were on a fact finding mission in kisii county was presented a petition but the commission has refused to address the issue which has made the KARI to

Re. Petition To The Senate On Delayed Allocation Of Alternative Land By Way Of Resettlement Or Compensation For The Ancestral Land That Was Alienated By The Government Of Kenya In 1963 For Creation Of Kisii Agricultural Research Institute And Kisii Framers Training Centre, Situated In Bobaracho Ward In Kisii County Within The Republic Of Kenya.

own large tracts of land more than they need as was allotted by the 1992 lease thus rendering the community destitute, vulnerable and poor.

18 **THAT** the petitioners draw attention to the senate that Article 60 of the constitution of Kenya 2010 provides that land shall be held, used and managed in a manner that is equitable, efficient, productive and sustainable, and the same article empowers parliament to provide for a minimum and maximum acreage in respect of private land.

19. **THAT** the petitioners lament that the Kenya agricultural research institute continues to hold large swathes of land more than they need yet they are unable to use or justify the need they have for the 83 acres in they were allocated by the lease in 1992 while the petitioners who were pushed by the government to the river bank where they continue to suffer while they are prohibited from fully utilizing the land along the river due to the Environmental Management And Coordination Act 2015 the same being riparian land.

20. **THAT** the petitioners have faced double tragedy by the enactment of Article 67 of the constitution and the EMCA ACT 2015 which law has restricted and continues to define that land along river banks within a 30 meters as being public land and the petitioners are in danger of being evicted even from the small and unproductive riparian portion that they were pushed to by the Kenya government.

19 **THAT** the entrenchment of the riparian land in the constitution is an existential threat to their livelihood of the petitioners whose only mistake was to have been born in their present locality and their children have nowhere to built house on account of their land being fully riparian land.

20. **THAT** the Kenya government has an obligation to ensure that every person whose land was alienated is compensated and the petitioners' case is *classicus case* of historical injustice which our constitution provides that the injustice can be traced to the year 1894 when Kenya was declared a British protectorate.

21 **THAT** the Kisii historical land injustice were highlighted by the former mp of this august house senator kebaso and thus the present petition and grievance which resulted in disinheritance of the petitioners land has never been resolved even by successive Kenya governments.

22. **THAT** despite the clear road map and constitutional mandate given to the National Land Commission, the commission has continued to be a bystander despite having been moved in more than three occasions by the petitioners for effective engagement in finding the lasting solution to the land question.

23. **THAT** efforts to have the National Land Commission address this issue has proved futile and hence this petition as the petitioners feel their issue is not being addressed contrary to the dictates of Articles 35 and 47 of the constitution.

24. **THAT** the hon. senate has the mandate and wherewithal to exercise its authority to protect the petitioners and compel the National Land Commission to act on the complaints by the petitioners.

Re. Petition To The Senate On Delayed Allocation Of Alternative Land By Way Of Resettlement Or Compensation For The Ancestral Land That Was Alienated By The Government Of Kenya In 1963 For Creation Of Kisii Agricultural Research Institute And Kisii Framers Training Centre, Situated In Bobaracho Ward In Kisii County Within The Republic Of Kenya.

25. THAT the senate has the delegated authority from the people to exercise its authority under article 96(1) of the constitution to require the National Land Commission as the body mandated to administer public land on behalf of the county governments.

26. THAT in exercising its authority, the senate may summon members of the national land commission and seek answers from it.

27. THAT there is no case pending in court or in any constitutional or investigative body.

Wherefore your humble petitioners pray that the senate through its relevant committee

- a) Deals with this petition urgently.
- b) Compels the National Land Commission to determine the actual size of land that was allocated to KARI and Kisii farmers training center and set aside whichever land that is over and above 83 acres allocated to the two institutions as per lease.
- c) Order prompt and expeditious compensation or resettlement of the petitioners into any available public land.
- d) Any other recommendation that the hon. senate may deem fit and just over this matter.

DATED AT KISII THIS 10th DAY OF SEP 2023

PETITIONERS

NAMES OF PETITIONER & THEIR SIGNATURES

NO	NAME	SIGN
1.	BENARD NYAMANYA MOGAKA	<i>Benard</i>
2.	JOHN KEBASO	<i>John Kebaso</i>
3.	ZACHARIA BWARINGA NYABARO	<i>Zacharia</i>
4.	ALLOYS TUMBO MOGAKA	<i>Alloys</i>
5.	SYLVESTER MIGOSI KENAGWA	<i>Sylvester</i>
6.	JAMES ATEKA NYATANGI	<i>James</i>
7.	WALTER NYABARO BWARINGA	<i>Walter</i>
8.	SABINA NYASUGUTA NYAMANYA	<i>Sabina</i>
9.	DORCAS NYAMOKAMI TUMBO	<i>Dorcis</i>
10.	ROSE NYABOKE BIRINDU	<i>Rose</i>
11.	LINET KWMABOKA MOSIOMA	<i>Linot</i>
12.	JAMSON KEBATI	<i>Jamson</i>
13.	AGNES KEMUNTO MOGAKA	<i>Agnes</i>
14.	JOHN ONGIGE ASIAGO	<i>John</i>
15.	CHRISTOPHER JUMA KENAGWA	<i>Christopher</i>
16.	MONESTER KERUBO MOSIMA	<i>Monester</i>
17.	WATER NYABARO N	<i>Water</i>
18.	DUKE MOGAKA N.	<i>Duke</i>
19.	BEDFORD OKEIGA BWARINGA	<i>Bedford</i>
20.	JEFFREY MOSETI	<i>Jeffrey</i>
21.	GILBERT NYABARO	<i>Gilbert</i>
22.	JACOB MOSIOMA	<i>Jacob</i>
23.	KARL KARAGACHA	<i>Karl</i>
24.	RISPER NYAMBUNE MAUTI	<i>Risper</i>
25.	AUGUSTUS MANYANGE OIRERE	<i>Augustus</i>
26.	ELMELDA NYABETA NYAMAMBA	<i>Elmelda</i>
27.	ALBERT ONDIEKI OMWERI	<i>Albert</i>
28.	JACKSON MOGOE MOGIRE	<i>Jackson</i>
29.	JACOB MOGIRE	<i>Jacob</i>
30.	BERNARD MIYOGO MOGIRE	<i>Bernard</i>
31.	RICHARD MIYOGO	<i>Richard</i>
32.	STEPHEN MIYOGO	<i>Stephen</i>
33.	WICKSON MOGIRE	<i>Wickson</i>
34.	JOHN MOGIRE MOGOYE	<i>John</i>
35.	AUGOSTINO KEMARE MOGOYI	<i>Augustino</i>
36.	PETER MICHIRA MOGOYI	<i>Peter</i>
37.	CHARLES NYANDUSI MIYOGO	<i>Charles</i>
38.	KARORI MICHIRA MOGOYI	<i>Karori</i>

BY: BERNARD NYAMANYA MOGAKA

Email: bernardnyamanya20@gmail.com

② DSEC (BL)
Kindly deal

① DFC

Kindly deal

05/08/2025

30/7/2025



TO
clerk.senate@parliament.go.ke
THE HON CHAIRMAN,
STANDING COMMITTEE ON LAND,
ENVIRONMENT AND
NATIONAL RESOURCES.
landenvironcommittee.senate@parliament.go.ke

Handwritten signature and date: 04/08/2025

Dear Sir,

RE: FURTHER SUBMISSIONS TO THE REJOINER SUBMISSIONS AND RESPONSE BY KARLO ON 29/4/2025

The hon. chair,

We wish to make a further representation to the submissions by KARLO and we have note the hon. CS Of Agriculture and His Entire office has been looped into this issue and we feel that it is important to do a further rejoinder so as to be able to have all the parties appraised on what has already transpired as regards the issue before this committee.

We wish to submit on what we know as the genesis of the controversy between the people of Mwabundusi (MWANYABARO) and the KARLO.

③ Mr. Bett
Kindly deal
05/08/2025

Mr chairman sir, this is truly an historical injustice issue as we had earlier indicated that the issue of the petitioners dates back to 1963 and the matter was first handled by the hon. John Kebaso the first Kisii senator of the independent Kenya.

We have in our previous documents indicated how the land in which our father occupied was alienated and set aside for the establishment of a research station.

First let me with profound and utmost respect thank you for the good time we had with the members of your committee who paid us a visit to the *locus in quo* and more especially the generous time they stayed with the local community.

Now word about the aerial photograph

We have included in this further submission the state of the unregistered land currently held by KALRO and the aerial photos clearly show how Mwanyabaro family is sandwiched between the expansive KARLO land and the forested riparian river on the western side.

Kindly refer to the photograph at the top of the KALRO the area overlooking below is Kisii High School at the far end is land that was originally allocated to the KALRO but now the county government is building its headquarters and there is a cancer centre being built.



The land in which the county government is putting its headquarters is part of the original 150 acres that was given to KARLO in 1963.

Our contention is that the research station is having more land than it was originally allocated and more than what they require the aerial photograph speak for them.

You may also see from the photograph at the hill top are some women tending to some crops, these are not KALRO employees but people who have been leased land; even maize seen thereby is not being cultivated by the KALRO.

The only crop that can be seen is the banana crop, as to the quality, the pictures speak for themselves; this information can only help the committee to see that the complainants are staying in the river bank.

Our people are staying on a transitional zone where the land meets the sea and it only a matter of time that disaster occurs God forbid.

Ours is a community living on low water mark and despite the wet regulations and petitions to public authorities to come our aid, nothing has been done. Our people continue to stay adjacent to the riverbanks and the responsible public authorities cannot do anything for this is where we were born, houses built within the riparian are in danger of being swept at any time.

JUSTIFICATION OF OUR PETITION

Article 68(c)(v) provide that parliament shall make a legislation to enable review of all grants or dispositions of public land to establish their propriety and legality

We have in mind the judgement of the Environment And Land Court in kisii in ELC NO 204 OF 2014 between Okemwa V Kenya Agricultural And Livestock Research Organization & Another

The seller of this piece of land was a wife of a former minister who was mentioned in the parliament report by Japhet Ekidor (Mp) on 22nd June 1993; we were not able to get a copy of the hansard from the parliament website due to time and logistical constraints.

The honourable judge of the environment court in his judgment para 29 wonders and we quote `

“If the lease subject to the land court case was obtained fraudulently why has the county government moved to have nullified it?” why the KALRO did not counterclaim by suing the lessor (Gusii County Govt) **for them to come and defend their radical title?**

We approach this honourable committee fully aware of the National Dialogue and Reconciliation, in what ***came to be known as agenda 4***. In which the National Reconciliation put the land reform as one of the issues or main source of economical, Social, Political and Environmental problems and upheavals in Kenya.

While the people of Mwanjabaro are patient and waiting while the government land is being shared by the kisii land registry.

How can a whole state corporation loose land at full view of the state backed with the state law office?

The aerial photograph shows a big junk of land lying waste, the government has the responsibility to ensure that all its citizens have adequate land or shelter in line with the National Accord

Thankfully our president His Excellency Dr William Samoe Ruto and the prime cabinet secretary the hon. MUSALIA MUDAVADI now in charge of government were the signatories of the National Accord representing the ODM party when the accord was signed on the **23rd Of May 2008**, it will not be difficult to convince them that the beneficiaries are yet to be resettled.

We also wish to submit that the KALRO by their own admission both before the courts and before the this committee , they have always disposed that they were allocated 100ha of land which land was shared among the farmers training centre and the research station , from the calculation 100HA = 247 ACRES which land has been fragmented and diverted to other parties ***like kisii bolters, Tegemea , Okemwas , kangwanas, kali primary school, cancer centre , county headquarters , Kenya national high ways institute and Kenya police***, we pose the question , will KALRO still maintain they have 100HA in 2025 with the ongoing projects seen from the aerial images in the diskette enclosed herein?.

We are aware of the constitutional provisions Article 62(4)- thus , public land shall not be disposed off or otherwise used in terms of an act of parliament specifying the nature and terms of the disposal, (we have the land case in question) ***how was the law complied with?***

The land in question KISII MUNICIPALITY BLOCK IV/16 registered in kisii bottlers and LR 16757 and 16758 were revoked by the NLC were revoked vide gazettee notice VOL CXIX-NO 98 OF 17TH JULY 2017 but the parties are still ligating.(see copy of gazettee) attached hereto.

IN CONCLUSION

We wish to reiterate our earlier submissions and perhaps add that, ours is a **classical case of unfulfilled Promised Land by the successful governments in Kenya.**

The one million acre mantle has eluded the people of Mwabundusi for far too long

While it may appear that our claim is not justified, the way we stay alongside utilized and uncultivated junks of land is a testament that the committee can order compensation which in our view is within its constitutional mandate, we have always not shied from asking for a just compensation or being given some strip of land along the expansive KALRO boundary so that we can have where our children will built.

We have a saying in kisii thus; (*mosumi tari bosoku*) mosumi is a person who goes begging for something like food at the time of famine and starvation *tari bosoku* means he is not ashamed begging. We have come begging from the commission.

We shall have nowhere to bury our dead and we are before this honourable committee knowing fully that this matter will be addressed.

The hon. senator Nyutu had an opportunity to visit a homestead built on the river bank that is a disaster in waiting, the people living on the river bank discharge their refuse to the river this is not a matter of choice.

We hope to have this matter settled by giving us an alternative land or subdivide the large junk of untitled land and give us even plots to build homes for our children in any case the courts are allowing other people to build on the same land we hope that is not too much to ask.

We are staying in abject poverty kindly do not fail us

We respectfully submit.



PHILIP ACHIKI NDUBI

MWANYABARO FAMILIES

We have attached hereto copies of court cases for your kind attention.

CC

PS MINISTRY AGRICULTURE

KILIMO

EMAIL info@kilimo.go.ke

DIRECTOR GENERAL

KALRO EMAIL director@kalro.org

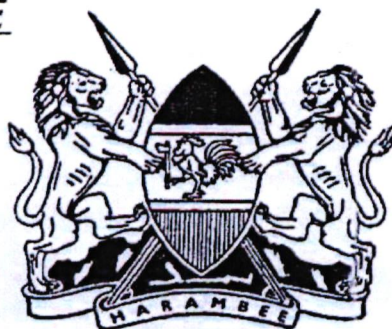
COUNTY GOVERNMENT OF KISII

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PRINCIPAL SECRETARY MINISTRY OF LANDS

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SPECIAL ISSUE



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GAZETTE NOTICE No. 6862

THE CONSTITUTION OF KENYA NATIONAL LAND COMMISSION

DETERMINATION OF REVIEW OF GRANTS AND DISPOSITIONS OF PUBLIC LAND IN RESPECT OF THE FOLLOWING GRANTS AND ORDERS

IN EXERCISE of the powers conferred by Article 68 (c) (v) of the Constitution of Kenya and section 14 of the National Land Commission Act, 2012, the Chairman of the National Land Commission informs the general public that the National Land Commission upon receipt of complaints from the National Government, County Governments and members of the public, undertook review of grants and dispositions (titles) of public land to establish their legality or otherwise. The Commission via public notices in the national dailies invited all interested parties to appear before it to inspect documents and make written and oral representations and submissions. Consequently, the Commission has made determinations in respect of the following grants/Titles and orders for revocation, regularization, upholding of the titles where applicable as indicated or give further orders. Where the order calls for revocation, the Chief Land Registrar is thereby directed to revoke as per Section 14(5) of the National Land Commission Act and attendant laws.

TABLE 1—KILIFI COUNTY, MOMBASA AND KWALE COUNTIES

S/No.	Property Description	Location	Interested Parties	Determination/Chief Land Registrar Directed to:
	LR. NO. MN/111/5333 also known as C.R. 14272	Kilifi County	Joseph Malindi Lenguris Monika Herta Elfriede Behran Caroline Mwelu Mwandiku	Chief Land Registrar directed to revoke Title for Caroline Mwelu Mwandiku The title to vest in Monika Herta Elfriede Behran.
1.	L.R. 4752/2 - or MURUMA FARM MN/111/5333 or C.R. 14272	Kilifi County	County Government of Kwale Maruma Farm (Mbela Farm)	Chief Land Registrar directed to uphold Title for Maruma Farm Upheld
2.	L.R. MN/1/6552	Kilifi County	Edwin Ndanyi Francis Mugo Njeru Peter Masha Kalama	Chief Land Registrar directed to revoke Title to Francis. Title to Hezron Ndanyi Lidede upheld
3.	L.R. MN/III/3081 L.R. MN/III/1923 L.R. MN/III/3076 L.R. MN/III/3080 L.R. MN/III/1922	Kilifi County	Sahajanad Special Primary School Sahajanad Secondary School Sharif Mudar Hussein Twahir Zacharia Abdulsattar Haji	Chief Land Registrar directed to revoke Titles to the aforesaid properties. Title to vest in the PS Treasury to hold in trust for Sahajanad School
4.	MN/111/432 - 435	Kilifi County	-Hon Justice Charles P. Chemutut -Albert Tsuma Tonya -Mbaru Lewa Mbaru -Matubatu Investment Limited -Jacqueline Josephine Wanjiru	-Chief Land Registrar directed to revoke Grant Numbers, CR. 55799, CR. 55798, CR. 55781, CR. 55782. -A certificate of lease to be issued to Hon. Justice Charles P. Chemutut.
5.	-KAWALA 'A' KADZONDZO/399 -KAWALA 'A' KADZONDZO/405	Kilifi County	-Mr. Karsan Ramji & Sons -Mrs. Sarah Joseph Thoya -Mrs. Victoria Mishsi Maraga	Karsan Ramji & Sons Limited as absolute proprietor
6.	L.R. 1705/233 AND 1705/50	Kilifi County	-Nayeni Mibeyuni Squatters Group -The Stubbs & Slater Family	Title/Grant in favour of The Stubbs & Slater Family Estate Upheld.
7.	L.R. 11492/466, L.R. 27249, L.R. 16142.	Kilifi County	-Eng. Jonathan Mwango -Humphrey Kombe & Family -Timothy Kilonzo	Title/Grant in favour of the following upheld; 1126 - Jonathan Mwango 1125 - Jonathan Mwango

S/No	Names	L/R No.	Location	Ha	Determination/Chief Land Registrar directed to:
48.	Hamisi Kheri Ali	UNS 28	Manyatta Arab	0.045	Title by Commissioner of Land upheld
49.	Manan Abdalla	UNS 29	Manyatta Arab	0.045	Title by Commissioner of Land upheld
50.	Isa Hamisi & Hamisi Kheri	UNS RESD.31	Manyatta Arab	0.052	Title by Commissioner of Land upheld
51.	Obwachani Women Group	UNS.198	Kisumu Municipality	0.11	Title by Commissioner of Land upheld
52.	Henry Ochieng' Nang	UNS RESD.NO.8	Kisumu Municipality	0.2	Title by Commissioner of Land upheld
53.	Mr. & Mrs. John F.S. Obare	UNS IND.NO P	Kisumu Municipality	0.33	Title by Commissioner of Land upheld
54.	Agnes K. Maangi	UNS RES. 249	Kisumu Municipality	0.14	Title by Commissioner of Land upheld
55.	Mohammed Abdalla	UNNS RESD.10	Manyatta Arab	0.045	Title by Commissioner of Land upheld
56.	Elijah Omollo Okeyo	UNS RES.13	Kisumu Municipality	0.02	Title by Commissioner of Land upheld
57.	Macedonia Resort Club Ltd.		Kisumu Municipality	1.2	Title by Commissioner of Land upheld
58.	Joseph Abuga Nyambegera	UNS RESD.29	Kisumu Municipality	0.21	Title by Commissioner of Land upheld
59.	Gilbert Moore Titus Otieno Ogutu, Oronodi Achoki.		Kisumu Municipality	1.5	Title by Commissioner of Land upheld
60.	Robert Nyari	UNS.IND./278 7/F/IX	-	0.4962	Title by Commissioner of Land upheld
61.	Monao Education Centre	UNS	Kibos	1.34	Title by Commissioner of Land upheld
62.	Julius Otieno Gogo	1532865	Kisumu Municipality	0.0384	Title by Commissioner of Land upheld
63.	Justus A. Olielo	15328/77	Mamboleo	0.0205	Title by Commissioner of Land upheld
64.	Dan Ojal	BLOCK 15/48	Mamboleo	0.0197	Title by Commissioner of Land upheld
65.	Crecentia Veronica Atieno	16342/54	Kisumu Municipality	0.0171	Title by Commissioner of Land upheld
66.	Naaman Aduda Abira Naaman Aduda Abira	15328/78 15328/18	Kisumu Municipality Kisumu Municipality	0.0205 0.0207	Title by Commissioner of Land upheld
67.	Steve Aringo Wasambo, Arvin Were Wasambo & Beatrice Achieng'	165443	Kisumu Municipality	0.7441	Title by Commissioner of Land upheld
68.	Sylvia Achieng' Magugu	15328/27	Kisumu Municipality	0.0201	Title by Commissioner of Land upheld
69.	Celine Anyango Onanda	15328/60	Kisumu Municipality	0.0207	Title by Commissioner of Land upheld
70.	Edwina Adhiambo Otieno	15328/59	Kisumu Municipality		Title by Commissioner of Land upheld
71.	Paul Manwa Maina	15328/12	Kisumu Municipality	0.2205	Title by Commissioner of Land upheld
72.	Edith Osodo Nyinguro	MIGOSI 115	Kisumu Municipality		Title by Commissioner of Land upheld
73.	Kite Housing Co - Op Society	16344	Kanyakwar		Title by Commissioner of Land upheld
74.	William Oduor Sewe	16342/43	Kanyakwar	0.0171	Title by Commissioner of Land upheld
75.	Dominic O. Auma	16649	Kanyakwar	0.30	Title by Commissioner of Land upheld
76.	John Eston Olima	UNS RESD	Kolwa	0.30	Title by Commissioner of Land upheld
77.	Sony Sugar Sacco	18227/65			Title by Commissioner of Land upheld
78.	Sanyock Enterprises Limited	15300	Kanyakwar	4.30	Title by Commissioner of Land upheld
79.	Shelemiah Okoth Keya	15329	Kanyakwar	2.999	Title by Commissioner of Land upheld
80.	Walter Juma Absaloms	15034	Kanyakwar	0.5000	Title by Commissioner of Land upheld
81.	Nyakwar Enterprises Limited	16266	Kanyakwar	1.000	Title by Commissioner of Land upheld
82.	Benson Achieng Nyawanda	16342/3 56723	Kanyakwar	2.00	Title by Commissioner of Land upheld

TABLE 10—KISII COUNTY

S/No	Property Description	Location	Interested Parties	Determination
1.	Kisii Municipality Block III/372 and 373	Kisii County	Anne Amoiti Mwebi and Paulina O. Mwebi	Title in favour of Anne Amoiti Mwebi and Paulina O. Mwebi revoked. Property be reinstated to the Prisons Department
2.	Kisii Municipality Block III/597	Kisii County	International Victory Church	Title/Grant in favour of International Victor Church revoked Parcel of Land reinstated to the County Government of Kisii for development of a Fire Station.
3.	Kisii Municipality Block III/349	Kisii County	Samuel Mayienga Openda	Title/Grant in favour of Samuel Mayienga Openda revoked. Parcel of land reinstated to the National Government under the State Department for Housing/National Housing Directorate.
4.	Kisii Municipality Block III/366	Kisii County	David Ondimu Koimbo	Title/Grant in favour of Samuel Mayienga Openda Upheld. Chief Land Registrar ordered to regularise the title in favour of Mr. David Ondimu Kombo
5.	Kisii Municipality Block III/258	Kisii County	Samson Ongeru Kegengo	Title/Grant in favour of Samson Kegengo Ongeru revoked. The parcel of land reinstated to the County Government of Kisii for establishment of a Municipal Market and/or Market Yard
6.	Kisii Municipality Block III/153	Kisii County	George Mochama Riungu	Title/Grant in favour of George Riungu Mochama revoked. The parcel be reinstated to the National Government under the Department of State
7.	Kisii Municipality Block III/259	Kisii County	James Gisemba	Title/Grant in favour of James Gisemba revoked. The parcel of land reinstated to the County Government of Kisii for establishment of a Municipal Market and/or Market Yard.
8.	Kisii Municipality Block III/66	Kisii County	Eikanah Mogire Araka	Title/Grant in favour of Eikanah Mogire Araka revoked The property be reinstated to the National Government.
9.	Kisii Municipality Block	Kisii County	Peter Oyaro O'Kingewa	Title/Grant in favour of Peter Oyaro O'Kingewa revoked.

S/No	Property Description	Location	Interested Parties	Determination
	III/512			The property reinstated to the County Government for establishment and/or development of a fire station.
10.	Kisii Municipality Block II/581	Kisii County	Dorcas Ondieki Gisege	Title/Grant in favour of Dorcas Ondieki Gisege revoked. The parcel of land be reinstated to the National Government under the principal Secretary. Treasury to hold in trust for Daranja Mbili Secondary School
11.	Kisii Municipality Block I/480	Kisii County	Kennedy Nyasenda	Title/Grant in favour of Kennedy Nyasenda revoked. The parcel of land be reinstated to the National Government under the State department of Housing.
12.	Kisii Municipality Block I/483	Kisii County	Samson Ondimu Bundi	Title/Grant in favour of Samson Ondimu Bundi revoked. The parcel be reinstated to the County Government For public purpose only.
13.	Kisii Municipality Block III/496	Kisii County		Title revoked
14.	Kisii Municipality Block III/282	Kisii County	David Onsare Anunda	Title Grant in favour of David Onsare Anunda revoked. The parcel of land be reinstated to the National Government.
15.	Kisii Municipality Block II/204	Kisii County	Samwel Gesimba Keragori	Title/Grant in favour of Samwel Gesimba Keragori revoked.
16.	Kisii Municipality Block II/225	Kisii County	Visa Printers and Stationers	Title/Grant in favour of Samwel Gesimba Keragori revoked. The parcel be reinstated to the National Government, state Department of Housing
17.	Kisii Municipality Block II/137	Kisii County	Samwel David Omwenga Angwenyi	Title/Grant in favour of Samwel David Omwenga Angwenyi revoked. The parcel of land be reinstated to the National Government, State Department of Housing
18.	Kisii Municipality Block I/127	Kisii County	Bhavesh Nemchandra	Title/Grant in favour of Bhavesh Nemchandra revoked. The Parcel of land be reinstated to the National Government, State Department of Housing.
19.	Kisii Municipality Block III/517	Kisii County	Prinal Kumal Baghwanji	Title/Grant in favour of Prinal Kumal Baghwanji revoked. The parcel of land be reinstated to National government.
20.	Kisii Municipality Block I/936	Kisii County	Anastasia Ogechi	Title/Grant in favour of Anastasia Ogechi revoked. The parcel be reinstated to the National Government under the State Department for Social Services for purposes of establishment and/or development of a Rehabilitation center for the disabled.
21.	Kisii Municipality Block I/745	Kisii County	Josephat Mecha Masaki	Title/Grant in favour of Josephat Mecha Masaka revoked. The parcel be reinstated to National Government, State Department of Housing
22.	Kisii Municipality Block III/407	Kisii County	Sospeter Nyakundi Nyang'au	Title/Grant in favour of Josephat Mecha Masaki upheld. The Chief Land directed to regularise the title/grant in favour of Sospeter Nyakundi Nyang'au.
23.	Kisii Municipality Block I/221	Kisii County	Norah Moraa Mageto	Title/Grant in favour of Norah Moraa Mageto revoked. The parcel of land be reinstated to National Housing
24.	Kisii Municipality Block II/195	Kisii County	Wilson Jack Mageto and Moraa Mageto	Title/Grant in favour of Wilson Jack Mageto and Moraa Mageto revoked. The parcel of land be reinstated to the National government, Department of Housing.
25.	Kisii Municipality Block II/211	Figshore Investment Limited	Title/Grant in favour of figshore Investment Limited revoked. The parcel of land be reinstated to the National government under the Department of Housing.	Title/Grant in favour of Figshore Investment Limited revoked. The parcel of land be reinstated to the National government under the Department of Housing.
26.	Kisii Municipality Block II/215	Kisii County	John Kahanya Gathiru	Title/Grant in favour of John Kahanya Gathiru revoked. The parcel reinstated to the County Government of Kisii.
27.	Kisii Municipality Block II/215	Kisii County	Joseph Siro Mosioma and Francisca Nyaboke Siro	Title/Grant in favour of Joseph Siro Mosioma and Francisca Nyaboke Siro revoked. The parcel of land be reinstated to the National housing for the purpose of establishment and/or development of a Cultural Hall.
28.	Kisii Municipality Block II/216	Kisii County	Samwel Omwenga Angwenyi	Title/Grant in favour of Samwel Omwenga Angwenyi revoked. The parcel of land be reinstated to the National Government, Housing Department
29.	Kisii Municipality Block II/258	Kisii County	Dominic Ombongi Gechuki	Title/Grant in favour of Dominic Ombongi Gechuki revoked. The parcel of land be reinstated to the National Treasury to hold in trust for the IEBC and th NIS.
30.	Kisii Municipality Block II/260	Kisii County	Aerem Ltd	Title/Grant in favour of Aerem Ltd revoked. The parcel of land be reinstated to National Government, Housing Department
31.	Kisii Municipality Block III/352	Kisii County	John Silas Omboto	Title/Grant in favour of John Silas Omboto revoked. The parcel of land be reinstated to National Government, Housing Department
32.	Kisii Municipality Block III/418	Kisii County		Title/Grant revoked. The parcel of land be reinstated to National Government, Housing Department

S/No	Property Description	Location	Interested Parties	Determination
33.	Kisii Municipality Block III/260	Kisii County	Samson Nyambati	Title/Grant revoked. The parcel of land be reinstated to National Government, Housing Department as a market
34.	Manga Scutemet Scheme Plot No.88	Nyamira County	Mabeno DEB Primary School-Nyansiongo	Chief Land Registrar directed to Revoke Title to Intrested Party and issue title to Mabeno DEB Primary School,The Registered owner be Compensated for the Market value of the land and or be given an alternative land elsewhere.
35.	Kisii Municipality Block IV/16	Public Utility Land	KARLO Kisii Bottles Ltd.	Chief Land Registra directed to Uphold title held by Kisii Bottlers Ltd.ICDC is a major shareholder in the firm and is owned by the Government.
36.	LR No. 16757 LR No. 16758	Public Utility Land	Tegemea Oil Company Geoffrey Asanyo ICDC	ICDC to regularize/uphold Revoke Tegemea & Geoffrey Asanyo titles Uphold title held by ICDC, Land Reverts to KARLO
37.	LR No.17666	Public Utility Land	Jared Kangwana	Chief Land Registrar Directed to revoke title of Jared Kanwana and revert the Land to KARLO
38.	Kisii Municipality Block I/547	Kisii county	Nyangau Maonga Monyonko Geoffrey Tinega Isaboke	Chief Land Registrar directed to revoke title to Geoffrey Tinega Isaboke and a new lease issued to Nyangau Maonga Monyonko

NAIROBI COUNTY

TABLE 11—WOODLEY ESTATE

S/No	Property Description	Reserved User	Parties Involved	Decision of the Commission	Reasons
1.	LR No. 209/13539/154	County Government Housing	Paul Moses Ngetha Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
2.	LR No. 209/13539/184	County Government Housing	Wairimu Kanga Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
3.	LR No. 209/13539/57	County Government Housing	Mwangi H. Wangonde Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
4.	LR No. 209/13539/102	County Government Housing	Thomas Kipkoech S. Keros Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
5.	LR No. 209/13539/87	County Government Housing	John Muturi Thumi Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
6.	LR No. 209/13539/29	County Government Housing	Wilson Kipkimboi Kipkoti Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
7.	LR No. 209/13539/143	County Government Housing	Joseph Musa Ngati, Peter Muriithi Ngatia Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
8.	LR No. 209/13539/20	County Government Housing	Simon Kimondo Mubea Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
9.	LR No. 209/13539/101	County Government Housing	Harun Muhoro Methu Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
10.	LR No. 209/13539/60	County Government Housing	Johnson N. Ondieki Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
11.	LR No. 209/13539/122	County Government Housing	Helen Njambi Mbugua Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
12.	LR No. 209/13539/50	County Government Housing	Trade World Company Ltd. Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
13.	LR No. 209/13539/152	County Government Housing	Jacqueline Yvonne Amoid Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
14.	LR No. 209/13539/163	County Government Housing	Praise Place Limited Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
15.	LR No. 209/13539/49	County Government Housing	Margaret W Goko Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
16.	LR No. 209/13539/169	County Government Housing	Fred Wainaina Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
17.	LR No. 209/13539/2	County Government Housing	Jane Wangui Bono Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
18.	LR No. 209/13539/7	County Government Housing	Eva N Gaita Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
19.	LR No. 209/13539/13	County Government Housing	Chrisna Holdings Limited Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
20.	LR No. 209/13539/23	County Government Housing	Solken Limited Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing
21.	LR No. 209/13539/65	County Government Housing	Kennedy Nyabuti Ogeto Nairobi City County	Revoke	Illegal allocation of Public utility land reserved for County Government Housing

REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT

AT KISII

ELCC NO. 204 OF 2014

MERENCIA KINANGA OKEMWA PLAINTIFF

VERSUS

KENYA AGRICULTURAL AND LIVESTOCK RESEARCH ORGANISATION
..... DEFENDANT/COUNTERCLAIMANT

AND

LAND REGISTRAR, KISII 2ND DEFENDANT IN COUNTERCLAIM

JUDGMENT

(Suit by plaintiff seeking to have the defendant restrained from the suit land and a caution placed by the defendant removed; defendant filing defence claiming that the title of the plaintiff was acquired fraudulently as the suit land is public land set aside for research activities; defendant alleging to have had 100 hectares and that the suit land was carved out of it; effect of Section 26 Land Registration Act; Section 26 providing protection to title and directing that title be taken as prima facie evidence of ownership of land; Section 26 providing for the instances when title can be impeached; no proof that the defendant was ever given 100 hectares of land; no proof that the 2 or so acres of the suit land was carved out of the alleged 100 hectares of land given to the defendant; no evidence led that the title of the plaintiff was illegally created; standard of proof in case of fraud not met; no evidence upon which to impeach the title of the plaintiff; judgment entered for the plaintiff and counterclaim dismissed with costs)

1. This suit was commenced through a plaint filed on 23 May 2014. The plaintiff has pleaded that she is the registered proprietor of the land parcel Kisii Municipality/Block IV/2 (the suit land). She avers that she has been in possession since purchasing it for value without notice. She complains that the defendant lodged a caution on the land in the following terms : "*Caution in favour of Kenya Agricultural Research Institute claiming an interest as licensee.*" It is her pleading that the actions of the defendant have no basis at all and infringes on her constitutional right to own property. In the suit she asks for the following orders :
 - (i) *Temporary injunction restraining the defendant from interfering with the plaintiff's ownership of the suit land.*
 - (ii) *A permanent injunction restraining the defendant from interfering with the plaintiff's ownership of the suit land.*
 - (iii) *Removal of the notice of caution forthwith.*
 - (iv) *Compensation by way of general and aggravated damages for the loss caused from wanton destruction of property, inconvenience and suffering.*
 - (v) *Costs of the suit and interest.*

5. Cross-examined, she testified that when she bought the land it was delineated and fenced. She did not immediately use the land but was intended to develop it. She did not fence the land and there is nobody in it. She testified that she believed that Mary Sagini had good title to the land and that she had even charged it to Kenya Commercial Bank. She visited the land several times before purchasing it and it was vacant without any building nor any growing of crops. She stated that the immediate neighbour of the land is Coca-Cola and they share a boundary and there are also shops and farmlands. The defendant is now using the land for framing. She was not aware of who was using the land between 2007 and 2010. She did not engage with KARI before buying the land and neither did she employ a surveyor. The land was fenced with barbed wire all round and she had no information that KARI had an interest in the land. Re-examined she testified that she was a School Principal in Nairobi and does not get much opportunity to get out of her work station.
6. PW-2 was John Allan Okemwa. He is a businessman in aviation based at Nairobi. He testified that the plaintiff is his wife. He introduced her to Mary Sagini who was selling land and was fully involved in its purchase. He testified that they visited the land and it was vacant and the land was charged to Kenya Commercial Bank (KCB). He stated that it was fenced on one side though open on another. Cross-examined he testified that Mary Sagini was the late wife of a Mr. Sagini who was a Minister for Local Government at one time. Cross-examined he testified that he was shown the land by the people of Mary Sagini and that he went with a surveyor who showed him the extent of the land. He reiterated that the land was vacant. They have not utilised the land because of the caution lodge and presently there is a crop of maize. They had no idea that KARI had an interest in the land otherwise they would not have purchased it.
7. With that evidence the plaintiff closed her case.
8. The defendant called David Lemaiyan, a Surveyor working with the Ministry of Lands at Kisii, as its first witness. He had the survey plan for the land, the Registry index Map and a satellite image of it. He stated that there should be a Part Development Plan (PDP) but the file for the parcel is domiciled in Nairobi so he did not have it. He testified that the survey plan that he has is authenticated. It was authenticated on 6 August 1992. He could see that it was authenticated by one J.K Kahindi who he believed is still in service. He could not tell who instructed him to undertake the survey as this can only be done by looking at the survey file. He could not tell if beacons were placed on the land. He testified that ordinarily the documents pertaining to leasehold land are domiciled in Nairobi and it would be useful to have those records. He did not have these records. He testified that he was familiar with the area which is an agricultural area. He had not visited the suit land in particular but had visited the general area. He was not able to trace the PDP from the Physical Planner. He did not have the records of the owner of the land as the name of an owner is not noted in the survey plan.
9. Cross-examined he testified that the summons to witness did not ask him to come with documents. He was not aware that there was a title issued for the land nor the previous or current ownership. He testified that he knows the general layout of the land and that there are some parcels with fences. He had not particularly visited the suit land.

(vi) Such other orders that the court may deem fit.

2. The defendant filed defence and counterclaim. The counterclaim is against the plaintiff and the Land Registrar, Kisii. The defendant admitted registering the caution in order to protect its interest and guard against fraudulent dealings. It pleaded fraud against the plaintiff and contended that the plaintiff purchased the land when the defendant was in possession; that the said land is public land meant for research activities; that the defendant has never sold, or alienated the land to third parties or the plaintiff; that the plaintiff deliberately facilitated transfer of alienated public land. In the counterclaim, it is pleaded that through fraud the defendants in the counterclaim transferred and registered the suit land in the name of the plaintiff without approval or consent from the counterclaimant or the Government of Kenya as envisaged in the Government Land Act; that the land was alienated without adopting the laid down procedure; that the plaintiff alleges to have bought the suit land from a third party who has never been owner of the land; that the Land Registrar colluded by allowing transfer of the land; tampering with the records in relation to the suit land; and manufacturing a fake title.
3. In the counterclaim the defendant seeks the following orders :
 - (a) *The plaintiff's suit be dismissed with costs.*
 - (b) *A declaration that the suit property is unalienated land belonging to the Government of Kenya.*
 - (c) *A declaration that the purported alienation of the suit land in favour of the plaintiff is invalid and null and void ab initio.*
 - (d) *An order compelling the Land Registrar to revoke the Certificate of Lease issued in favour of the plaintiff on 14 February 2014;*
 - (e) *An order for rectification of the register so as to reflect the Government of Kenya as the registered proprietor of the suit land;*
 - (f) *A permanent injunction to restrain the plaintiff from the suit land;*
 - (g) *The counterclaim be allowed with costs;*
 - (h) *Any other relief deemed fit to grant.*
4. Hearing commenced on 3 October 2018 before Mutungi J when the plaintiff testified. She stated that she is a Secondary School Principal and that she purchased the suit land from Mary Sagini through a sale agreement entered into on 9 January 2007. She testified that the Municipal Council gave consent to transfer which she exhibited and that the transfer to her name was effected. She was issued with a Certificate of Lease on 14 February 2007. She had an official search dated 14 April 2010 confirming her as proprietor. She did another search on 5 August 2011 which now showed a caution registered by the defendant claiming a licence interest. She testified that she has never given a licence to the defendant or any person. She testified that she did not take possession of the suit land immediately upon purchase. In 2011 she wished to undertake construction and discovered the defendant, then known as Kenya Agricultural Research Institute (KARI) using the land. She wrote a letter demanding removal of the caution. The Land Registrar wrote a letter dated 18 October 2011 being a notice of intention to remove the caution but the defendant did not respond to the notice. She asserted that she acquired the land procedurally and there is no reason to encumber it.

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3. *A letter dated 25 May 1998 titled "Preparation for PDPs for Land Occupied by Government Ministries and Parastatals." It is from Felister Makini, the Centre Director, RRC, Kisii, to the Physical Planner, Kisii District. The letter refers to another from the District Commissioner dated 29 April 1998. It requests for title deeds to be issued for land that KARI occupies.*
 4. *A letter dated 29 June 1998 from KARI, Kisii Centre, to the Physical Planner Kisii. It is titled "Preparation for PDPs for Land Occupied by Government and Parastatals" and is also written by Felister Makini the Centre Director, RRC Kisii. It refers to the letter dated 25 May 1998 and states that it is a follow up to that letter. The letter requests for PDPs to be prepared for all KARI land which it currently occupies.*
 5. *A Ministerial Circular from the office of the Permanent Secretary, Ministry of Lands and Housing dated 29 June 2005. The letter is addressed to the Attorney General, all Permanent Secretaries, The Controller and Auditor General, the Private Secretary/Comptroller of State House, the Secretary Public Service Commission, The Clerk of the National Assembly, the Registrar High Court, The Secretary Teachers Service Commission, The Chairman Electoral Commission of Kenya, The Director General National Security Intelligence Service, All Chief Executives of State Corporations, and All Provincial Commissioners (with sufficient copies for District Commissioners). The letter is titled, Repossession of Irregularly/Illegally allocated public land. It is a general letter which states that the Governemnt upon release of the Report of the Commission of Inquiry into the illegal/irregular allocation of Public Land, has directed all public land subject to irregular allocation to be repossessed by Government institutions that have lost it. It closes by asking those addressed in the letter to bring its contents to the attention of all public institutions under their charge for appropriate action.*
 6. *A very faint development plan for a KARI Plot. The document is so faint that I cannot tell what it is that is being planned.*
 7. *An electricity bill addressed to KARI- Kisii dated 30 May 2015 from Kenya Power & Lighting Company (KPLC) a commercial plot that appears to be to be unidentified. It just says it is for "PLT AT KISII KARI."*
 8. *A similar electricity bill dated 30 September 2016.*
 9. *A similar electricity bill dated 30 December 2016.*
 10. *A letter from Water Resource Management Authority to KARI- Kisii, dated 31 October 2016, being a debit note for Kshs. 11,037.22/= as balance brought forward.*
 11. *A Visitor's Book spanning 1 February 1991 to 13 July 2016.*
 12. *A Satellite Image.*
 13. *The Board showing those who were in charge Kari-Kisii from 1963 to 2015.*
 11. *The witness was not taken through any of the exhibits in order to explain them.*
 12. *Cross-examined, he did affirm that he has mentioned in his statement that unscrupulous persons wanted to alienate the Centre's land. He conceded that beyond the statement he has not produced anything to support the allegations of fraud. He was not aware that the plaintiff has exhibited title to the land which he thought would still be fraudulent even if produced. He affirmed that a caution was lodged claiming a status of a licensee which he explained that KARI was a licensee of the Government.*

10. DW – 2 was Dr. Oscar Magenya. He is the Agricultural Research Secretary based in Nairobi. He served as the Centre Director at Kisii from 2011 to 2015. He had a witness statement which he relied on as his evidence and produced thirteen documents as exhibits. In his witness statement he stated that the Kisii Centre was established in 1963 and allocated 100 Ha adjoining the Kisii Farmers Training Centre for research activities. He stated that the centre has been in continuous and uninterrupted possession of the land since allocation in 1963. He stated that current research activities cover maize, oil crops, beans, sorghum, and other crops, and that the research activities are supported by the Government and donors for the benefit of more than four million farmers. He stated that over the years there have been spirited attempts by individuals and unscrupulous Government officials to alienate the land of the Centre and that indeed some of the land was allocated illegally to individuals and private entities. For that reason the Centre put a caution on its land to avoid further alienation or dealings. He singled out the plaintiff as one such individual who has benefited from illegal allocations of the Centre's land and that her acquisition of the land was without the knowledge of the defendant. He stated that the manner in which the land changed hands from the Centre to the plaintiff was unprocedural, without sanction of the Government or the Board of Management of the Centre and was thus null and void. He stated that the Centre has never ceded occupation of its land to the plaintiff or any other individual and that all illegally alienated land is being repossessed and handed back to the Centre for the intended research purposes. He added that the Centre has spent enormous funds carrying out research activities on the land in addition to expensive investment on research activities. He stated that if the orders herein are granted the Centre shall incur irreparable losses and consequently fail in its mandate to advise farmers on the best production practices and technologies that increase yields. He asked the court to reject the plaintiff's claim to avoid setting a bad precedent that may see all the Centre's land grabbed and allocated to individuals. The exhibits that he produced following their chronological sequence were :

1. *A letter dated 8 June 1989 from one J.N Miyogo the Deputy Director, Department of Planning Finance and Administration of KARI. The letter is addressed to the Centre Director – RRC, Kisii. It is titled Research Center Land Problem. The letter raises concern on moves to take away land supposed to be used for research activities. It assures the Centre Director that this issue is being considered seriously at another level and as soon as it is concluded they shall make it known to him. The Director is also informed of plans to put up an administration/Lab Block whose plans are being worked on. He is told that it would be a good thing for him to monitor the situation and inform the headquarters as and when he feels it is necessary.*
2. *A letter dated 22 July 1992 from the District Commissioner, Kisii, addressed to the Clerk, Kisii Municipal Council, The Clerk Gusii County Council, District Land Officer Kisii, District Physical Planning Officer Kisii, District Surveyor Kisii, District Land Registrar Kisii, and Centre Director, KARI Kisii. It is titled "Allocation of Research Land- Kisii Research Centre." The writer refers to his own letter dated 29 June 1992 and states that the exercise he had asked them to carry out has been suspended by the Government until further notice. It ends by saying "please stop any work you were doing with immediate effect."*

He elaborated that they put a caution as they had been instructed to process title for KARI Centres. He stated that he knows the land and that it has no fence. He stated that of the initial 100 hectares some have been taken by Government institutions such as Government Staff Training, Nyayo Bus and a Police Post. He stated that there were many attempts from private individuals (to grab KARI land). He was not aware of previous suits against KARI.

- 13. I inquired from him about the KARI land. He stated that it is 100 ha. I inquired if he has anything to show that the 2 acres which comprises the title of the suit land falls within the 100 ha of KARI land and he acknowledged that he has nothing.
- 14. With the above evidence the defendant closed its case.
- 15. I invited counsel to file submissions which they did and I have taken note of the same.
- 16. The issue here is whether the title of the plaintiff falls under land belonging to KARI. It will be recalled that the plaintiff does have a title to the suit land and my starting point will therefore be Section 26 of the Land Registration Act, which provides as follows :

26. (1) The certificate of title issued by the Registrar upon registration, or to a purchaser of land upon a transfer or transmission by the proprietor shall be taken by all courts as prima facie evidence that the person named as proprietor of the land is the absolute and indefeasible owner, subject to the encumbrances, easements, restrictions and conditions contained or endorsed in the certificate, and the title of that proprietor shall not be subject to challenge, except—

- (a) on the ground of fraud or misrepresentation to which the person is proved to be a party; or*
- (b) where the certificate of title has been acquired illegally, unprocedurally or through a corrupt scheme.*

(2) A certified copy of any registered instrument, signed by the Registrar and sealed with the Seal of the Registrar, shall be received in evidence in the same manner as the original.

(emphasis mine).

- 17. It will be seen from the above that the law is protective of title. It in fact provides that the title is to be taken as prima facie proof that the person noted therein is the correct owner of the suit land. The law goes further to state on what basis a person's title can be impeached. It says that title can be impeached, where the same has been acquired through fraud or misrepresentation for which the title holder is proved to be a party, or where it is shown that the title is procured illegally, unprocedurally or through a corrupt scheme.
- 18. Therefore, when one displays title, the court is to take it that it is a good title, and the court will only nullify it if the vitiating factors under Section 26 (1) (a) and (b) are demonstrated. The onus of proving bad title is on the person who seeks the said title to be nullified. In other words, if there is no evidence that the title is a bad title, the court will take it that prima facie it is a good title, and the court will need to uphold it. The court cannot nullify a title based on innuendo and general statements that do not constitute concrete evidence of the factors that will invite the court to cancel title. In other words, the person who seeks nullification of title needs to prove through direct and/or indirect evidence, that the title was acquired fraudulently or by misrepresentation , or it was procured illegally, unprocedurally or through a corrupt

scheme. Cancelling a title is therefore not a simple matter. You cannot simply come to court and say 'cancel that title' and pray that by those meagre words, with nothing else to support, the court will then proceed to nullify a title. Nullifying a title is serious business that should not be taken casually.

19. In our case, the plaintiff does have a title to the suit land. I can see that it is a leasehold title for 99 years with effect from 1 April 1992 from the Gusii County Council. The land measures 0.8415 ha which is just above two acres of land. The Green Card was not produced but I see that the registration of the plaintiff is the seventh entry in the register as indicated in the search. The plaintiff got registered as proprietor on 14 February 2007 and she has displayed the sale agreement that shows that she bought the land from Mary Sagini. It is on 11 March 2011 that the defendant placed a caution. It states "*Caution in favour of Kenya Agricultural Research Institute Claiming an Interest as Licencee.*" This is a curious interest. In that caution, KARI does not purport to be the owner of the land. It only says that it is a licencee. That caution does not even say who the licensor is.
20. In the defence and counterclaim, the defendant/counterclaimant did plead that the title of the plaintiff was acquired fraudulently. The test for fraud is now well established to be above a balance of probabilities though not beyond reasonable doubt. This was affirmed by the Court of Appeal in the case of *Nizar Virani v/a Kisumu Beach Resort vs Phoenix East Africa Assurance Company Limited (2004) 2 KLR 269* wherein it was held that :
"Fraud is a serious quasi-criminal imputation and it requires more than proof on a balance of probability though not beyond reasonable doubt. Sufficient notice and particulars must therefore be supplied to the party charged for rebuttal of such allegation."
21. In the case of *Vijay Morjaria vs Nansingh Madhusingh Darbar & Another [2000] eKLR, Tunoi, JA* (as he then was) stated as follows:
"It is well established that fraud must be specifically pleaded and that particulars of the fraud alleged must be stated on the face of the pleading. The acts alleged to be fraudulent must of course be set out, and then it should be stated that these acts were done fraudulently. It is also settled law that fraudulent conduct must be distinctly alleged and as distinctly proved, and it is not allowable to leave fraud to be inferred from the facts. See Davy v Garret (1973) 7 Ch. 473 at 439."
22. In the case of *Christopher Ndaru Kagina -V- Esther Mbandi Kagina & Another [2016] eKLR* the court stated that:
"It is trite law that he who alleges fraud must prove fraud. Allegations of fraud must strictly be proved. Great care needs to be taken in pleading allegations of fraud or dishonesty. In particular the pleader needs to be sure that there is sufficient evidence to justify the allegations. In the Case Central Bank of Kenya Ltd -vs- Trust Bank Ltd & 4 Others the Court of Appeal in considering the standard of proof required where fraud is alleged stated that fraud and conspiracy to defraud are very serious allegations. The onus of prima facie proof is much heavier on the person alleging than in an ordinary Civil Case. The burden of proof lies on the applicant in establishing the fraud that he alleges."
23. The court of appeal in the case of *Central Kenya Ltd v Trust Bank Limited & 4 others [1996] eKLR* observed as follows;

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27. The letter of 8 June 1989 from Mr. Miyogo, only raises concerns about moves to take away KARI land. It is a general letter. The land of the plaintiff is not mentioned. The letter dated 22 July 1992 from the District Commissioner merely informs the Land Officials not to proceed with works regarding KARI land. How does that help the defendant? The Circular dated 29 June 2005 informing the persons copied therein to repossess irregularly allocated land is a general letter that has no indication of the plaintiff's title being among the plots to be repossessed. How does that help the defendant impeach the plaintiff's title? The letters of 25 May 1998 and 29 June 1998 asking for PDPs and Titles to KARI land don't tell us anything about the title comprised in the land of the plaintiff. In fact I would have thought that the defendant would say what happened to its requests and whether it got title to any of the parcels of land. The defendant's witnesses said nothing on this regard. I am also at a loss as to why the defendant brought a development plan that appears to me to have nothing to do with the plaintiff's title forget for a moment that the same is so faint. And pray, why were electricity bills being produced? They were not even explained, but even on the face of them, they have nothing to do with the plot in dispute. The plaintiff said that her plot is vacant and has no structures. The defendant did not say anything in its evidence regarding structures on the land or anything to do with electricity being connected therein. Merely throwing electricity bills at the court and expecting the court to know what they are all about is simply ludicrous. Surely how do such electricity bills prove that the suit land belongs to the defendant? I will say the same thing on the debit note of Kshs. 11,037.22/= from Water Resources Management Authority. Nothing was elaborated regarding that debit note; nobody said what it is that was being paid for and the information is not indicated in that note; there is no plot mentioned there. I am baffled as to why it was presented as an exhibit. As far as I can see it has zero bearing on the plot in issue and if it has I have no idea what it is meant to portray. Again, a debit note was thrown at the court with no explanation at all. It does not help in proving that the plaintiff's title is not a good title. What about the Visitor's Book? How does a Visitor's Book tell me that the plaintiff's title is fraudulent? It can only tell me that KARI has a presence in Kisii and that people used to visit its offices. It was never said that KARI offices were on the suit land. And what about the Notice Board telling me who the Centre Directors were? How does that tell me that the suit land is supposed to be owned by the defendant and not the plaintiff? Need I answer that question? I would say the same about the satellite image. It does not identify the suit land and does not identify that it falls on KARI land.
28. The defendant cannot come to court with tasteless, if not outrageously ridiculous documents, and seek to have a title cancelled. If at all this was ever KARI land I would have expected much better from the defendant. I would have expected some more serious input from the defendant and some serious evidence; not a measly bunch of unexplained electricity bills and general circulars informing State Corporations to protect Government land. Surely, where is the evidence that the suit land was ever KARI land? What I see is a lease from the Gusii County Council and nothing, totally nothing, that tells me what KARI land is, and that the suit land was carved out of KARI land. While the plaintiff was armed with the shield of title, the defendant came to battle with some pitiful papers that cannot penetrate the shield of title of the

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The appellant has made vague and very general allegations of fraud against the respondents. Fraud and conspiracy to defraud are very serious allegations. The onus of prima face proof was much heavier on the appellant in this case than in an ordinary civil case.

24. What I am trying to demonstrate here is that there is a heavy onus on the litigant who alleges fraud. Such litigant needs to plead the particulars of fraud and go further to prove them. Thus, it is not sufficient merely to say that a person has alleged fraud in pleadings. Evidence of proof of such fraud must be led. In the case of title to land, the person claiming that a title is fraudulent needs to plead the particulars of fraud regarding the acquisition of that title then proceed to demonstrate, through evidence, that the title is a bad one. Merely pleading that a person's title is fraudulent and not proceeding to call for evidence in proof of the fraud is certainly insufficient to nullify a title.
25. In our case, the particulars of fraud pleaded were more or less to the effect that the suit land was alienated public land which was not legally placed into private hands and properly transferred to the plaintiff. It was alleged that this land was set aside for research activities of the defendant/counterclaimant. It was claimed that the land was granted to the plaintiff without the laid down procedure being followed and that the Land Registrar colluded in transferring the property to the plaintiff; and further that the plaintiff and Land Registrar tampered with the records and manufactured a fake title.
26. I have carefully gone through the statement of Dr. Magenya, which now constitutes his evidence, and also his oral evidence in court. Apart from generally complaining that unscrupulous individuals had targeted KARI land, there is completely nothing at all particularising any impropriety in the title of the plaintiff. His evidence does insinuate that the suit land was allegedly carved out of about 100 hectares that was allocated to the defendant/counterclaimant. However, neither Dr. Magenya nor Mr. Lemaiyan produced any evidence to demonstrate the extent of this 100 hectares claimed by Dr. Magenya to have been allocated to KARI in 1963. Now, if you cannot point at any evidence, oral or documentary, that says "*this is the 100 hectares of KARI land and here is the 2 acres of the plaintiff which is within the 100 hectares*", I wonder on what basis the defendant can contend that the title of the plaintiff falls within its 100 hectares. If at all the suit land was KARI land that was irregularly allocated as alleged, then at the bare minimum, this is the evidence that you would have expected the defendant to present. You would also have expected the defendant to forward and attack the documents that led to the issuance of title to the plaintiff. You would expect the defendant to bring to court the documents said to have been manipulated in order have the plaintiff registered as proprietor. The defendant brought no such evidence despite alleging that the process of allocation of the land was irregular. Nothing was brought by the defendant to demonstrate how the title was created so that we can conclude that it was an illegally created title. Even when you look at the exhibits of the defendant, you wonder what it is that they are trying to portray, and importantly those exhibits have absolutely no mention of the plaintiff's title or how it was fraudulently created. I elaborated the exhibits but we can still go through them again.

- plaintiff. Whatever the defendant brought is certainly not convincing enough to lead this court to nullify the title of the plaintiff.
29. Moreover, it will be observed that the suit land is a lease from the Gusii County Council. The plaintiff is merely the beneficiary of a lease. Why didn't the defendant/counterclaimant sue the head lessor who is the Gusii County Council so that they can come and defend their radical title ?
 30. I think I have said enough to show that the defendant has hopelessly failed to show that the title of the plaintiff is not a good title.
 31. In his submissions, counsel for the defendant tried to make a meal out of the claim that the plaintiff is not in possession of the land and the evidence of Dr. Magenya that KARI has all along been in possession. First, that claim by Dr. Magenya that KARI has all along been in possession of the land is unsubstantiated. Dr. Magenya never singled out the suit land and never said what it is that they have been doing on this particular plot for all those years. No ground report was ever presented to support the empty words of Dr. Magenya. The plaintiff herself testified that this land was fenced. Given that contention in evidence, it cannot be said that it was proved that KARI was all along in possession of the suit land. In any event, possession of the suit land does not mean that KARI owns it. I will repeat that what KARI needed to demonstrate was the extent of their 100 hectares, show that it was granted it, and further show that the plaintiff's title is within the 100 hectares. I have no such evidence.
 32. If there was an iota of evidence that this was ever KARI land then I would have shifted the burden of proof to the plaintiff but there was absolutely nothing from the defendant showing that this was ever her land. There is even nothing presented to tell me that KARI has 100 hectares in Kisii. In those circumstances, this court must be guided by Section 26 of the Land Registration Act which protects title and which provides that title is prima facie evidence of ownership.
 33. In a nutshell the defendant has failed to prove that the title of the plaintiff was irregularly acquired. Its counterclaim is dismissed with costs. And having dismissed the counterclaim, I have no reason not to uphold the case of the plaintiff. Without demonstrating any interest in the plaintiff's title the defendant cannot maintain a caution in the register of the suit land. I order the Land Registrar to remove the said caution. The defendant is also permanently restrained from interfering with the plaintiff's ownership of the suit land. In her plaint, the plaintiff asked for general damages for loss caused by wanton destruction of property and inconvenience. I was not shown what it is that was destroyed or what inconvenience was suffered. In light of that I am unable to make any award in general damages.
 34. Costs will follow the event. The plaintiff will have the costs of both the suit and the counterclaim.
 35. Judgment accordingly.

DATED AND DELIVERED THIS 29 DAY OF JULY 2024.

JUSTICE MUNYAO SILA
 JUDGE, ENVIRONMENT AND LAND COURT
AT KISII

Delivered in the Presence of:

Mr. Ojuku for the plaintiff instructed by M/s Akunga Momanyi & Company Advocates;

Mr. Ngethe for the defendant instructed by M/s Milimo, Muthomi & Company Advocates;

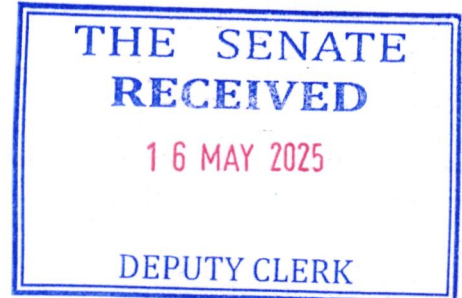
Court Assistant – David Ochieng'



THE RESIDENTS OF KERERI
MWABUNDUSI SUBLOCATION
PO BOX 854 - 40200
KISII .

12/5/2025

TO
THE HON CHAIRMAN,
STANDING COMMITTEE ON LAND,
ENVIRONMENT AND
NATIONAL RESOURCES.



Dear Sir,

RE: REJOINDER TO THE SUBMISSIONS AND RESPONSE BY KARLO ON 29/4/2025

THE HON CHAIR,

We wish to make a further representation to the submissions by KARLO and we respectively wish to give you what we know as the genesis of the controversy between the people of **Mwabundusi and the KARLO**.

First let me with profound and utmost respect thank you for the good time we had with the members of your committee who paid us a visit to the *locus in quo* and more especially the generous time they stayed with the local community.

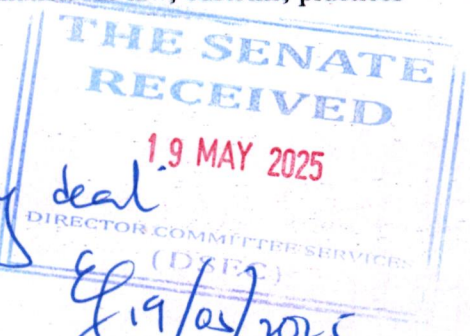
In fact our community has never had such a delegation ever, we are thankful.

Principally the issue before the honourable committee is delayed resettlement of the displaced locals whose land was compulsorily taken away from them to create the land now being occupied by KARLO; our complaint therefore is fully grounded in law.

Chair, so as to set out the context underpinning our petition, allow me refer you to the historical development in native land policy and the emergence of settlement schemes (*of course without quoting any specific legislation or rule*) due the ever changing land law and polices over time, but our 2010 constitution Articles 10, 22, 35. 40. 56, 60 and 67 and the sessional paper no 3 of 2009 on land National land policy of August 2009 are useful for our case.

- ❖ Article 10 (1) (c) provides for national values & principles governance which bind all state organs, state officer and public servants and the manner in which the state officers are to implement public policy.
- ❖ 10(2)(b) provides for human dignity, equity, social justice, inclusiveness and non-discrimination and protection of the marginalized, our plight fits the constitutional prescription, I have enumerated herein above, we are before the committee because someone at NLC has not read the constitution well and hence our indulgence of the committee.
- ❖ Article 60(1)(f) provides for elimination of gender discrimination in law, customs, practices related to land and property in land

① D&C



kindly deal

19/05/2025

② Mr. Bett
Kindly deal
19/05/25
19/05/2025

- ❖ The principles in land policy (constitution) provides (SHALL) be implemented through a National Land Policy developed and reviewed from time to time through legislation ,(we have already adverted to the fact that there have been numerous acts of parliament and establishment of constitutional bodies mandated to address issues like ours but the said bodies have never addressed our concerns.

The sessional paper no 3 of August 2009, talks of land issues requiring a special intervention, such as historical injustices, land rights of minority communities and vulnerable groups would be addressed, the paper went on and I quote on page 9 *“measures will be initiated to identify such groups and ensure their access to land and participation in decision making over land and land based resources”*.

The sessional paper further provided land policy principles especially

- a) Equitable access to land for subsistence, commercial productivity , settlement and the need to achieve a sustainable balance between these uses.
- b) Access to land information and so on.

The sessional paper which was dubbed as a living document which comprised an overall framework and set of principles to guide sectoral, legislative and institutional reforms in land administration and management but regrettably and despite the fanfare with which the minister for lands (**as he then was**) the HON. JAMES A. ORENGO, has never provided a solution to the people of Mwabundusi and hence our cry to the senate.

Chair, the state has no justification why the residents of Mwabundusi cannot be resettled or compensated for the loss of their ancestral land.

The residents /petitioners have inherent right to state responses under Article 35 of the constitution to address our concerns.

HISTORICAL PERSPECTIVE

Chair allow me refer you to the government policy after independence , the government mooted the idea of settlement schemes as a major policy focus aiming to resettle the landless particularly those displaced by the colonial government and especially those whose land was acquired and set aside for infrastructural development.

These schemes were established between 1962 and 1965 with an aim to redistribute land from the European settlers through Land Development &Settlement Boards (LDSB).

As a result of the foregoing, the influential people in society were allocated large swathes of land but the Mwabundusi Community whose land was taken by the government were never given land, *(the people of Mwabundusi are still yearning for the promised land).*

Chair, despite much effort and establishment of Kenya's 533 official settlement schemes, no land was found by the government of Kenya to alleviate the suffering of the people of Mwabundusi community.

Hon chair, allow me inform you that despite war fare from other regions by those affected looking for land either by way of resettlement or compensation, the people of Mwabundusi have been patient, notwithstanding the studious silence exhibited by the government through the National Land Commission. The most recent ethnic clashes in Trans Mara in Narok is a testament that the indigenous communities' patience has been stretched to the prim, but we the people of Mwabundusi have chosen dialogue and consultative engagement.

It is our view that if NLC decided the issue of Mwabundusi can be addressed at the stroke of a pen.

Chair I am aware you must have had the *clarion of "million acre scheme"* in which the Kenya government purchased a million acres of European farms to resettle the Africans, which we know was done but the people of Mwabundusi were left out.

HON. Chair based on the foregoing; the issue of resettlement of Mwabundusi is not coming from the blue.

It is there in record that the World Bank and the British government provided financial assistance to the Kenya government to help negotiate with the white settlers who were paid to pave way for the resettlement of 35000 families in more than a million acres across Kenya, *why can't Mwabundusi be part of this arrangement?*

The issue of World Bank and British government funding a resettlement to address landlessness of the people whose land was taken by the government for construction of infrastructural development is the same reason why we are before this honourable committee of the senate.

There has been quite a considerable compensation and resettlement of the affected communities throughout Kenya but the people of Mwabundusi were left to *eke a living from the river banks*. The honourable committee members who came to the site saw with their own eyes, the plight of the community.

I do not need to repeat myself on this issue; the committee saw and felt the agony of the people. The NLC has an obligation to address this issue.

THE BOTTOM LINE.

When the colonial government moved people en mass and resettled them in reserves, far from (them)the settlers, the natives were moved and settled in reserves, in kisii we call it(*risabu*) the people of Mwabundusi were forgotten and are still staying in *risabu* where they forced to live along the river bank to date.

HISTORICAL BACKGROUND AS A BASIS OF AGITATING FOR RESTTLEMENT.

HON. Chair in 1962, the Kenya Boundaries Commission redrew boundaries and created a scheme between now Bomet county and kisii county, this scheme was called Sotik scheme.

This is the settlement scheme that the colonial administrator was advising the then senator for kisii the hon. Kebaso to advise his people (Mwabundusi) to apply if they were short of land (see our previous) supporting documents.

The large swathe of land was divided among the elite from the Kisii community and some were bought by cooperative societies who used their financial muscles and ensured the people whom Senator Kebaso was advocating their cause remained landless.

KARI LAND.

IN RESPONSE TO KARI SUBMISSIONS

The colonial government established and set aside some land in sotik as per the letter dated 21/2/1957. see copy enclosed herein marked **PAN 1**

That January 1963, it was decided to close down the Sotik experimental station and the area was handed over to the department of settlement for the purpose of resettling the landless natives see letter **Marked PAN 2**.

The director general and the legal officer in their presentation averred to KARLO as having been originally allocated 100.3 HECTARES of land and from their disposition they were allocated 247 acres of land. Our position from the archival records obtained KNA NO BV/16/174 COPY enclosed marked PAN 3, the record shows that the kisii experimental station was opened in May 1963 and the centre was handed over to the research division and the farmers training centre and the area comprised of as per the writer one ROGER W. GRAY said that the research services were "apportioned roughly 150 acres of this land".

The KARI legal officer with a lot respect to her did not provide the basis of the 100.3 hectares and given that the community is comfortable and is in harmony with the KARI as it exists, the bone of contention is the several acres of expansive and unexplained swathes of land that is lying idle while our children are dying of hunger.

The KARI are having unexplained land and coupled with the fact that they do not have title or lease makes our case justified why can't the government (NLC) allocate them 150 acres and leave the rest to the community? or why can't we be given land like other Kenyans who were legally evicted from their ancestral land?

The amount of land held by KARLO is beyond what they were originally allocated, the main issue is either resettlement or compensation for the community land that was taken.

Hon chair it is our hope that you will find the information we have provided herein useful, we have no ill will with the KARI at all, the only issue as the committee saw is the abject poverty and social degradation that the community has been subjected to.

The other issue is the attempt to acquire the KARI land by private developers namely the kisii bottlers, Tegemea oil refineries and other government agencies like the Nyayo Bus Corporation.

It is important to note that the government sold its shares in kisii bottlers way back and moved on, the factory itself was moved to Nyeri and we have reliably learnt that the company is now under the control of Nyeri teachers.

The land where the dormant factories stand is an eyesore to the community.

The community is looking at grabbed and idle land where even the benefit that accrued from the factories now ceased and which would at least have eased their burdens.

Kindly address this issue once and for all do not fail the community.

Thank you.

PHILIP ACHIKI



Cc

**DIRECTOR GENERAL KARI
CHAIRMAN NLC
THE HON RICHARD MOMOIMA ONYONKA
(SENATOR KISII COUNTY)**

F/2/110.

COPY

6th August, 1963.

75A

The Asst. Director of Agriculture,
Nyanza and Western Regions,
KISUMU. (2)

KISII F.T.C. & R/STATION BOUNDARIES.

The future of a block of coffee, 610 trees planted in 1958 and 1959, and 40 trees planted in 1962, on land adjacent to the used experimental area on the Kisii F.T.C. and within the 5 acre area allocated for experimentation, has raised the question of whether this experimental area should be considered as an integral part of the Research Station, or F.T.C. land on loan.

I am enclosing a rough plan which indicates the peculiar positioning of the area, the detached yellow shaded part, in relation to ~~experiments~~ the Research Station land proper. I suggest that for the life of the experiments, and in the case of the Tea Pruning Trial this may be for up to or even beyond 7 years, the land should be on loan from the F.T.C.

The experimentalists consider the area as belonging to them, but do not want the coffee or napier grass, and have I believe suggested its removal; or at least want to be relieved of responsibility for it. I am not all that keen for the F.T.C. to take on the responsibility either, but the coffee is in good shape and it would be a shame to up-root it. It would be useful as a demonstration plot for F.T.C. courses. For the time being I have asked Mr. Z. Oyando from the Coffee Sub-Station to harvest the crop and keep the plot tidy, but doubt whether the Senior Research Officer, Coffee, would be interested in using the plot for any specific purpose.

I would suggest that the line of division between the F.T.C. and Research Station should follow the field boundaries marked with small blue crosses.

I understand that on a recent visit, Mr. Hill suggested that because of the unsuitable nature of field marked X for cultivation, he would like to swap the Research areas shown enclosed with red dashes, for the F.T.C. area shown as enclosed with red dashes. This would however but increase the jig-saw puzzle effect.

Would you please advise?

Sgd. ??????????
(J.K. Ammonds).
Ag. District Agricultural Officer,
KISII.

JKA/PLA.

c.c. The Agricultural Officer (Research),
P.O. Box 523, KISII.
The Principal, Kisii F.T.C., KISII.
The Officer i/c., Coffee Sub-Station, KISII.

MINISTRY OF AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES

Ex 1st floor Nya/4

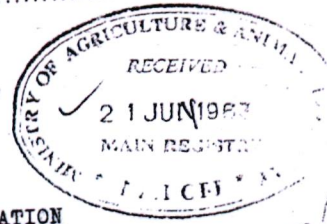
Telephone: 2411
When replying please quote
EXPT/8/24
Ref. No.
and date



DEPARTMENT OF AGRICULTURE
PROVINCIAL AGRICULTURAL OFFICE
P.O. Box 28, NAKURU

20th June, 1963

The Chief Research Officer,
Ministry of Agriculture & Animal Husbandry,
P.O. Box 30028,
NAIROBI.



SOTIK EXPERIMENTAL STATION

I enclose herewith a copy of a letter received from the Settlement Department on the possibility of using the Sotik Station as a holding ground. Would you please confirm that the Station has been formally handed over to the Veterinary Department and that the D.V.S. is the person who should be contacted on this matter?

M. F. Watson
(M.F. WATSON)
A.O.(R)

for ASSISTANT DIRECTOR OF AGRICULTURE, R.V.R.

MFV/EEC
c.c. Area Settlement Controller (West), P.O. Box 277, NAKURU.

History.

Kisii Experimental Station was opened in May 1963 when the former Livestock Improvement Centre was handed over to the Agricultural Department and divided between the Research Division and the Farmers' Training Centre. The Research Services were apportioned roughly 150 acres of this land.

Of this area only about a third is cultivable, the rest being on a steep hillside with rocky outcrops. The cultivated fields are all in terrace banks. There are six fields of about 10 acres which are farmed on a 6-course rotation of 3 years ley followed by 3 years arable. The short term experiments are fitted into this system. The farm is on a red basaltic loam of pH approximately 5.9 which is characteristic of a large part of the area served by the station. Average annual rainfall is 79.58 inches.

There are two dairy herds on the farm which are run as one unit. A herd of 45 Grade Jerseys were brought from the old Kotik Experimental Station and a herd of 35 Grade Guernseys came from Rukera Demonstration Farm at Ruiru in Central Province. Whole milk is sold locally and there is also a strong demand for butter and ghee.

Scientific Staff.

One Agricultural Officer (Research) in charge of the station.

Technical Staff.

One Asst. Agricultural Officer (Research) who is Farm Manager responsible for the running of the station.

KENYA NATIONAL AR.
P. O. Box 49210
NAIROBI

Field Assistants - One in charge of the Experiments and records.

Two in charge of general work on the farm.

One in charge of the experimental plot at Homa Bay.

One clerk.

Work of the Station and its objectives.

The Agricultural Officer (Research) is responsible for carrying out general agricultural research in South Nyanza and Kisii Districts.

Its objectives may be summarised as follows:-

1. The study of all aspects of the agronomy of locally ~~of~~ important food and cash crops.
2. The study of new crops with a view to their introduction to the area on a commercial scale.
3. The study of general cultivation systems.
4. The study of systems of livestock and grassland husbandry suitable to the area

There is close cooperation between the station and the various Specialist Units in the country. The Grassland team at Kitale guides us in our grassland work and we run pyrethrum trials in cooperation with Molo Station.

Dissemination of Results.

All results are published in the annual report of the Department and this should be available to all Senior Officers of the field services.

...../In addition to this.....

98

File No. EXPT/TEC/NZA/4/98

KENYA
P. O. Box 49210
NAIROBI

D.D.A.

When I visited the Nyanza Agricultural Research Station, Kisii, I looked into the question of the allocation of land between the Research Station and the Farmers' Training Centre. As you know the old Veterinary Department livestock station was taken over by us last year and whereas most of the land was allocated to form the new research station a proportion was allocated to the Farmers' Training Centre. At that time it was intended to expand the herd at the Farmers' Training Centre and therefore the expansion of grazing land was thought to be necessary. Altogether the F.T.C. gained over 78 acres through this allocation. The fact is that because of changes in staff and possibly also a policy change concerning the F.T.C., no expansion of the herd has taken place.

Meanwhile it has become clear that the allocation of land to the new research station is inadequate. This particularly applied to arable land and we must have more space for arable experiments if our work is to be carried out in a proper farming context. The ideal solution would be that we relinquish all rights to the 5 acres of F.T.C. land on which the Research Division has been carrying out experiments for several years now. This can be done without any hardship at the moment.

There is only one tea experiment actually on the ground and for my part this experiment can be abandoned as it is poorly designed and will not provide practically useful information. At the same time we could let the F.T.C. retain 11.8 acres of land of the additional acreage which they obtained when the land of the old livestock centre was divided. This area lies in more conveniently to the F.T.C. than to the research station. The remaining 66½ acres should then be returned to the research station.

Of this 66½ acres 51 approximately are hill land and the remaining 15½ are arable land. It is absolutely essential for proper development that this arable land should go to the research station at an early date. If the F.T.C. can put up a sound argument for the retention of part of the 51 acres of hill land, we would be prepared to negotiate on this. However, it is hoped that this will not be necessary.

I had hoped that Mr. Omamo would be able to meet me at Kisii, but this proved to be impossible. However, I saw him in his office before I made the visit and he appeared to agree that the research station had a sound case in this matter.

*done
10/4*

98/3 CRO
I consider that you should proceed but I would like Omamo's views on paper first 10/4

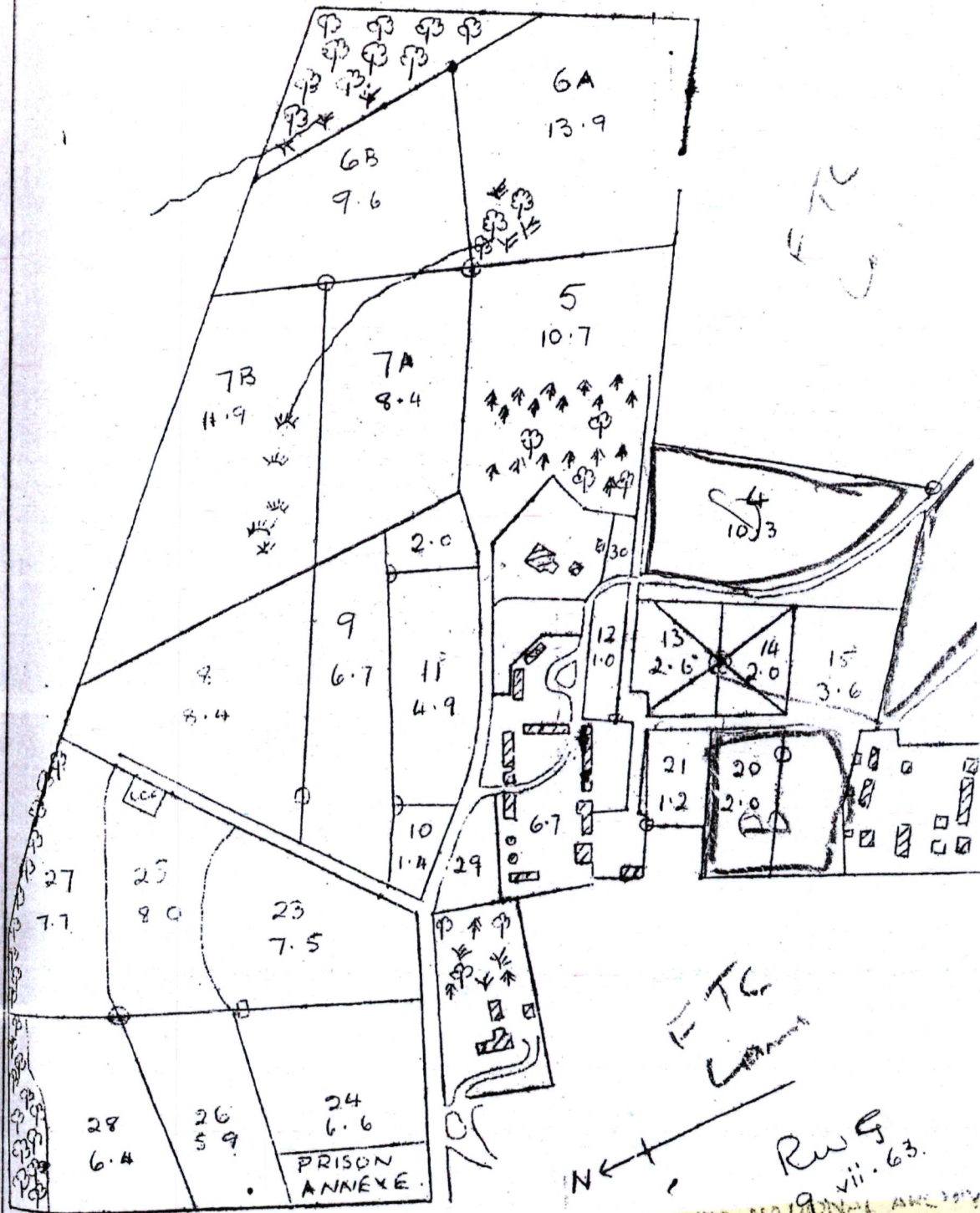
Handwritten signature
Ag. C.R.O.

98/1 ROE

WAW/CJP
3.4.1964

Any comments? I would be inclined to agree with CRO
98/2. Yes. I agree subject to RAO's views. *and*
AOE.

KISII EXPERIMENTAL STATION 1963



F.T.C.
L. ...
Rw 9
vii. 63.
KENYA NATIONAL ARCHIVES
P. O. Box 49210
NAIROBI

2/1/53

19th April

63

Asst. Director of Agriculture, (3)
Rift Valley Province,
Nakuru.

PLACING OF SCS UNIT AT SOTIK.
Future of Sotik Experimental Station.

You asked me at the recent D.A.O's meeting in Nakuru to investigate the possible use by the SCS Unit working at Sotik of the Sotik Experimental Station as a base. I am submitting a preliminary report for consideration before your visit to this District on 1st and 2nd May.

The present staff of the Experimental Station move I understand on 30th June next. The buildings on the Station would be suitable for the SCS Unit and also as a Planning Office for the planning of the Sotik Settlements. If it is intended that the farm should be used by the Veterinary Department as a holding ground, I would query its value for this purpose. It is only small, 120 acres including buildings and there has already been a suggestion that the Department of Settlement should run a much larger holding ground at Sotik to take the stock, particularly young stock, which the Department of Settlement may not require immediately for smallholders but will require as further Settlements are developed to avoid having to bring dairy stock to Sotik from elsewhere. Alternatively, if an area away from Sotik will do, half of the farm of the Livestock Improvement Centre at Kabianga could be used as a holding ground, as if the Kabianga Farmers' Training Centre and Livestock Improvement Centre are integrated, all the land will not be required.

The use of the Sotik Farm for the SCS Unit will obviate the necessity of renting accommodation on Mr. Cinnamon's farm at Sotik. There has I understand been a suggestion that part of Mr. Cinnamon's farm might be used by the Department of Settlement to house a Farmers' Training School. I consider however that the establishment of a separate school is unnecessary and that such training can most economically be done at Kabianga Farmers' Training Centre, with perhaps a few cheap additions.

A. G. BANKS

(A.G. BANKS)
DISTRICT AGRICULTURAL OFFICER
NAKURU

c.c. O i/c SCS Unit,
P.O. Box 122,
Sotik.

MINISTRY OF AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES

Exch/Teel/1130/4

Telegrams: "PROVAGRIC"
Telephone: 191
When replying please quote
Ref. No. REPT/R/2/51
and date

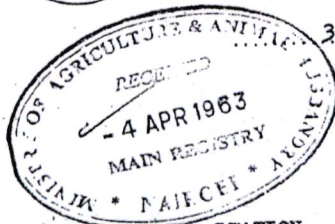
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DEPARTMENT OF AGRICULTURE
PROVINCIAL AGRICULTURAL OFFICE
NYANZA PROVINCE
PRIVATE BAG, KISUMU

3rd April, 1963.

Chief Research Officer,
P.O.Box 30028,
NAIROBI.



60

As you know, the Veterinary Department have given over to us the old Veterinary Station (Livestock Improvement Centre) at Kisii for use as a Research Station, to take the place of Sotik, which is being run down.

In the early stages of the negotiations at Provincial Level, I was asked by the Provincial Veterinary Officer, if we were retaining an interest in Sotik, or whether he could use it for a Veterinary Holding Ground.

As a result, I brought up the matter on 5th February at our Section Heads Meeting at the Scott Agricultural Laboratories.

You will recall that Mr. Watson said that he could find no use for Sotik Station, and it was officially confirmed that we should complete existing experiments and finally pull out altogether in June, 1963.

The Provincial Veterinary Officer has just asked me, if I would request you to send me a letter with copies to him and to the A.D.V.S., Rift Valley Region, confirming that you have no objection to the Veterinary Department taking over the Station with the use of one of the houses.

As we are obtaining a Veterinary house at Kisii, I think this is a fair exchange.

G.C.H. Hill

(G.C.H. Hill).
PROVINCIAL AGRICULTURAL RESEARCH OFFICER.
NYANZA PROVINCE.

GCHH/FM.

c.c. Provincial Veterinary Officer,
Nyanza Province,
KISUMU.

2
MINISTRY OF AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES

Expt/Teed/na/1/150

Telegrams: "PROVAGRIC"
Telephone: 191
When replying please quote

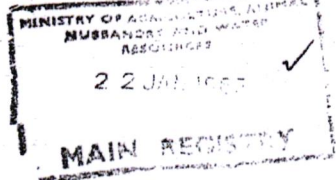


DEPARTMENT OF AGRICULTURE
PROVINCIAL AGRICULTURAL OFFICE
NYANZA PROVINCE
PRIVATE BAG, KISUMU

Ref. No. 10/19/III/19
and date

19th January, 1963.

Chief Research Officer,
P.O.Box 30028,
NAIROBI.



Thro' Hon. Director of Agriculture,
P.O.Box 30028,
NAIROBI.

SOTIK EXPERIMENT STATION.

The Provincial Agricultural Research Officer says that you propose to close down Sotik Experiment Station at the end of June, 1963.

Would you please confirm this, as it might be possible for the Settlement Officer to take over the Station Office and Stores?

This would save considerable expenditure on alterations at Cinnamon's Farm.

G. Stern

(G. Stern).
AG. PROVINCIAL AGRICULTURAL OFFICER.
NYANZA PROVINCE.

Speak on phone with PAO
PAO to set out research needs in a letter
1 SP.
[Signature]
1 Feb 63

MINISTRY OF AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES

DEPARTMENT OF AGRICULTURE
PROVINCIAL AGRICULTURAL OFFICE
NYANZA PROVINCE

PRIVATE BAG, KISUMU

22nd December, 19.60

Telegrams: "PROVAGRIC"
Telephone: 191
When replying please quote
Ref. No. 4/10/3...
and date



The Acting Chief Research Officer,
P/O Box 30028,
NAIROBI.

PETROL STATION SITE AT SOTIK.
RE: YOUR LETTER REF: EXPT/TEC/NZA/4.11(54) DATED 16.11.60.
AND LETTER REF: FARM/8/60/16 DATED 21.11.60 FROM A.O. (R)
SOTIK TO YOU.

Due to an oversight this correspondence has only just been brought to our attention. We entirely agree with the comments of the Agricultural Officer (R.) Sotik - especially with paragraph 3 of his letter.

There is so little development taking place ^{IN SOTIK} township and there is so much spare land ~~that~~ that there is no case whatever at the moment for excising any land from the Research Station for a Petrol Station or any other purpose.

We should be most grateful if you could represent this most strongly to the Acting Commissioner of Lands.

G. Stern

G. STERN.
for ASSISTANT DIRECTOR OF AGRICULTURE,
NYANZA PROVINCE.

*Phoned Commissioner
Advised advised him we
were worried about this.
He will consult us
before any further action
is taken. Satisfied
him that station will be
revised.
B.M.
28/12*

c.c. Agricultural Officer (R.)
Sotik.

GS/CHP

COPY

REGIONAL GOVERNMENT AGENT
KISII.

18th October, 1963.

VET.25/6/1.

Senator J.K. Kebaso,
P.O. Box 522,
KISII.

Dear Sir,

KISII EXPERIMENTAL STATION.
Ref. your letter of 12.10.63.

I have passed a copy of your letter to the Regional Agricultural Officer for reply to you direct. The formation of Experimental Stations is a matter of policy at a national level. However, I feel I must let you know that I am most surprised that you should try to use your influence to close down an experimental station of this type at the present stage of Kenya's development. It is a most retrograde action. It is suggested that before putting a serious proposal you should find out what the station will be used for from the Agricultural Department.

Regarding the persons you name. If they are short of land, I suggest they apply for plots in the next Sotik settlement scheme in just the same way as other Kisii.

I regret I cannot support your request.

Yours faithfully,

(Signed) A.F. HOLFORD-WALKER.

REGIONAL GOVERNMENT AGENT
KISII.

c.c. Regional Agricultural Officer, Kisumu. with a copy of the letter
under reference for reply please, direct to Mr. Kebaso.
District Agricultural Officer, Kisii.
Senior Livestock Officer, Kisii.

KENYA NATIONAL ARCHIVES
P. O. Box 40210
NAIROBI

SENATOR J. K. KEBASO

TELEPHONE NO. 73.

Land/Misc

OFFICIAL ADDRESS:
Parliament Buildings,
P.O. Box No. 1842,
NAIROBI, Kenya, E.A.

HOME ADDRESS:
Kenya Auto Service Building,
P.O. Box 522,
KISII, Kenya, E.A.

OUR REF:

YOUR REF:



12-12-63



The Regional Government Agent,
P.O. Box 30,
KISII.

Dear Sir,

LANDLESS PERSONS.

I feel it to be my duty as a Senator and one who thoroughly understands the problems of Kisii people to bring to your kind notice the following points:-

(1) I can not understand and no reasonable person can either understand why the Kisii Veterinary farm should not be returned to the original owners since it is serving no useful purpose since the land was set aside. I want you to take earliest action to consult Minister of Agriculture as soon as possible about this matter.

(2) No sincere person can tolerate to see people like Naftali Openda, Kristopher Mbaka, Atogo Mogaka and others to live by the river side when the land taken from them is just idling doing nothing when the owners are lacking land to produce enough food for their children. This matter is very urgent indeed and calls for your earliest attention.

Yours faithfully,

J.K. KEBASO.

c.c. The Minister of Agriculture,
P.O. Box 3028, Nairobi.

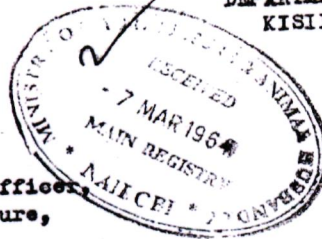
The District Agricultural Officer,
P.O. Kisii.

The District Veterinary Officer,
P.O. Kisii.

KENYA NATIONAL ARCHIVES
P. O. Box 44215
NAIROBI

52e
REF. MEET/2/96/12.

DEPARTMENT OF AGRICULTURE,
KISII EXPERIMENTAL STATION,
P.O. BOX 523,
KISII.



4th March, 1964.

The Chief Research Officer,
Ministry of Agriculture,
P.O. Box 30028,
N A I R O B I.

LAND FOR KISII RESEARCH.

In the minutes of the Regional Research Advisory Committee meeting held here on February 22nd you will have seen under minute 4/64 that I am to prepare a paper on the subject of the siting of the experimental station, land for experimental work.

I am sure you will agree that this is not really a thing which I can do on my own account as it involves Research Division Policy and I would be grateful if I could discuss this matter with you when I am in Nairobi at the end of next week - March 12th - 15th.

I am writing you this note in advance so that you might have the opportunity to discuss the matter with Mr. Wright as it will involve consideration of the possibility of altering of the farm boundaries with the Farmers' Training Centre whose original delineation was dealt with by him.

Roger W. Gray

(Roger W. Gray).
AGRICULTURAL OFFICER (R).
KISII.

Wan
12/3
RWG/JFN.

KENYA NATIONAL ARCHIVES
P. O. Box 49210
NAIROBI

REF. EXPT/1/II/15/335.

Expt/1/II/15/335

DEPARTMENT OF AGRICULTURE,
KENYA AGRICULTURAL RESEARCH STATION,
P.O. BOX 523,
KISII.



20th April, 1964.

102

District Livestock Officer,
P.O. Box 88,
KERICHO.

SOTIK EXPERIMENTAL STATION.

I have now completed the harvest of all the trials which were on the former Experimental Station at Setik and therefore have no further interest in the farm at all.

I would like to express my thanks to your department for allowing me to continue running a few trials on the station for several months after the land was officially handed over to you. Your cooperation was much appreciated.

ROGER W. GRAY

*Hand
26/4*

(Roger W. Gray).
AGRICULTURAL OFFICER (RESEARCH)
KISII.

RWG/JFN.

cc. Ag. Chief Research Officer,
Ministry of Agriculture,
P.O. Box 30028,
NAIROBI.

Livestock Officer,
P.O. Box 98,
SOTIK.

KENYA NATIONAL
P. O. Box 30210
NAIROBI

Chair

MINISTRY OF AGRICULTURE AND ANIMAL HUSBANDRY

Dept/1/35/106

Telegrams: "PROVAGRIC"
Telephone: 191

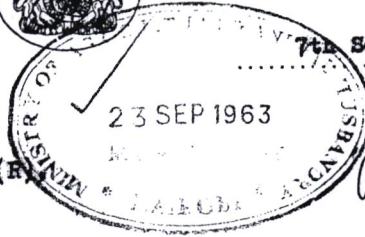
When replying please quote

R/CON/GEN/I/14
Ref. No.
and date

DEPARTMENT OF AGRICULTURE
PROVINCIAL AGRICULTURAL OFFICE
NYANZA PROVINCE

PRIVATE BAG, KISUMU

7th September, 1963



CONFIDENTIAL

The Agricultural Officer (R),
P.O. Box 523,
KISII.

R. bu on
file to me
H
new
2/10
M.V.

EXTRA GRAZING ON EXPERIMENT STATION.

You mention, in the last paragraph of your STOCK/1/35/106 of 3rd September 1963, that "if we had all the hill pastures on the old Veterinary Station, we should have ample."

I agree, but suggest that we bide our time before making an issue of this matter. Mr. Ammonds has already become quite heated over a very reasonable suggestion to exchange one piece of land for another. You need no clairvoyant powers to picture the present Assistant Director of Agriculture's reaction to a suggestion that we take over more land than originally agreed to.

In two months, we shall have a completely new deal and can then raise the matter with officers who may be more inclined to see our point of view.

The original reason for the F.T.C. wishing to incorporate the Livestock Centre was to get more grazing in order to increase both their herd and milk supply. An additional reason was to obtain grazing for a "scrub herd" on which students could practice dairy routine.

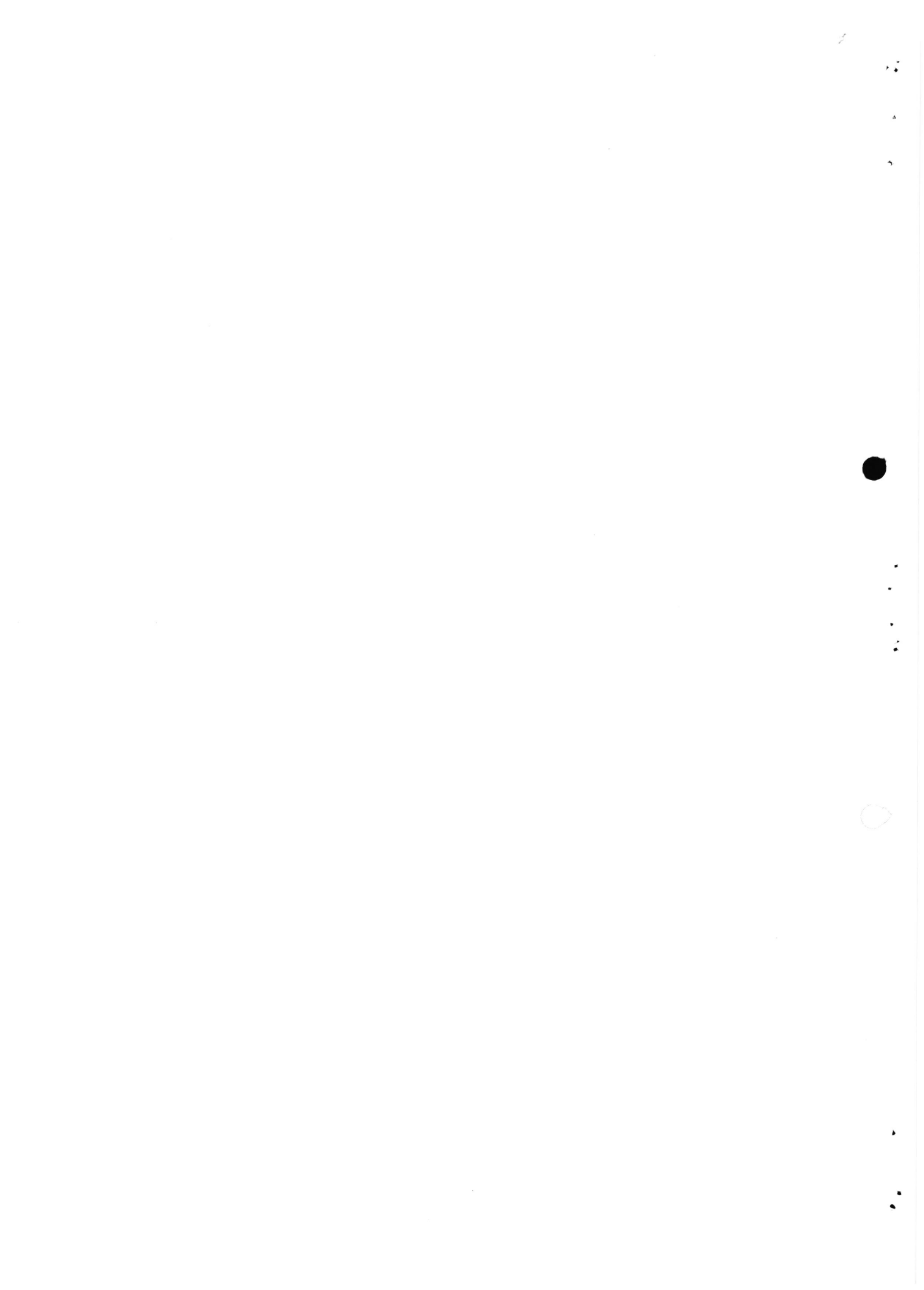
The additional milk supply has already been supplied by our herd, and a small scrub herd of say 5 beasts could easily catered for by 20 acres of the hill grazing or less, if properly managed. They would be giving very little milk in any case.

The point I wish to stress, when the time is ripe, is that flat or gently sloping land has no business to be under permanent grazing, as it will produce more under a proper arable/ley rotation. The Chief Research Officer on his last visit agreed with this and promised to take up the matter of the two extra fields which we need for our 4 : 4 rotation. I am reminding him of this, by copy of this letter, but am also suggesting that he "bide his time".

I consider the securing of these two fields of much more importance than the extra hill grazing. We already have a fair slice of this on the North of the agreed boundary line. I do not wish to jeopardise our chances of getting these fields.

In due course when we can approach Officers with fresh minds on the subject, I suggest we ask for the lot and give our reasons. No African F.T.C. Principal, left as he probably will be without a reliable Farm Manager, will be anxious to retain responsibility over any more land than he can comfortably cope with. Providing we are prepared to cooperate by allowing the Courses access to our herd and giving one talk per Course (say) on Animal Husbandry, I don't think they will step us taking the lot. If however, you start this matter, whilst the "Old Gang" is still present, they will prejudice their successors with whom ultimately we wish to deal.

The point of my R/KIS/45 is that, in a mixed farming community such as lives around Kisii, the concept of a pure beef animal from which little milk can be expected is too great a departure from custom. They recognise that cattle can provide beef as well as milk, but only when their useful life is over. The first step is to get them accustomed to selling steers and these must in the first place come from the same stock that supply their milk.



I agree with your comments about Ayrshires as dual purpose animals, but maintain that Guernseys are not quite so extreme. As I mentioned in my R/KIS/45, Friesians are the most dependable dual purpose animals, and I believe that this is the breed through which lies your only chance of selling the idea of steer beef to the Kisii.

If however you are looking ahead to provide an answer to a problem, which may become appropriate to more advanced husbandmen in 20 years time, then I can appreciate your point of view. There is however still one snag. In general you are not correct in saying that there are farmers with hill grazing only. One of the main impediments to consolidation is the fact that most land owners have land both at the top of the hill and down by the river, and nobody is going to agree to being consolidated on the poorer land. Naturally exceptions exist, but they are few, in spite of what you may be told. Stock will not in practice be confined to one area only and watching two herds in separate places is more than any Kisii is prepared to do. Your beef breed heifers will in practice be run alongside the dairy cows and will show up badly and because discredited through being judged by the wrong standards.

As to wool sheep, I see no reason why Corriedales should get fleece - rot on Kisii. Dorset Horns were run by John Gaty on the Kisii F.T.C. with considerable success, and only because discredited when the ram sent to Kakamega got pneumonia through being penned in a dark wet shed.

Sheep are complementary to cattle and need prove no impediment to your cattle project; but you will need at least 2 "totos" working in shifts to prevent theft.

G. C. H. HILL

(G.C.H.HILL)
OFFICER IN CHARGE (RESEARCH)
NYANZA AND WESTERN REGIONS.

GCHH/JEA.

Copy to: E. Hainsworth Esq., Ministry of Agriculture, P.O. Box 30028, NAIROBI.
(Personal copy).

MINISTRY OF AGRICULTURE AND ANIMAL HUSBANDRY

EXPT/TEC/NZA/4/67

Telegrams: "PROVAGRIC"

Telephone: 191

When replying please quote

Ref No. A/ST/SC/3/65.

and date



DEPARTMENT OF AGRICULTURE
PROVINCIAL AGRICULTURAL OFFICE
NYANZA PROVINCE

PRIVATE BAG, KISUMU

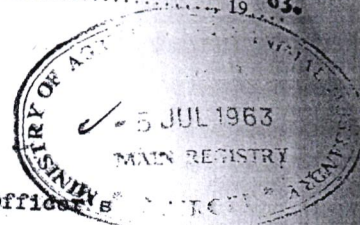
3rd

July,

1963.

The Asst. Director of Agriculture (2)
Nyanza Region,
Private Bag,
KISUMU.

SOTIK EXPERIMENTAL STATION.



I have just been shown the Chief Research Officer's EXPT/TEC/NZA/4/67 of 25 June, 1963.

It is true that you did do a tour of Kericho District and its stations with the then Ag. Provincial Agricultural Officer, Rift Valley Province and the Provincial Veterinary Officer Nyanza Province. I believe it was in March, but there was no formal hand-over. I understand that the tour was for the purpose of explaining the work in progress to the Ag. Provincial Agricultural Officer Rift Valley Province, so that he could decide on a future policy. The Provincial Agricultural Research Officer Rift Valley Province was also there and, I understand, declared that he had no interest in the Sotik Station.

On the morning of 2nd May, 1963, by arrangement with the District Veterinary Officer Kericho, through the Provincial Veterinary Officer Nyanza Province, I met the Livestock Officer Kabianga at Sotik Station, in company with Mr. Walsh, the Senior Asst. Agricultural Officer (S.C.) and Mr. Gray, the Agricultural Officer (Res.) Kisii.

It was agreed that the station would be maintained by Mr. Gray until 30th June, 1963, after which date the Livestock Officer Kabianga would take over the maize and fields. The latter agreed to observe the remaining experiments and to call Mr. Gray to supervise their harvest. All produce was to belong to the Livestock Officer Kabianga in return for the maize which we had taken over at Kisii.

Fencing was also to be left in exchange for the fencing we had taken over at Kisii, but it was agreed that we could remove temporary buildings such as maize cribs, cattle shelters etc.

Mr. Walsh was to take over the remaining buildings except for two houses which were to revert to the Livestock Officer Kabianga for his guards.

At the end of our discussions, Mr. Peers arrived and expressed himself satisfied with the agreement we had reached.

Mr. Katumba was to remain in one officer's house until his transfer to Uganda, the other being in occupation by Mr. Morley. As you know Mr. Katumba was transferred at short notice to Ahero and I do not know what arrangements were made about the House.

As the Livestock Officer Kabianga merely wished to use the station as a holding - ground for stock, I should anticipate no resistance to the Area Settlement Controller (West)'s request.

G. C. H. HILL

GCHH/DPO:

(G.C.H.HILL).

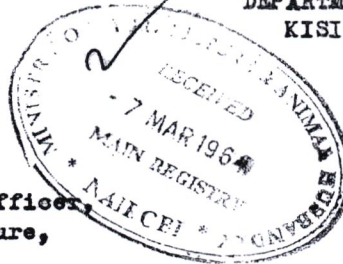
PROVINCIAL AGRICULTURAL RESEARCH OFFICER,
NYANZA, KISUMU.

Copy to: The Chief Research Officer, (2) M.A.A.H. P.O. Box 30028, Nairobi.

The Agricultural Officer (Res.) P. O. Box 523, Kisii.

REF. MEET/2/96/12.

DEPARTMENT OF AGRICULTURE,
KISII EXPERIMENTAL STATION,
P.O. BOX 523,
KISII.



4th March, 1964.

The Chief Research Officer,
Ministry of Agriculture,
P.O. Box 30028,
N A I R O B I.

LAND FOR KISII RESEARCH.

In the minutes of the Regional Research Advisory Committee meeting held here on February 22nd you will have seen under minute 4/64 that I am to prepare a paper on the subject of the siting of the experimental station, land for experimental work.

I am sure you will agree that this is not really a thing which I can do on my own account as it involves Research Division Policy and I would be grateful if I could discuss this matter with you when I am in Nairobi at the end of next week - March 12th - 15th.

I am writing you this note in advance so that you might have the opportunity to discuss the matter with Mr. Wright as it will involve consideration of the possibility of altering of the farm boundaries with the Farmers' Training Centre whose original delineation was dealt with by him.

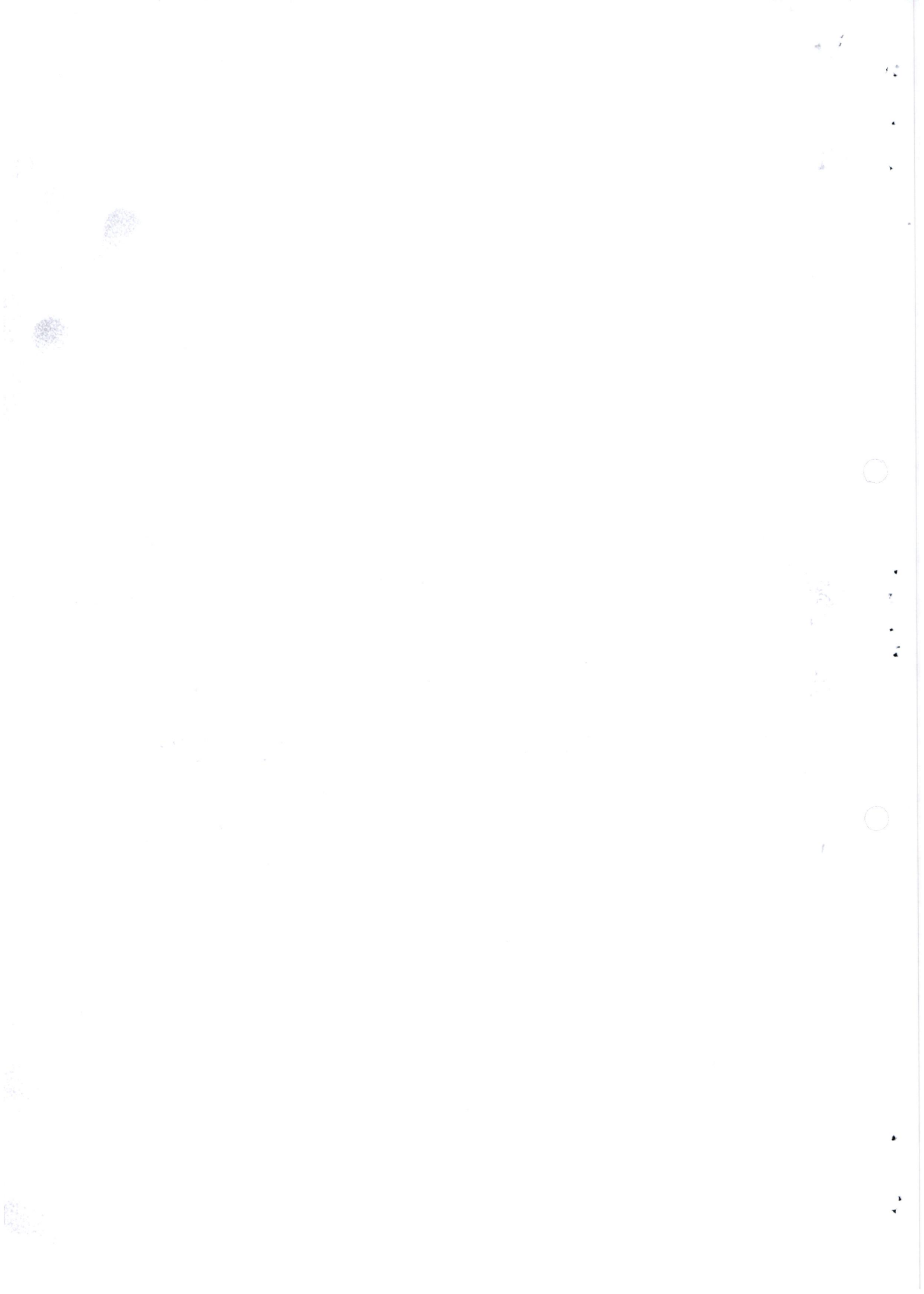
Roger W. Gray

(Roger W. Gray).
AGRICULTURAL OFFICER (R).
KISII.

*lead
12/3*

RWG/JFN.

KENYA NATIONAL ARCHIVES
P. O. Box 49210
NAIROBI



History.

Kisii Experimental Station was opened in May 1963 when the former Livestock Improvement Centre was handed over to the Agricultural Department and divided between the Research Division and the Farmers' Training Centre. The Research Services were apportioned roughly 150 acres of this land.

Of this area only about a third is cultivable, the rest being on a steep hillside with rocky outcrops. The cultivated fields are all in terrace banks. There are six fields of about 10 acres which are farmed on a 6-course rotation of 3 years ley followed by 3 years arable. The short term experiments are fitted into this system. The farm is on a red basaltic loam of pH approximately 5.9 which is characteristic of a large part of the area served by the station. Average annual rainfall is 79.58 inches.

There are two dairy herds on the farm which are run as one unit. A herd of 45 Grade Jerseys were brought from the old Kotik Experimental Station and a herd of 35 Grade Guernseys came from Rukera Demonstration Farm at Ruiru in Central Province. Whole milk is sold locally and there is also a strong demand for butter and ghee.

Scientific Staff.

One Agricultural Officer (Research) in charge of the station.

Technical Staff.

One Asst. Agricultural Officer (Research) who is Farm Manager responsible for the running of the station.

Field Assistants - One in charge of the Experiments and records.

Two in charge of general work on the farm.

One in charge of the experimental plot at Homa Bay.

One clerk.

Work of the Station and its objectives.

The Agricultural Officer (Research) is responsible for carrying out general agricultural research in South Nyanza and Kisii Districts.

Its objectives may be summarised as follows:-

1. The study of all aspects of the agronomy of locally ~~of~~ important food and cash crops.
2. The study of new crops with a view to their introduction to the area on a commercial scale.
3. The study of general cultivation systems.
4. The study of systems of livestock and grassland husbandry suitable to the area

There is close cooperation between the station and the various Specialist Units in the country. The Grassland team at Kitale guides us in our grassland work and we run pyrethrum trials in cooperation with Molo Station.

Dissemination of Results.

All results are published in the annual report of the Department and this should be available to all Senior Officers of the field services.

...../In addition to this.....

KENYA NATIONAL AR
P. O. Box 49210
NAIROBI

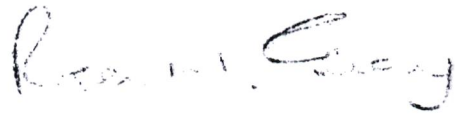
In addition to this the station produces cyclostyled advisory bulletins on various subjects which are distributed to local field staff and to the Farmers' Training Centres.

Each year there is a Field Day on the station when local farmers, agricultural staff, teachers and so on are encouraged to come to see and hear about the work we are doing. Throughout the year parties of school children and many individual visitors are shown round the station.

Economic Value of the Results.

It is too early yet to say how much effect the station will have on the local agriculture. In Kisii district there are many progressive farmers and there is a promise that we shall be able to achieve a lot in this area. There are several new settlement schemes in the East of the District and our work should prove of extreme value there. In South Nyanza there is room for a great deal of progress and if only a few of our recommendations are implemented it must make a very great difference to the standard of agriculture.

There has recently been a most dramatic increase in the number of grade dairy stock in Kisii and the results of our grassland and livestock work will prove of great value here.



(Roger W. Gray).
AGRICULTURAL OFFICER (RESEARCH)
KISII.

RWG/JNF.

KENYA NATIONAL ARCHIVES
P O Box 49210
NAIROBI



COPY

850

SENATOR J.K. KERASO
Kenya Autho Service Lbdg.,
P.O.Box 522,
KISII.

1.2.10.63.

The Regional Government Agent,
P.O.Box 590,
KISII.

Dear Sir,

LANDLESS PERSONS.

I feel it to be my duty as a Senator and one who thoroughly understands the problems of Kisii people to bring to your kind notice the following points:-

(1) I cannot understand and no reasonable person can either understand why the Kisii Veterinary farm should not be returned to the original owners since it is serving no useful purpose since the land was set aside. I want you to take earliest action to consult Minister of Agriculture as soon as possible about this matter.

(2) No sincere person can tolerate to see people like Naftali Openda, Kristopher Mbaka, Alogo Mogaka and others to live by the river side when the land taken from them is just idling doing nothing when the owners are lacking land to produce enough food for their children. This matter is very urgent indeed and calls for your earliest attention.

Yours faithfully,

(Signed) J. K. KERASO.

c.c. The Minister of Agriculture, Box 30028, Nairobi. ✓
The District Agricultural Officer, P.O.Kisii.
The District Veterinary Officer, P.O.Kisii.

Original
copy at (85/c)

KENYA NATIONAL ARCHIVES
P. O. Box 40210
NAIROBI

MINISTRY OF AGRICULTURE AND ANIMAL HUSBANDRY

EXPT/TEC/NZA/4/63

65

Telegrams: "PROVAGRIC"
Telephone: 191
When replying please quote
Ref. No. 4/10/59.
and date



DEPARTMENT OF AGRICULTURE
PROVINCIAL AGRICULTURAL OFFICE
NYANZA PROVINCE
PRIVATE BAG, KISUMU

26th April, 19..63.

The Director of Agriculture,
Ministry of Agriculture and Animal Husbandry,
P.O.Box 30028,
NAIROBI.

For the Attention of the Chief Research Officer.


SOTIK RESEARCH STATION.
Your EXPT/TEC/NZA/4/63 of 11.4.63 refers.

63

The negotiations for the take-over of the L.I.C. by the F.T.C. at Kisii were started over two years ago and the Veterinary Department agreed to hand the L.I.C. over providing the Provincial Veterinary Officer and I agreed on the hand over/take over. The hand over/take over was carried out last month and therefore your letter is well out of date, being received here on the 25th April.

It has been agreed that the Farm Manager of the Research Station will take over the L.O.'s house and the A.O.(R) will take over the house now occupied by J.B.Edmondson on the F.T.C. Mr. Wright will put you in the picture.

AL/EGF


(A. Lesslie)
ASSISTANT DIRECTOR OF AGRICULTURE
NYANZA PROVINCE.

1961/1/24/3

1961 April

63

Asst. Director of Agriculture, (3)
Rift Valley Province,
Nakuru.

HOUSING OF SCS UNIT AT SOTIK.
Future of Sotik Experimental Station.

You asked me at the recent D.A.O's meeting in Nakuru to investigate the possible use by the SCS. Unit working at Sotik of the Sotik Experimental Station as a base. I am submitting a preliminary report for consideration before your visit to this District on 1st and 2nd May.

The present staff of the Experimental Station move I understand on 30th June next. The buildings on the Station would be suitable for the SCS. Unit and also as a Planning Office for the planning of the Sotik Settlements. If it is intended that the farm should be used by the Veterinary Department as a holding ground, I would query its value for this purpose. It is only small, 120 acres including buildings and there has already been a suggestion that the Department of Settlement should run a much larger holding ground at Sotik to take the stock, particularly young stock, which the Department of Settlement may not require immediately for smallholders but will require as further Settlements are developed to avoid having to bring dairy stock to Sotik from elsewhere. Alternatively, if an area away from Sotik will do, half of the farm of the Livestock Improvement Centre at Kabianga could be used as a holding ground, as if the Kabianga Farmers' Training Centre and Livestock Improvement Centre are integrated, all the land will not be required.

The use of the Sotik Farm for the SCS. Unit will obviate the necessity of renting accommodation on Mr. Cinnamon's farm at Sotik. There has I understand been a suggestion that part of Mr. Cinnamon's farm might be used by the Department of Settlement to house a Farmers' Training School. Consider however that the establishment of a separate school is unnecessary and that such training can most economically be done at Kabianga Farmers' Training Centre, with perhaps a few cheap additions.

A. G. BANKS

(A.G. BANKS)
DISTRICT AGRICULTURAL OFFICER
KERICHO

c.c. O i/c SCS. Unit,
P.O. box 122,
Sotik.

63

EXPT/TCO/N2A/4/63

11th April, 1963.

Provincial Agricultural Officer,
Nyanza Province,
Private Bag,
K I S U M U.

Provincial Veterinary Officer,
Nyanza Province,
Private Bag,
K I S U M U.

Asst. Director of Agriculture,
P.O. Box 28,
N A K U R U.

64

Through:

Asst. Director of Agriculture,
P.O. Box 28,
N A K U R U.

SOTIK RESEARCH STATION

The Department of Agriculture agrees to exchange one of the houses on the Research Station, Sotik, for a house at the Veterinary Station, Kisii, the actual house at Sotik to be exchanged being agreed between the Provincial Officers concerned, this office being informed of the decision.

(E. Hainsworth)
Chief Research Officer
For: DIRECTOR OF AGRICULTURE.

EH/CP.

Dictated by Mr. Hainsworth
and signed in his absence.



11th April, 1963.

Asst. Director of Agriculture,
P.O. Box 28,
NAKURU.

SOTIK RESEARCH STATION

This will confirm our recent telephone conversation in which I expressed my regret that you had not been informed of our intention to 'exchange' Sotik for the old Livestock Improvement Centre at Kisii.

The matter arose at the meeting on 5th February at Scott Laboratories, attended by research section heads and Provincial Agricultural Research Officers speaking on behalf of their Provinces as constituted at that time.

Mr. Hill advised the meeting that he had been asked by the Provincial Veterinary Officer whether the Department were to retain an interest in Sotik or whether he could use it as a holding ground. Mr. Watson, who was present on your behalf at the meeting, said that he could "find no use for Sotik Station".

As regards the station itself, it is not an important one, serving only a limited area. It is small and the land is already chequered with the sites of old small-scale experiments. It has been on a maintenance basis for some time and at the Provincial Research Programme meeting in December 1962 a decision was taken that all existing experiments would be completed by the end of the current financial year and that subsequently the station would be discontinued so as to save some £3,500 per year.

You may recall that this also came up in discussion the day Dr. McMeekan visited Kitale, when you and Mr. Watson drove me from Kitale to Nakuru.

None the less I agree that the intentions to run down Sotik were not advised to you in writing, nor was the matter of the exchange with the vets, and for this I apologise,

The situation now is that the Veterinary Department requires one of the two research houses at Sotik and we retain the other, the Veterinary Department having given us one house in Kisii.

I will shortly be sending you a note covering this house exchange: if you have no objection will you please transmit the copies to the others concerned. You may of course use the other Departmental House in Sotik.

(E. Hainsworth)
Chief Research Officer. (On safari)

EH/CP.

MINISTRY OF AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES

Expt/Tec/N/8/4

Telegrams: "PROVAGRIC"
Telephone: 191
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Ref. No. REPT/R/2/51
and date

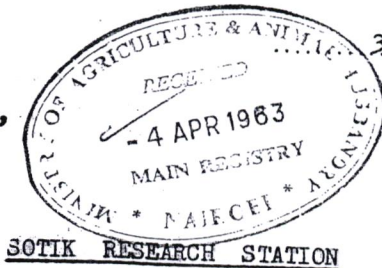
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DEPARTMENT OF AGRICULTURE
PROVINCIAL AGRICULTURAL OFFICE
NYANZA PROVINCE
PRIVATE BAG, KISUMU

3rd April,, 19..63.

Chief Research Officer,
P.O.Box 30028,
NAIROBI.



SOTIK RESEARCH STATION

60

As you know, the Veterinary Department have given over to us the old Veterinary Station (Livestock Improvement Centre) at Kisii for use as a Research Station, to take the place of Sotik, which is being run down.

In the early stages of the negotiations at Provincial Level, I was asked by the Provincial Veterinary Officer, if we were retaining an interest in Sotik, or whether he could use it for a Veterinary Holding Ground.

As a result, I brought up the matter on 5th February at our Section Heads Meeting at the Scott Agricultural Laboratories.

You will recall that Mr. Watson said that he could find no use for Sotik Station, and it was officially confirmed that we should complete existing experiments and finally pull out altogether in June, 1963.

The Provincial Veterinary Officer has just asked me, if I would request you to send me a letter with copies to him and to the M.D.V.S., Rift Valley Region, confirming that you have no objection to the Veterinary Department taking over the Station with the use of one of the houses.

As we are obtaining a Veterinary house at Kisii, I think this is a fair exchange.

G.C.H. Hill

(G.C.H. Hill).
PROVINCIAL AGRICULTURAL RESEARCH OFFICER.
NYANZA PROVINCE.

GCHH/FM.

c.c. Provincial Veterinary Officer,
Nyanza Province,
KISUMU.

MINISTRY OF AGRICULTURE, ANIMAL HUSBANDRY AND WATER RESOURCES

EXPT/Tea/10/19/19
60

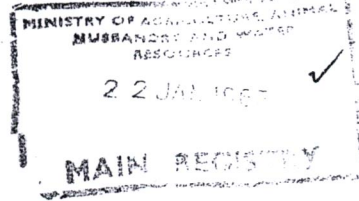
Telegrams: "PROVAGRIC"
Telephone: 191
When replying please quote



DEPARTMENT OF AGRICULTURE
PROVINCIAL AGRICULTURAL OFFICE
NYANZA PROVINCE
PRIVATE BAG, KISUMU

Ref. No. 10/19/III/19
and date

19th January, 1963.



Chief Research Officer,
P.O.Box 30028,
NAIROBI.

Thro'

Hon. Director of Agriculture,
P.O.Box 30028,
NAIROBI.

SOTIK EXPERIMENT STATION.

The Provincial Agricultural Research Officer says that you propose to close down Sotik Experiment Station at the end of June, 1963.

Would you please confirm this, as it might be possible for the Settlement Officer to take over the Station Office and Stores?

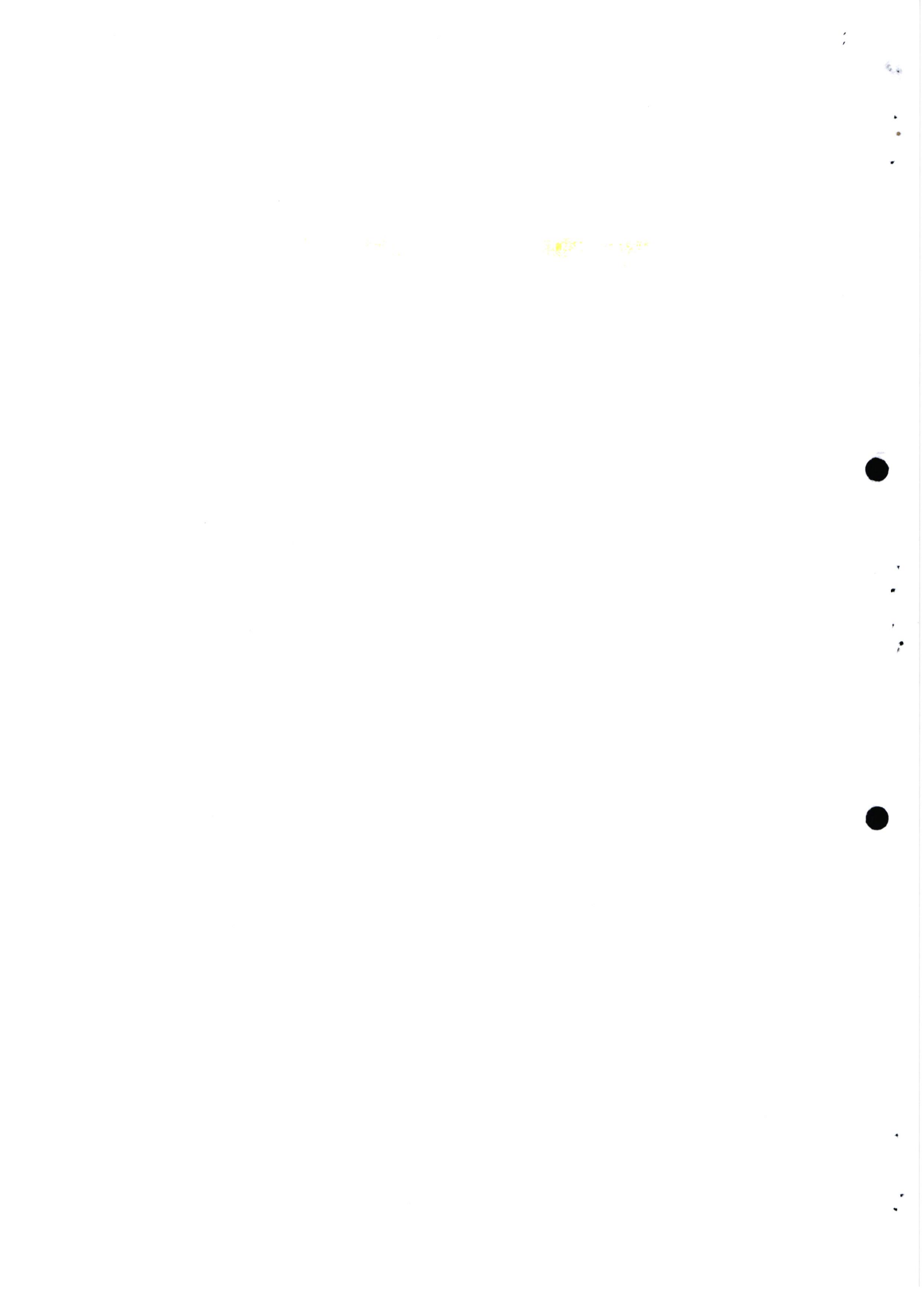
This would save considerable expenditure on alterations at Cinnamon's Farm.

(G. Stern).
AG. PROVINCIAL AGRICULTURAL OFFICER.
NYANZA PROVINCE.

1 SP.
Speak on phone with PAO

PAO to set out research needs in a letter

CEO
1 Feb 63





RECOVERY OF KARI, KISII LAND

1.0 INTRODUCTION

Agriculture is often referred to as the 'backbone' or 'engine' of the Kenyan economy. This is probably because of its dual character; subsistence and commercial sub-sectors running parallel to each other. In addition to its role in the national economy, agriculture is also key to the livelihoods of the majority of Kenya's population in terms of food security and nutritional balance.

Over the years, there have been considerable improvements and modifications in agricultural production with the greatest impact from technologies developed through research and dissemination of these technologies to the users. For example, agricultural research by KARI contributed greatly to maize production through the development of hybrid maize seed and agronomic packages resulting in a rate of return to investment of around 68% in value terms. Research in livestock diseases also produced vaccines that have enabled the country to maintain self-sufficiency in meat and milk products.

Continued support of agricultural research is therefore imperative not only for increased economic growth but also for improvement of the livelihood of the Kenyan population and poverty reduction.

2.0 THE REGIONAL RESEARCH CENTRE, KISII

2.1 Mandate:

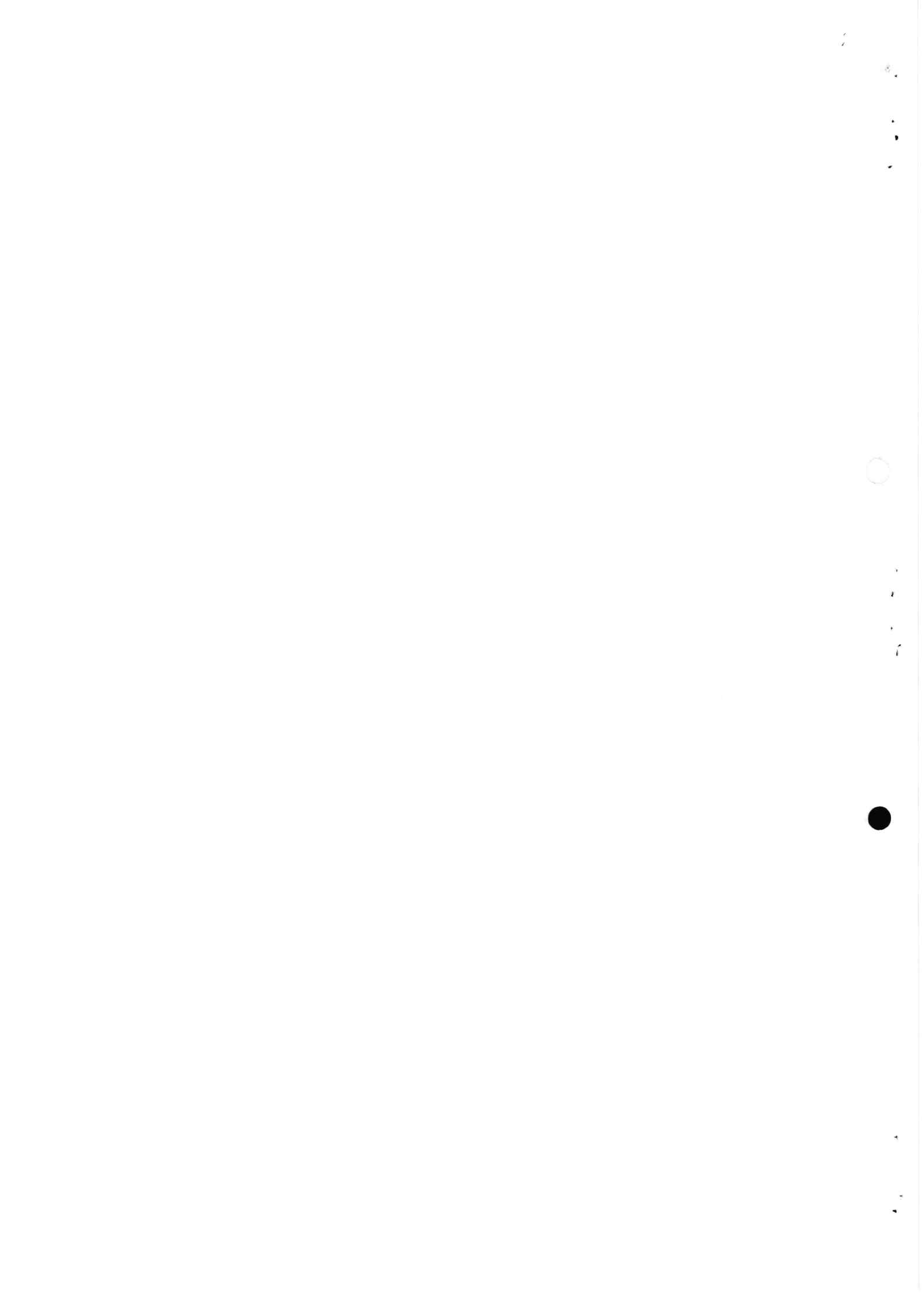
The Regional Research Centre (RRC) Kisii is a KARI Centre with a regional mandate area covering not only Kisii district but a total of 14 districts; Kisii, Gucha, Nyamira, Bomet, Buret, Kericho, Transmara, Migori, Homa-Bay, Suba, Kuria, Rachuonyo, Kisumu and Nyando located in Nyanza and Rift Valley Provinces. The area has 15 agroecological zones (AEZ) ranging from Lower highlands (LH₁) to Lower midlands (LM₅), 21 soil types and 7 ethnic groups. All this has a bearing on technology development, transfer and adoption.

The centre also has a research mandate to develop adaptive and demand driven regional research programmes and ultimately develop specific technological recommendations for the region.

2.2 The importance of the Centre:

In the RRC's mandate area, populations have been and are still increasing, as a consequence, land parcels are decreasing leading to food insufficiency and increase in poverty. There is therefore need to intensify research and identify technologies suitable for this area to alleviate hunger and as a result reduce poverty. This is the research thrust of the Centre.

In its endeavor to develop technologies for this region, the centre has linked with International organizations such as International Agricultural Research Centers such as CIAT, Columbia, CIMMYT, Mexico, CIP, ICRAF, ILRI, ICIPE, Universities in the United



States, Netherlands, Britain, Denmark etc. and other organisations e.g. Natural Resources Institute (NRI) U.K; Rockefeller Foundation, New York, Mycological Institute, U.K. etc. Other links are with Regional bodies such as ECABREN (beans), ECAPAPA (Root and tuber crops), ASARECA etc. These links revolve around the development of technologies and adapting them to this region to increase farm productivity and by extension improve the livelihoods of the small-holder resource poor farmers.

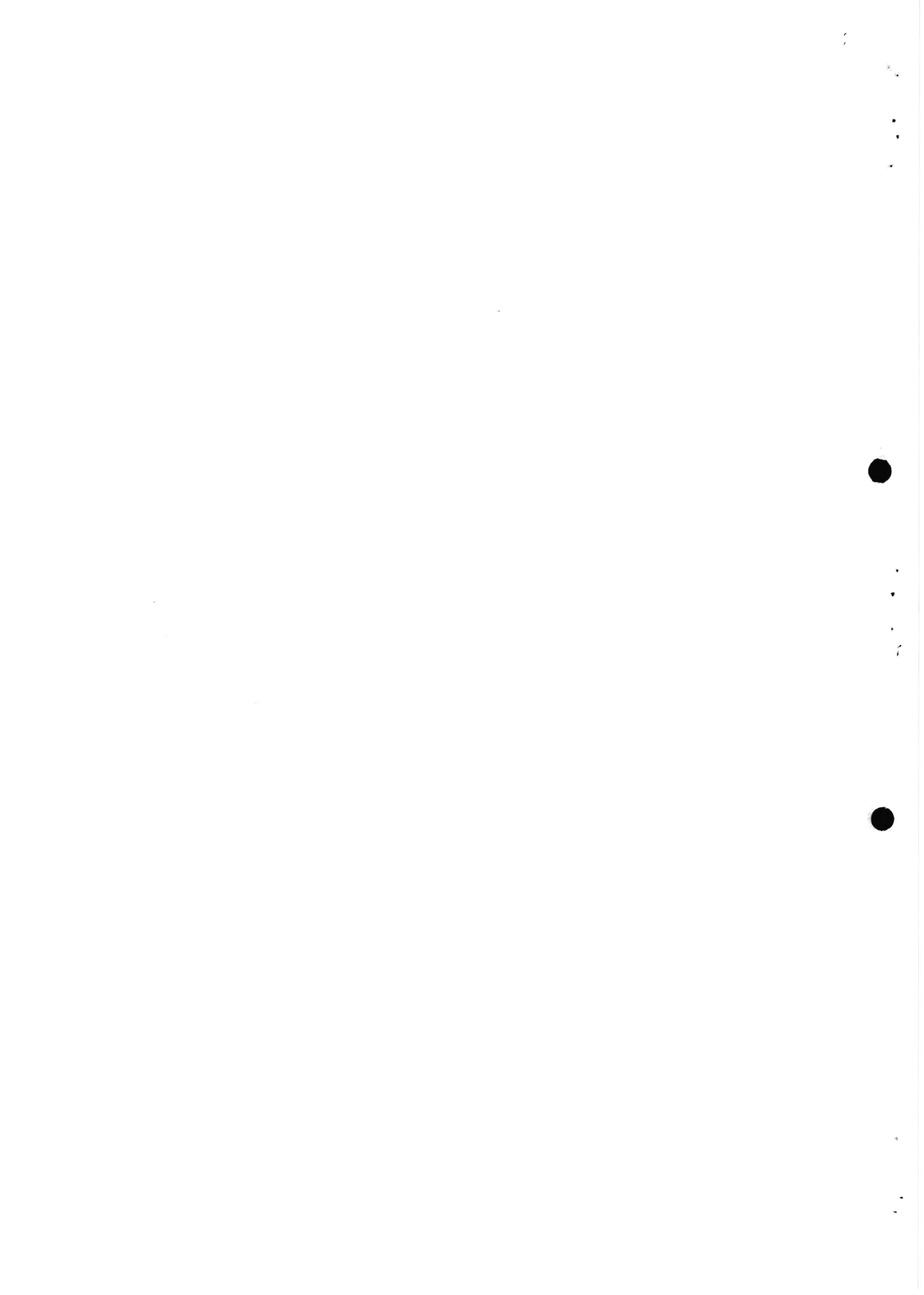
3.0 ACHIEVEMENTS

1. Appropriate maize varieties for the region and their agronomic packages identified e.g. H626, H614, H511, H627, H625, H513 etc. Before the introduction of the appropriate maize varieties for Kisii District and the agronomic packages the yields were about 10-15 bags per hectare. After the introduction, farmers are now capable of producing 30-40 bags per hectare. As a result food production in the district has kept up with the growing population.
2. Identification of appropriate bean varieties GLP2 (amini), GLP285 (red haricot) and recent varieties; MLB-40-89A, SCAM – 80CM/15, MLB-49-89A and RWR-719. Currently, bean production has decreased drastically because of root rots and bean stem maggot infestation. Yields were about 520 kg ha⁻¹ but with the introduction of the new varieties in Kisii District, yields can get to 2658 kg ha⁻¹. The scaling up process is on going within Kisii District and without.
3. Other crop varieties include sweet potatoes and improved storage technologies, bananas, Irish potatoes, cassava, soya beans, groundnuts.
4. Finger millet varieties tolerant/resistant to blast disease, a serious disease which can cause upto 100% yield losses in Kisii District e.g. Gulu E, P224.
5. Soil improving technologies e.g. green manures, combination treatments of organic and inorganic fertilizers, compost, rock phosphates, tithonia etc. Soil fertility has been declining and farmers have sometimes found fertilizers expensive. The centre has identified alternative methods to reduce costs. Some of these give between 30-40 bags ha⁻¹ of maize in Kisii District. Scaling up of these technologies is on-going.
6. Integrated pest management practices for the control of beanfly, bean root rots, finger millet blast, diamond backmoth of brassicas e.g. kales, cabbages etc, striga weed etc.
7. Improved livestock management practices; appropriate feeds and feeding practices, ethnoveterinary practices, feed conserving practices etc.

4.0 RESOURCES

4.1 Finances:

To meet its research objectives the Centre receives funds from various donors including bilateral donors such as DPID, USAID, Netherlands Government etc. Other donors include World Bank and Rockefeller Foundation. Some donors fund the Centre through organisations such as CIP, CIAT, NRI, etc. in some years operational funds received by the Centre amount to Ksh. 15 m per year



4.2 Personnel:

- 20 Research Officers in various disciplines; agronomists, pathologists, entomologists, horticulturists, sociologists, agricultural economists, biometrician, livestock nutritionists, forage breeder, soil scientists etc. (1 PhD, 12 MSc, 7 BSc) (currently studying 4 PhD, 2 MSc).
- 7 Technical Officers (1 studying BSc)
- 2 Laboratory Technologists
- 19 Technical Assistants
- 9 Laboratory Technicians
- 144 Other support staff (Administration, Accounts, Farm, Drivers, Mechanics, Artisans etc.

Total 192

It is important to note that to train an individual especially for MSc or PhD costs millions (Ksh 3 m in-country and about Ksh 5 m outside the country). Total investment in training is Ksh 63.5 m. This is an indication of the Government's commitment to research and the importance of the centre.

4.3 Physical Facilities:

In 1988, KARI signed an agreement with the World Bank to build an office and laboratory complex at a cost of about Ksh.33.6m with a pledge that there would be no interference with the land and other assets. The building was completed and officially opened in January, 1996.

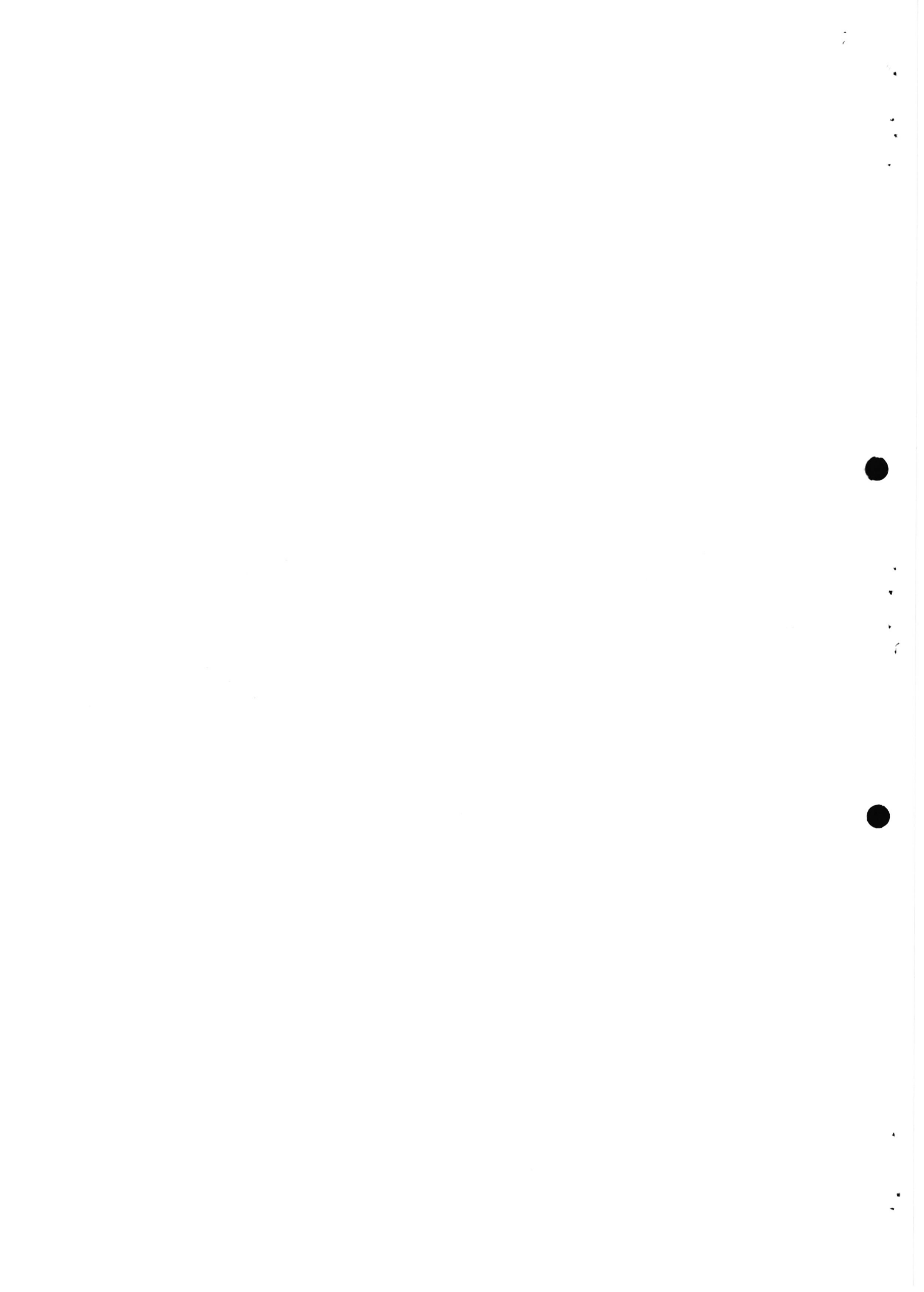
Other immovable assets include a livestock intake facility, dairy, tissue culture unit, other office buildings, staff houses, stores, the meteorology department etc. all valued at Ksh 62.7 m.

5.0 LAND STATUS

Although the centre was allocated government land to undertake research, currently there is total alienation (~90%) of this land leaving only about 10% of the original size to KARI. The land was allocated to both individuals and institutions and some are already holders of allotment letters or leases. The centre land now only comprises of the land under immovable assets such as the office buildings and staff houses. Unfortunately, KARI as the custodian and user of this land was never consulted on this issue hence, KARI no longer has land under its custody for research purposes.

5.1. The Government's Stand:

- 5.1.1. In 1995, the Permanent Secretary, Secretary to the Cabinet and Head of Public Services, Prof. P. Mbithi indicated that the President had approved titles to be given to land currently held for research purposes by KARI.
- 5.1.2. In 1998 the District Commissioner, Kisii District requested departmental heads, to ensure that their land was well secured.



5.1.3. In 1999, again the Permanent Secretary, Secretary to the Cabinet and Head of Public Services, Dr. R.E. Leakey instructed all accounting officers in Government Ministries and other Public Organisations to ensure that all the land/plots not planned or surveyed to be surveyed and/or planned to facilitate registration and issuance of title deeds.

The aforementioned indicates that the government's stand is that KARI be issued with a title deed for the land allocated for research purposes as per the original acreage.

5.2. KARI's Stand:

The land initially allocated (original size) for research should be recovered and title deed issued to the Institute. Although, KARI has been very concerned by the insecurity of the land since 1989, and has made several attempts to secure the land, the efforts have been fruitless.

6.0 FUTURE PLANS FOR THE CENTRE

To intensify research to meet the needs of this region, the centre is earmarked as one of KARI's biotechnology centres. In addition, because of its capacity, the scope of its mandate both in research and area will increase. A summary of the future activities and what the centre is likely to lose if the *status quo* on the land issues are not settled are tabulated below.

Activity	Duration	Amount (Ksh)	Donor	Remarks
Research in -Grain legumes, -Horticulture, -Oil crops, - Sorghum and millets, -Adaptive research -Research / extension activities -Scaling up activities	3 years	33.1m	World Bank	Funds are already committed and the centre has received the 1 st allocation
Soil management Research	5 years	35m	Rockefeller Foundation	Proposals were forwarded to New York and the first year's allocation is due
Conservation Tillage	3 year	1.2m	RELMA	Activity is in its second season
Biotechnology unit and activities	Permanent structure	40m		A proposal by KARI
Sorghum and millets research on the control of pests	3 years	5m	NRI	PhD training. The student is being registered in UK.
Integrated Pest Management of bean stem maggot	3 years	0.5m	CIAT	Scaling up activities have started this season
Total (Ksh) at stake		1148 m		

Note:

1. Proposal writing is a continuous process and the figure indicated above might be less than the actual since other proposals have been forwarded to various donors by scientists and we are waiting for a response. In addition, KARI is in the process of preparing the National Agricultural Research Project phase III (NARP III). KARI also sends several proposals to various donors for different programmes.
2. A biotechnology unit will include laboratories with very expensive and sophisticated equipment which can be used in producing tissue culture materials e.g. bananas which are disease free and other genetically improved materials acceptable to farmers.



7.0 CONCLUSION

1. Total investment in the Centre by the Government since 1963 is about Ksh 174.8m and total at stake is about Ksh 1.2 billion. Therefore, the Government and the country stands to lose about Ksh. 1.4 billion in terms of trained personnel, finances and facilities if the land issue remains unresolved and the Centre closes down.
2. The current land status is that there is no land available for research because the remaining land is under buildings and immovable assets. In addition, KARI's efforts have been fruitless to secure the land in spite of several attempts. Therefore, there is no future for the Centre unless this is resolved. This means that the agricultural production of this region (Nyanza and part of Rift Valley Provinces) is also at stake. As a consequence of no research to improve food production in the area, there will be no technological input to counteract the growing population and any future disease or pest attacks or any other new agricultural problems that may arise due to the changing farming systems or weather patterns.
3. However, the Government stand is clearly stated that land allocated for research purposes be secured and title deeds be issued to the Institute.

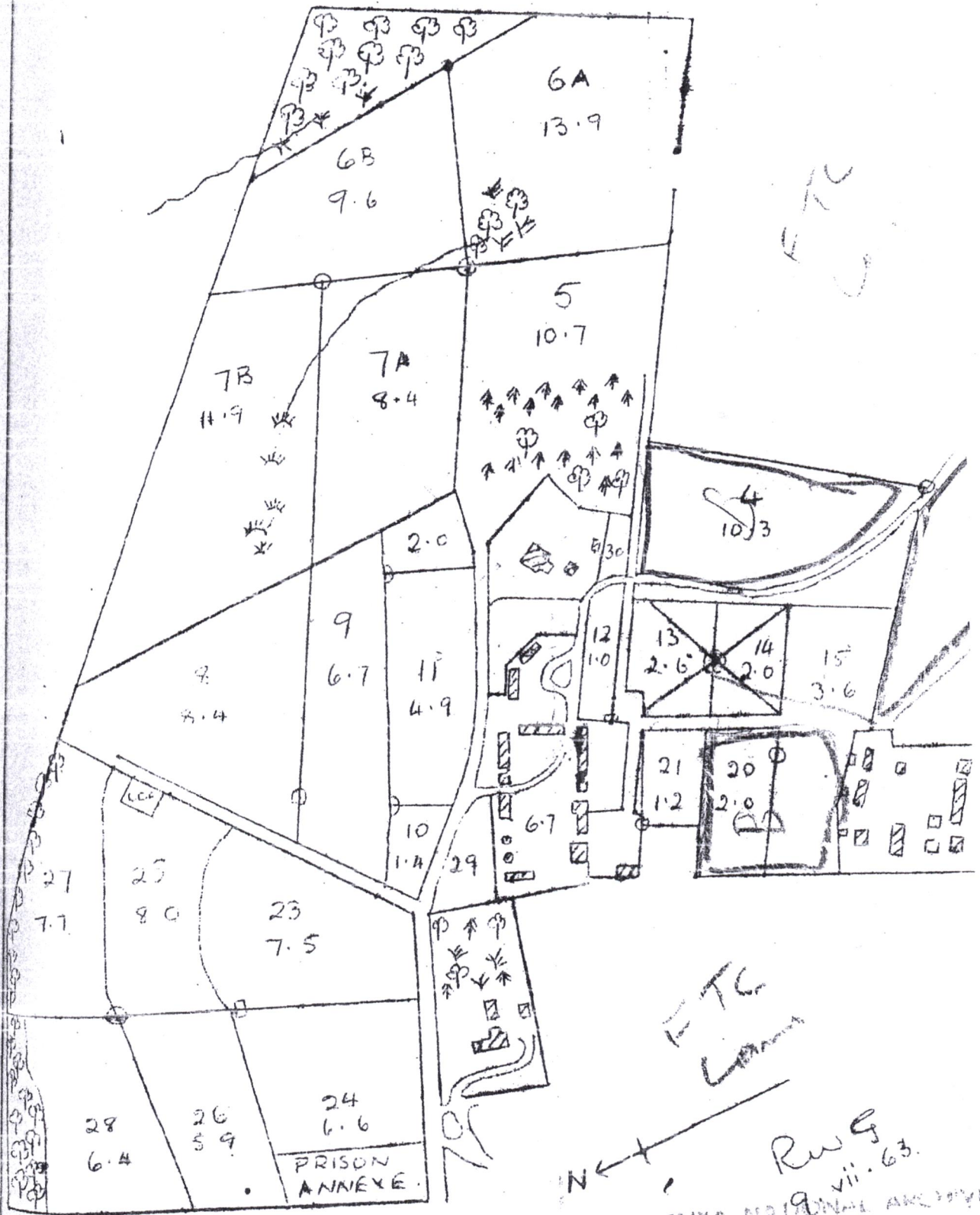
8.0 RECOMMENDATIONS

1. All allotment letters and leases be withdrawn and the land be reclaimed for research purposes. In addition, KARI be issued with a land title deed for the original acreage allocated to it.
2. In future, because of its large mandate area (14 districts) it is recommended that any decisions concerning the Centre and its land should be made in consultations first and foremost with KARI and later with the affected districts. This means, the Kisii District planners should involve all affected parties. This will secure the land for research purposes for the present and the future.

It is important to note that there are times when tests on livestock/crop diseases and pests are undertaken. To ensure protection of the neighbours crops and livestock the area is quarantined and as such a large area is required. For example, recently testing of a vaccine for East cost fever was undertaken at the Centre. The vaccine was developed by KARI and had to undergo multilocational testing.

KISII EXPERIMENTAL STATION 1963

196A



F.T.C.
LAMAR

Kenya National Archives
P.O. Box 49210
NAIROBI

THE CLERK OF THE SENATE

PARLIAMENT BUILDINGS

P.O. BOX 41842 NAIROBI

Email; cSenate@parliament.go.ke

Re. *Petition To The Senate On Delayed Allocation Of Alternative Land By Way Of Resettlement Or Compensation For The Ancestral Land That Was Alienated By The Government Of Kenya In 1963 For Creation Of Kisii Agricultural Research Institute And Kisii Framers Training Centre, Situated In Bobaracho Ward In Kisii County Within The Republic Of Kenya.*

Dear sir

YOUR LETTER REF SEN /DSEC/DPEAC/LENR/2024(3)(15).

Kindly attached hereto a list of documents of divers dates which your petitioners intend to use during the committee hearing.

We humbly request to be permitted to present such evidence as we come across it especially parliament hansard and the concerns that were raised by the Hon. The Late George Anyone Moseti.

We hope to hear from you soonest taking into account the busy senate proceedings.

Thank you



BENARD MOGAKA NYAMANYA

Email. philipachikin@gmail.com 0727467672, 0710423180



REPUBLIC OF KENYA

Telegraphic Address
'Bunge', Nairobi
Telephone 2848000
Fax: 2243694
E-mail: clerk.senate@parliament.go.ke



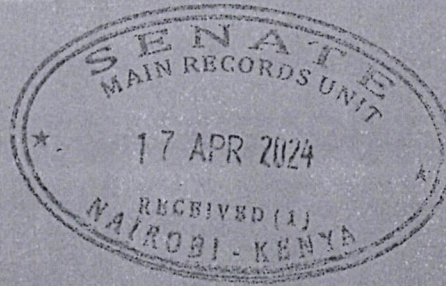
The Senate
Clerk's Chambers
Parliament Buildings
P. O. Box 41842 -00100
NAIROBI, Kenya

PARLIAMENT
OFFICE OF THE CLERK OF THE SENATE

REF: SEN/DSEC/DPEAC/LENR/2024(3) (15)

14th March, 2024

Mr. Benard Nyamanya Mogaka,
The Residents Representative,
Mwabundusi Land Squatters,
P.O. Box 854-40200,
KISII.



Dear Sir,

RE: PETITION TO THE SENATE ON DELAYED ALLOCATION OF ALTERNATIVE LAND BY WAY OF RESETTLEMENT OR COMPENSATION BY THE GOVERNMENT OF KENYA FOR CREATION OF KISII AGRICUTURAL INSTITUTE AND KISII FARMERS TRAINING CENTER

The Senate Standing Committee on Land, Environment and Natural Resources is established under standing order 228(3) of the Senate Standing Orders and is mandated to consider all matters relating to lands and settlement, environment, forestry, wildlife, mining, water resource management and development.

The Committee is presently considering a Petition by the Mwabundusi Land Squatters on delayed allocation of land by way of resettlement or compensation for the ancestral land that was alienated by the Government of Kenya in 1963 for creation of Kisii Agricultural Institute and Kisii Farmers Training Centre situated in Bobaracho Ward in Kisii County.

The Committee considered the aforementioned Petition and resolved to request for further documentation on the matter for verification and to invite you to apprise the Committee on matters relating to the Petition.

The purpose of this letter is to invite you to a meeting of the Committee to be held on **Thursday, 21st March, 2024** at the **Bilateral Room II, First Floor, KICC Building** at **9.30 am.**

Mr. Victor Bett, Clerk Assistant (Cell Number: +254 721 402 506; e-mail: victor.kinchirchir@parliament.go.ke) is the Clerk to the Committee and is responsible for all arrangements relating to this matter.

Yours faithfully,

Foi: E...
J. M. NYEGENYE, CBS,
CLERK OF THE SENATE.

Copy to: Sen. Richard Onyonka, MP,
Senator, Kisii County,
P.O. Box 41842-0100,
Parliament Buildings,
NAIROBI.



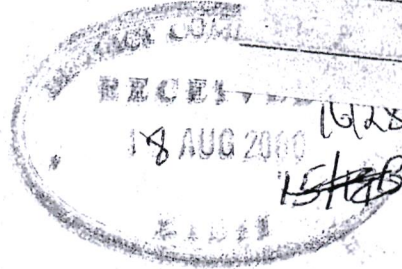
KENYA AGRICULTURAL RESEARCH INSTITU
REGIONAL RESEARCH CENTRE KISII
P.O. BOX 523, KISII
TEL: 0381-31056/31176

Kenya 001
Good morning
Kindly Peruse
through this
document for
Tokyo's discussion

Our ref: RRC/CON/ADM/1/11

Date

The District Commissioner
 Kisii District
 P.O. Box 590
 KISII.



RE: RECOVERY OF KARI, KISII LAND.

Attached please find a report on the above subject. I would like to kindly request that this report be presented to the DEC and discussed and later to the DDC.

Your positive response on this will be greatly appreciated.

Thank you.

Felister Makini (Dr)
CENTRE DIRECTOR, RRC-KISII.

NATIONAL ARCHIVIST - NYANZA
 KENYA NATIONAL ARCHIVES &
 DOCUMENTATION SERVICES
 P. O. Box 290 - 40100, KISUMU.

DP/13/82

19/13/55
P. M. C. S.
P. M. C. S.



NATIONAL ARCHIVIST - NYANZA
KENYA NATIONAL ARCHIVES &
DOCUMENTATION SERVICES
P. O. Box 290 - 40100, KISUMU.

RECOVERY OF KARI, KISII LAND

1.0 INTRODUCTION

Agriculture is often referred to as the 'backbone' or 'engine' of the Kenyan economy. This is probably because of its dual character; subsistence and commercial sub-sectors running parallel to each other. In addition to its role in the national economy, agriculture is also key to the livelihoods of the majority of Kenya's population in terms of food security and nutritional balance.

Over the years, there have been considerable improvements and modifications in agricultural production with the greatest impact from technologies developed through research and dissemination of these technologies to the users. For example, agricultural research by KARI contributed greatly to maize production through the development of hybrid maize seed and agronomic packages resulting in a rate of return to investment of around 68% in value terms. Research in livestock diseases also produced vaccines that have enabled the country to maintain self-sufficiency in meat and milk products.

Continued support of agricultural research is therefore imperative not only for increased economic growth but also for improvement of the livelihood of the Kenyan population and poverty reduction.

2.0 THE REGIONAL RESEARCH CENTRE, KISII

2.1 Mandate:

The Regional Research Centre (RRC) Kisii is a KARI Centre with a regional mandate area covering not only Kisii district but a total of 14 districts; Kisii, Gucha, Nyamira, Bomet, Buret, Kericho, Transmara, Migori, Homa-Bay, Suba, Kuria, Rachuonyo, Kisumu and Nyando located in Nyanza and Rift Valley Provinces. The area has 15 agroecological zones (AEZ) ranging from Lower highlands (LH₁) to Lower midlands (LM₅), 21 soil types and 7 ethnic groups. All this has a bearing on technology development, transfer and adoption.

The centre also has a research mandate to develop adaptive and demand driven regional research programmes and ultimately develop specific technological recommendations for the region.

2.2 The importance of the Centre:

In the RRC's mandate area, populations have been and are still increasing, as a consequence, land parcels are decreasing leading to food insufficiency and increase in poverty. There is therefore need to intensify research and identify technologies suitable for this area to alleviate hunger and as a result reduce poverty. This is the research thrust of the Centre.

In its endeavor to develop technologies for this region, the centre has linked with International organizations such as International Agricultural Research Centers such as CIAT, Columbia, CIMMYT, Mexico, CIP, ICRAF, ILRI, ICIPE, Universities in the United

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that this is crucial for the company's financial health and for providing reliable information to stakeholders.

2. The second part of the document outlines the specific procedures for recording transactions. It details the steps from identifying a transaction to entering it into the accounting system, ensuring that all necessary details are captured.

3. The third part of the document discusses the role of the accounting department in monitoring and controlling the company's financial performance. It highlights the importance of regular reviews and reporting to management.

4. The fourth part of the document addresses the challenges of managing financial data in a complex and rapidly changing business environment. It offers strategies for overcoming these challenges and ensuring the accuracy and integrity of the data.

5. The fifth part of the document discusses the importance of maintaining a strong internal control system. It outlines the key components of such a system and provides guidance on how to design and implement effective controls.

6. The sixth part of the document discusses the role of the accounting department in providing financial information to management. It emphasizes the importance of clear communication and the use of relevant and timely data.

7. The seventh part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that this is crucial for the company's financial health and for providing reliable information to stakeholders.

8. The eighth part of the document outlines the specific procedures for recording transactions. It details the steps from identifying a transaction to entering it into the accounting system, ensuring that all necessary details are captured.

States, Netherlands, Britain, Denmark etc. and other organisations e.g. Natural Resources Institute (NRI) U.K; Rockefeller Foundation, New York, Mycological Institute, U.K. etc. Other links are with Regional bodies such as ECABREN (beans), ECAPAPA (Root and tuber crops), ASARECA etc. These links revolve around the development of technologies and adapting them to this region to increase farm productivity and by extension improve the livelihoods of the small-holder resource poor farmers.

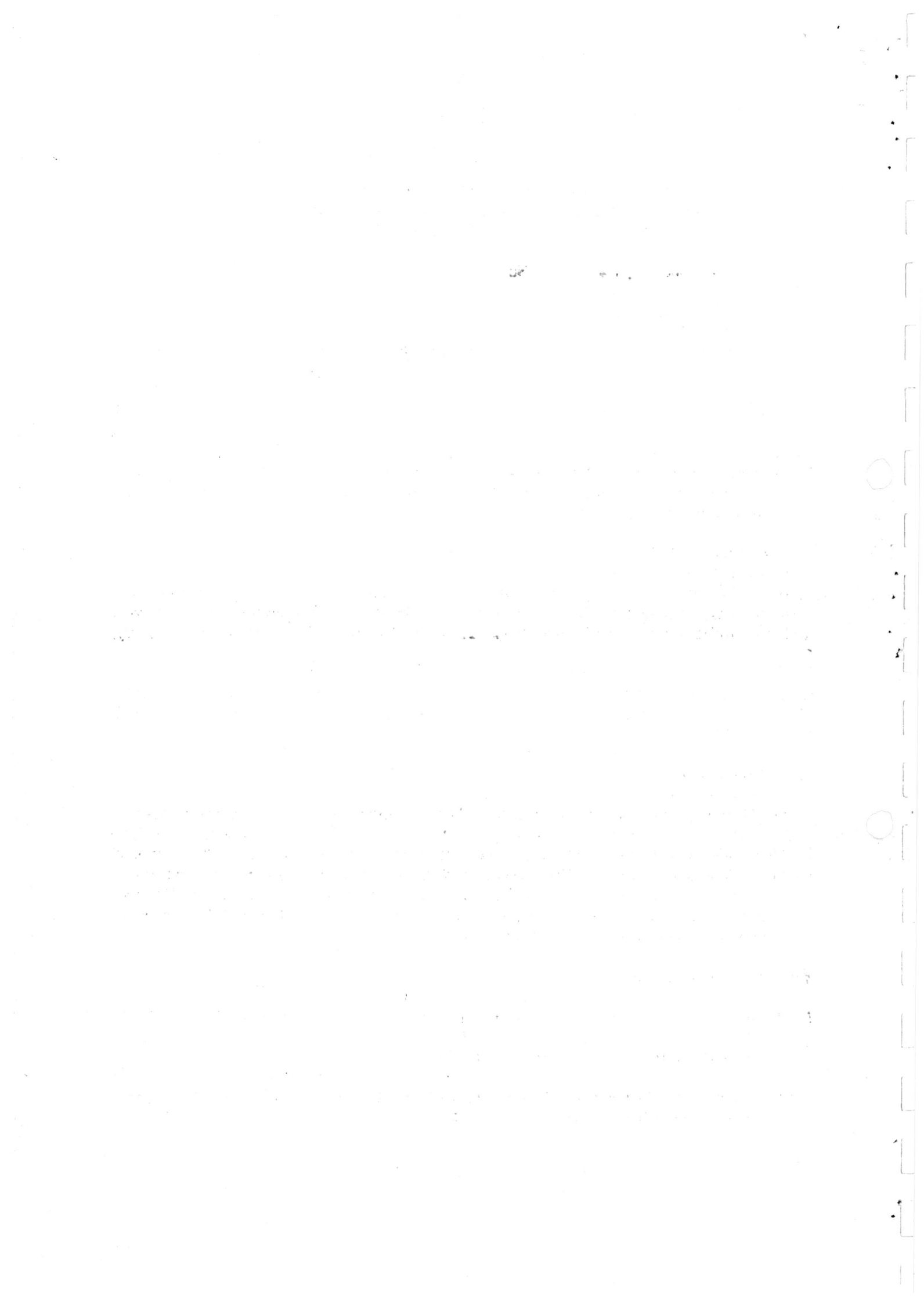
3.0 ACHIEVEMENTS

1. Appropriate maize varieties for the region and their agronomic packages identified e.g. H626, H614, H511, H627, H625, H513 etc. Before the introduction of the appropriate maize varieties for Kisii District and the agronomic packages the yields were about 10-15 bags per hectare. After the introduction, farmers are now capable of producing 30-40 bags per hectare. As a result food production in the district has kept up with the growing population.
2. Identification of appropriate bean varieties GLP2 (amini), GLP285 (red haricot) and recent varieties; MLB-40-89A, SCAM - 80CM/15, MLB-49-89A and RWR-719. Currently, bean production has decreased drastically because of root rots and bean stem maggot infestation. Yields were about 520 kg ha⁻¹ but with the introduction of the new varieties in Kisii District, yields can get to 2658 kg ha⁻¹. The scaling up process is on going within Kisii District and without.
3. Other crop varieties include sweet potatoes and improved storage technologies, bananas, Irish potatoes, cassava, soya beans, groundnuts.
4. Finger millet varieties tolerant/resistant to blast disease, a serious disease which can cause upto 100% yield losses in Kisii District e.g. Gulu E, P224.
5. Soil improving technologies e.g. green manures, combination treatments of organic and inorganic fertilizers, compost, rock phosphates, tithonia etc. Soil fertility has been declining and farmers have sometimes found fertilizers expensive. The centre has identified alternative methods to reduce costs. Some of these give between 30-40 bags ha⁻¹ of maize in Kisii District. Scaling up of these technologies is on-going.
6. Integrated pest management practices for the control of beanfly, bean root rots, finger millet blast, diamond backmoth of brassicas e.g. kales, cabbages etc, striga weed etc.
7. Improved livestock management practices; appropriate feeds and feeding practices, ethnoveterinary practices, feed conserving practices etc.

4.0 RESOURCES

4.1 Finances:

To meet its research objectives the Centre receives funds from various donors including bilateral donors such as DPID, USAID, Netherlands Government etc. Other donors include World Bank and Rockefeller Foundation. Some donors fund the Centre through organisations such as CIP, CIAT, NRI, etc. In some years operational funds received by the Centre amount to Ksh. 15 m per year



4.2 Personnel:

- 20 Research Officers in various disciplines; agronomists, pathologists, entomologists, horticulturists, sociologists, agricultural economists, biometrician, livestock nutritionists, forage breeder, soil scientists etc. (1 PhD, 12 MSc, 7 BSc) (currently studying 4 PhD, 2 MSc).
- 7 Technical Officers (1 studying BSc)
- 2 Laboratory Technologists
- 19 Technical Assistants
- 9 Laboratory Technicians
- 144 Other support staff (Administration, Accounts, Farm, Drivers, Mechanics, Artisans etc.

Total 192

It is important to note that to train an individual especially for MSc or PhD costs millions (Ksh 3 m in-country and about Ksh 5 m outside the country). Total investment in training is Ksh 63.5 m. This is an indication of the Government's commitment to research and the importance of the centre.

4.3 Physical Facilities:

In 1988, KARI signed an agreement with the World Bank to build an office and laboratory complex at a cost of about Ksh.33.6m with a pledge that there would be no interference with the land and other assets. The building was completed and officially opened in January, 1996.

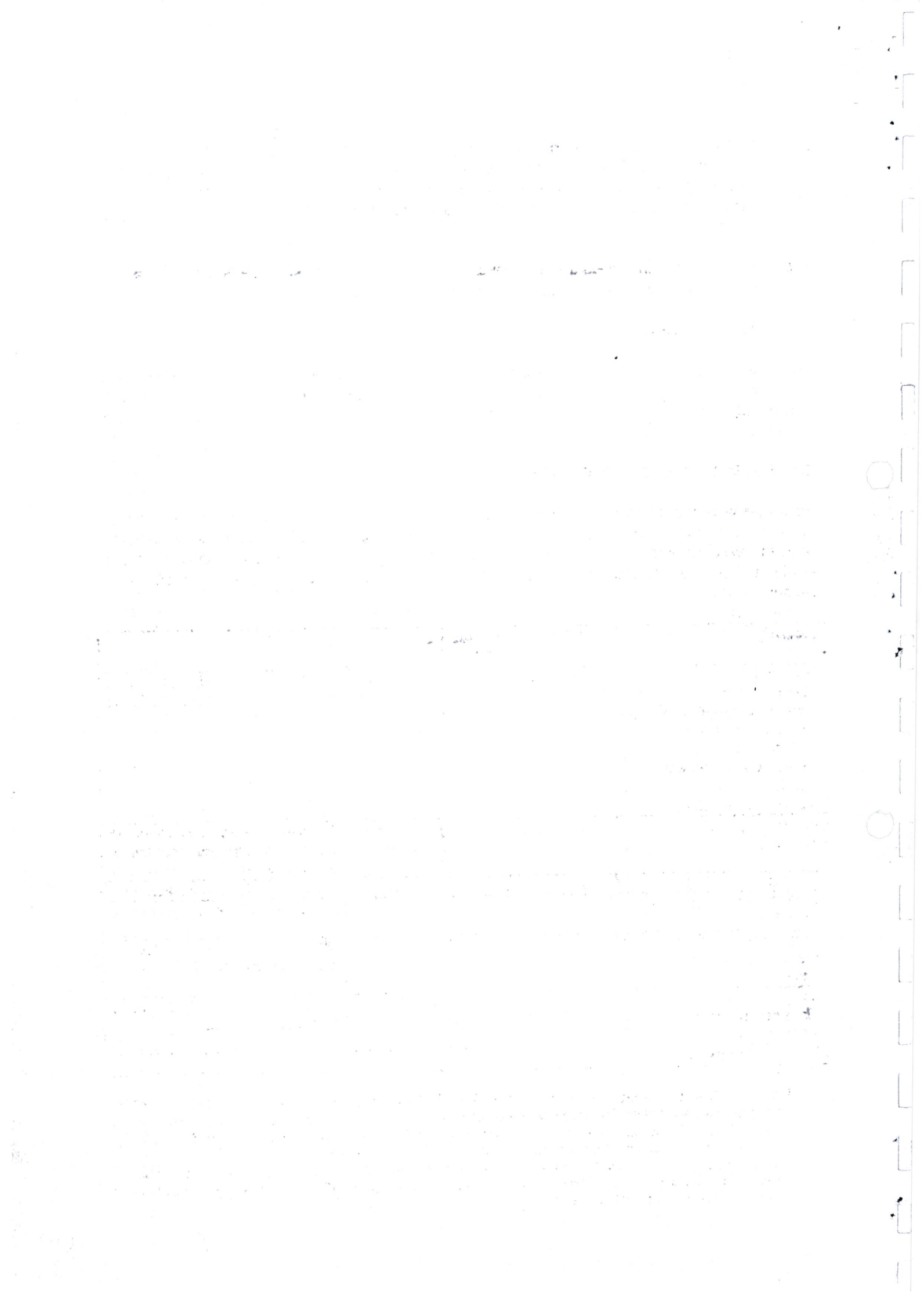
Other immovable assets include a livestock intake facility, dairy, tissue culture unit, other office buildings, staff houses, stores, the meteorology department etc. all valued at Ksh 62.7 m.

5.0 LAND STATUS

Although the centre was allocated government land to undertake research, currently there is total alienation (~90%) of this land leaving only about 10% of the original size to KARI. The land was allocated to both individuals and institutions and some are already holders of allotment letters or leases. The centre land now only comprises of the land under immovable assets such as the office buildings and staff houses. Unfortunately, KARI as the custodian and user of this land was never consulted on this issue hence, KARI no longer has land under its custody for research purposes.

5.1. The Government's Stand:

- 5.1.1. In 1995, the Permanent Secretary, Secretary to the Cabinet and Head of Public Services, Prof. P. Mbithi indicated that the President had approved titles to be given to land currently held for research purposes by KARI.
- 5.1.2. In 1998 the District Commissioner, Kisii District requested departmental heads, to ensure that their land was well secured.



5.1.3. In 1999, again the Permanent Secretary, Secretary to the Cabinet and Head of Public Services, Dr. R.E. Leakey instructed all accounting officers in Government Ministries and other Public Organisations to ensure that all the land/plots not planned or surveyed to be surveyed and/or planned to facilitate registration and issuance of title deeds.

The aforementioned indicates that the government's stand is that KARI be issued with a title deed for the land allocated for research purposes as per the original acreage.

5.2. KARI's Stand:

The land initially allocated (original size) for research should be recovered and title deed issued to the Institute. Although, KARI has been very concerned by the insecurity of the land since 1989, and has made several attempts to secure the land, the efforts have been fruitless.

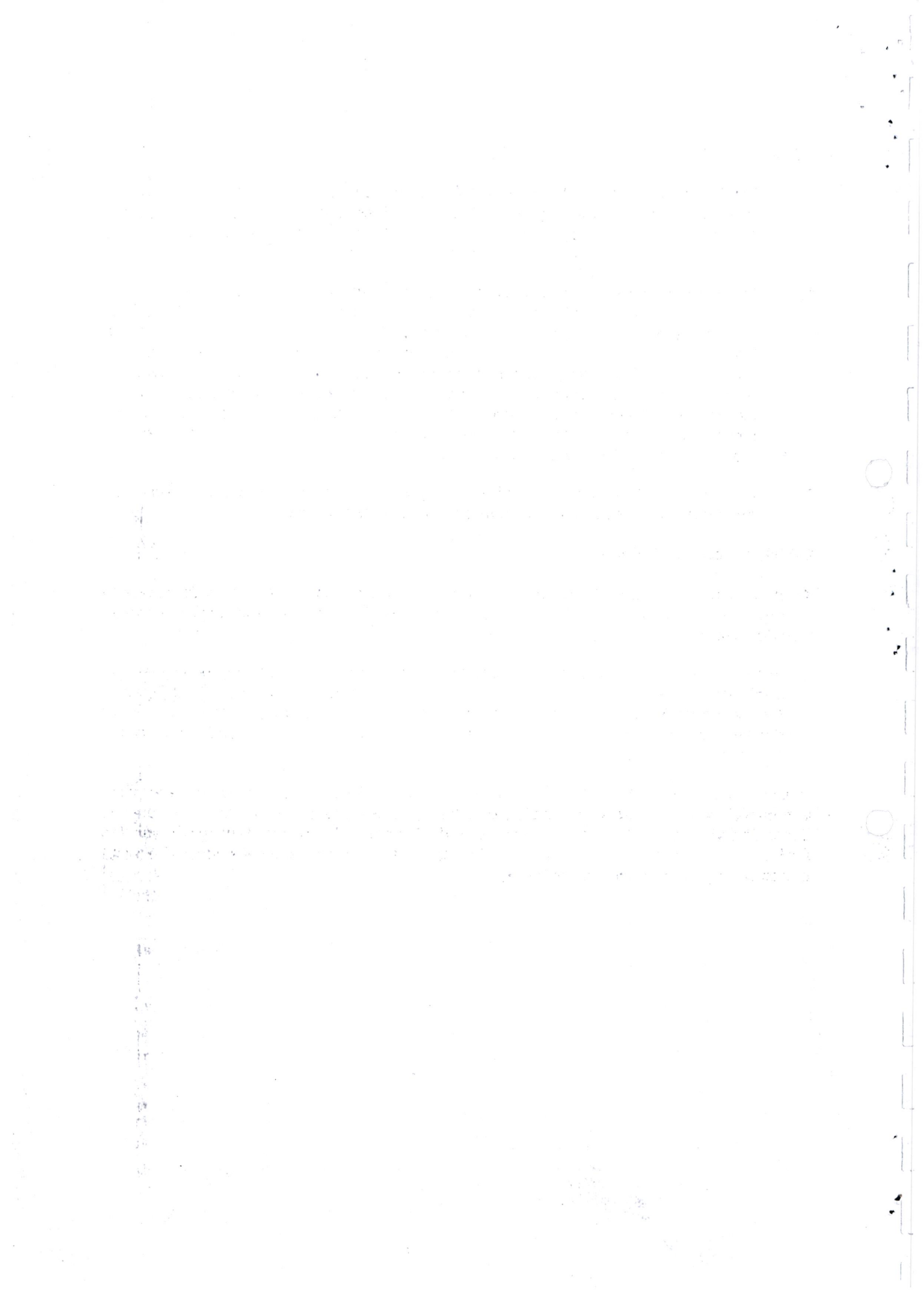
6.0 FUTURE PLANS FOR THE CENTRE

To intensify research to meet the needs of this region, the centre is earmarked as one of KARI's biotechnology centres. In addition, because of its capacity, the scope of its mandate both in research and area will increase. A summary of the future activities and what the centre is likely to lose if the *status quo* on the land issues are not settled are tabulated below.

Activity	Duration	Amount (Ksh)	Donor	Remarks
Research in -Grain legumes, -Horticulture, -Oil crops, - Sorghum and millets, -Adaptive research -Research / extension activities -Scaling up activities	3 years	33.1m	World Bank	Funds are already committed and the centre has received the 1 st allocation
Soil management Research	5 years	35m	Rockefeller Foundation	Proposals were forwarded to New York and the first year's allocation is due
Conservation Tillage	3 year	1.2m	RELMA	Activity is in its second season
Biotechnology unit and activities	Permanent structure	40m		A proposal by KARI
Sorghum and millets research on the control of pests	3 years	5m	NRI	PhD training. The student is being registered in UK.
Integrated Pest Management of bean stem maggot	3 years	0.5m	CIAT	Scaling up activities have started this season
Total (Ksh) at stake		1148 m		

Note:

1. Proposal writing is a continuous process and the figure indicated above might be less than the actual since other proposals have been forwarded to various donors by scientists and we are waiting for a response. In addition, KARI is in the process of preparing the National Agricultural Research Project phase III (NARP III). KARI also sends several proposals to various donors for different programmes.
2. A biotechnology unit will include laboratories with very expensive and sophisticated equipment which can be used in producing tissue culture materials e.g. bananas which are disease free and other genetically improved materials acceptable to farmers.



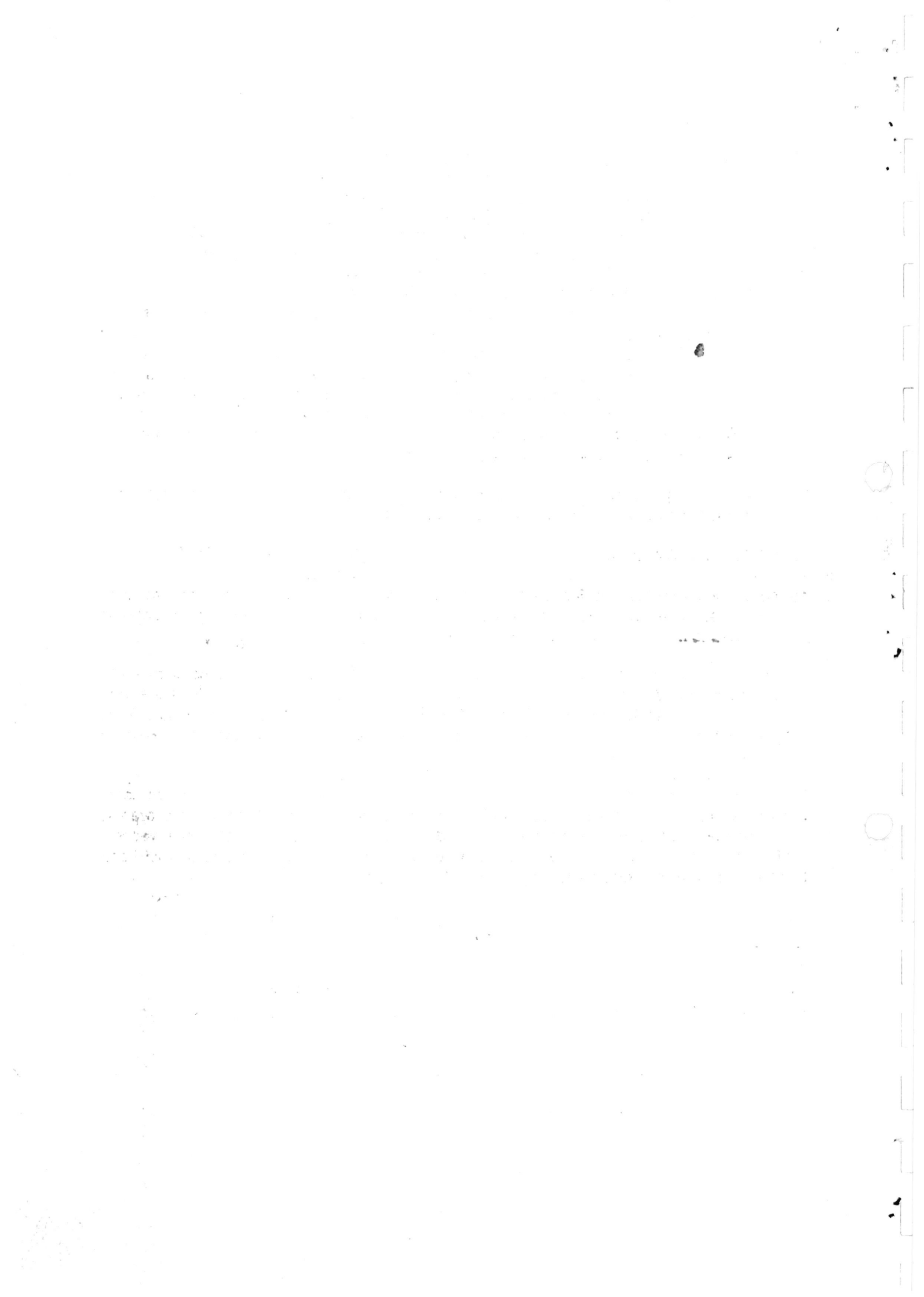
7.0 CONCLUSION

1. Total investment in the Centre by the Government since 1963 is about Ksh 174.8m and total at stake is about Ksh 1.2 billion. Therefore, the Government and the country stands to lose about Ksh. 1.4 billion in terms of trained personnel, finances and facilities if the land issue remains unresolved and the Centre closes down.
2. The current land status is that there is no land available for research because the remaining land is under buildings and immovable assets. In addition, KARI's efforts have been fruitless to secure the land in spite of several attempts. Therefore, there is no future for the Centre unless this is resolved. This means that the agricultural production of this region (Nyanza and part of Rift Valley Provinces) is also at stake. As a consequence of no research to improve food production in the area, there will be no technological input to counteract the growing population and any future disease or pest attacks or any other new agricultural problems that may arise due to the changing farming systems or weather patterns.
3. However, the Government stand is clearly stated that land allocated for research purposes be secured and title deeds be issued to the Institute.

8.0 RECOMMENDATIONS

1. All allotment letters and leases be withdrawn and the land be reclaimed for research purposes. In addition, KARI be issued with a land title deed for the original acreage allocated to it.
2. In future, because of its large mandate area (14 districts) it is recommended that any decisions concerning the Centre and its land should be made in consultations first and foremost with KARI and later with the affected districts. This means, the Kisii District planners should involve all affected parties. This will secure the land for research purposes for the present and the future.

It is important to note that there are times when tests on livestock/crop diseases and pests are undertaken. To ensure protection of the neighbours crops and livestock the area is quarantined and as such a large area is required. For example, recently testing of a vaccine for East cost fever was undertaken at the Centre. The vaccine was developed by KARI and had to undergo multilocational testing.



2nd Reading
5

16/28
109

KENYA SOCIAL CONGRESS (KSC)

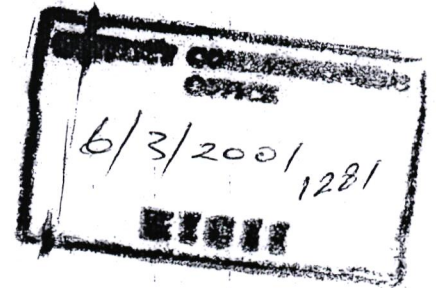
M E M O R A N D U M

To: Hon. (Gen) Jackson K. Mulinge, EGH, MP
Minister for Lands & Settlement

From: Hon. George M. Anyona, MP
Kitutu Masaba (KSC)

Ref: KM/62/95

Date: 7th December, 1995



RE: LANE DISPUTES IN KISII & NYAMIRA DISTRICTS

There are many land disputes in Kisii and Nyamira Districts. Some of the disputes may be genuine, but there are many others which are false because they arise from fraudulent transactions.

The officers of the Ministry of Lands and Settlement are unable to settle these disputes either because they are involved in some of the irregular transactions or due to interference by other influential parties, including the Provincial Administration. I have already discussed these matters with you and would like to give you brief accounts of some of these cases for your necessary intervention.

Below are some of the cases of dispute:

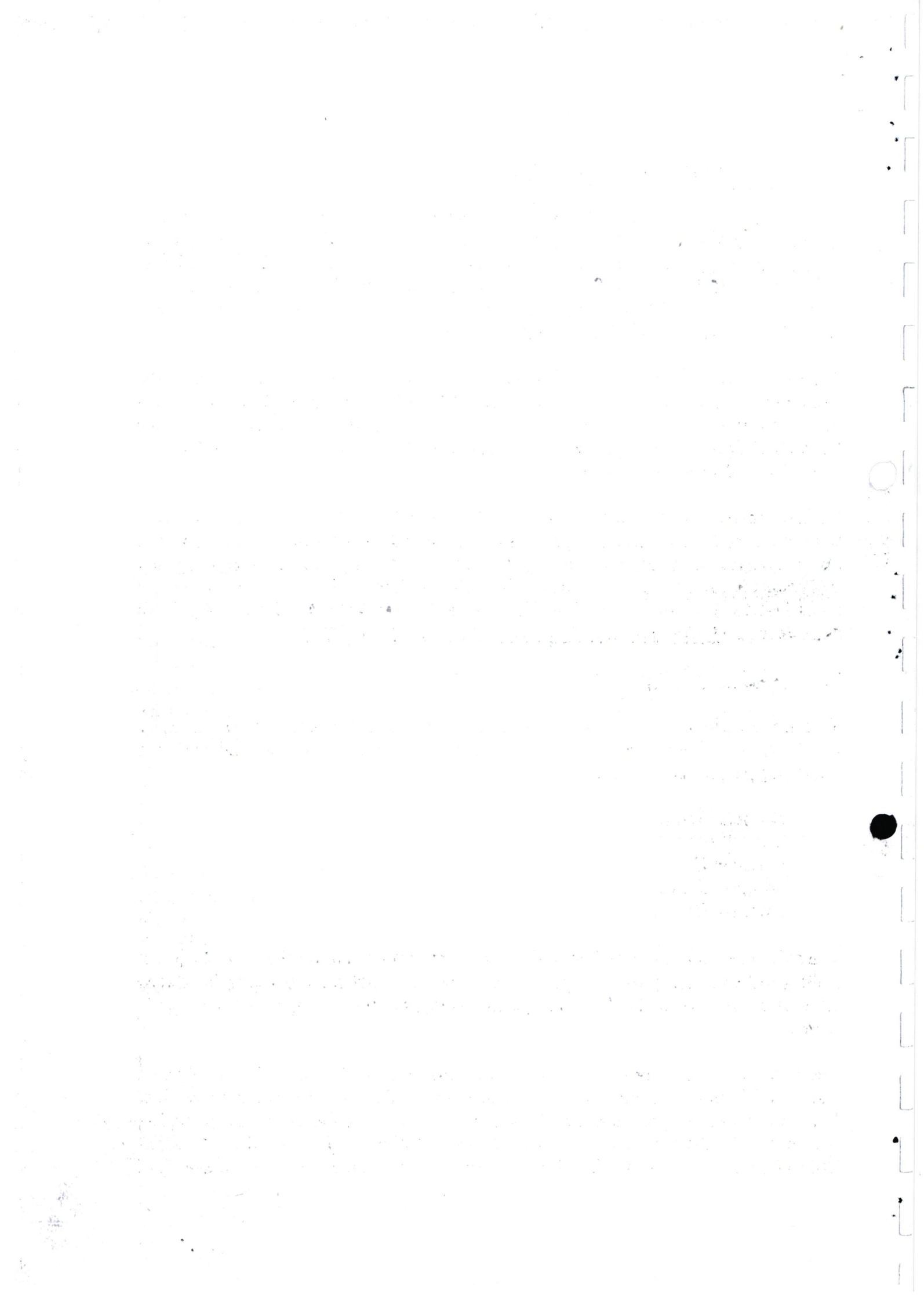
1. Central Kitutu/Mwabosire/74

This parcel of land belongs to the late Kibagendi Onyiego, but the Assistant Chief of Kiogutwa Sublocation (Onchagwa Mong'umbu) and the Chief of Central Kitutu Location (Ben Mobisa) have tried to grab the private land by force for the construction of a Chief's Camp.

In the process of the illegal trespass on the land, property worth Kshs.162,300/= was destroyed by the Chief and the Assistant Chief. The property destroyed was as follows:

- (a) 2 Fish Ponds.
- (b) 2 indigenous trees
- (c) 520 gum trees
- (d) Thatching grass

NATIONAL ARCHIVIST, NYANZA
KENYA NATIONAL ARCHIVES



20. Land No Kisii Town/Block 111/339

The above plot in the Kisii Municipality was allocated to Francis Okaru Gisembe Machora to operate a carpentry shop business under Minute No.53/86 of the Town Planning, Housing and Works Committee meeting of Kisii Municipal Council on 15th July, 1986. The allottee duly established his business as authorised by the Kisii Municipal Council, vide the Town Clerk's letter Ref. No. KMC/LP/APP/GEN/11/2/1 of 24th July, 1986.

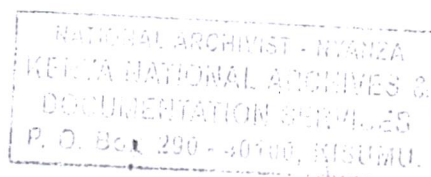
Subsequently, an influential individual with the collaboration of officials of the Ministry of Lands and Settlement in the office of the Commissioner of Lands purportedly acquired the plot without the knowledge of the allottee or the Kisii Municipal Council. The plot was then registered in the name of Andrew Onserio (son of David Ondimu Kombo).

Consequently, you are requested to investigate this irregular transaction and take the necessary legal measures against those involved in the transaction. You are also requested to ensure that the rightful allottee of the plot is protected against irregular allocation and deprivation of the plot. Other plots which require similar investigation include Land No. Kisii Town/Block 111/336, Land No. Kisii Town/Block 111/337 and Land No. Kisii Town/Block 111/338.

21. Kitutu West/Bogeka/1534

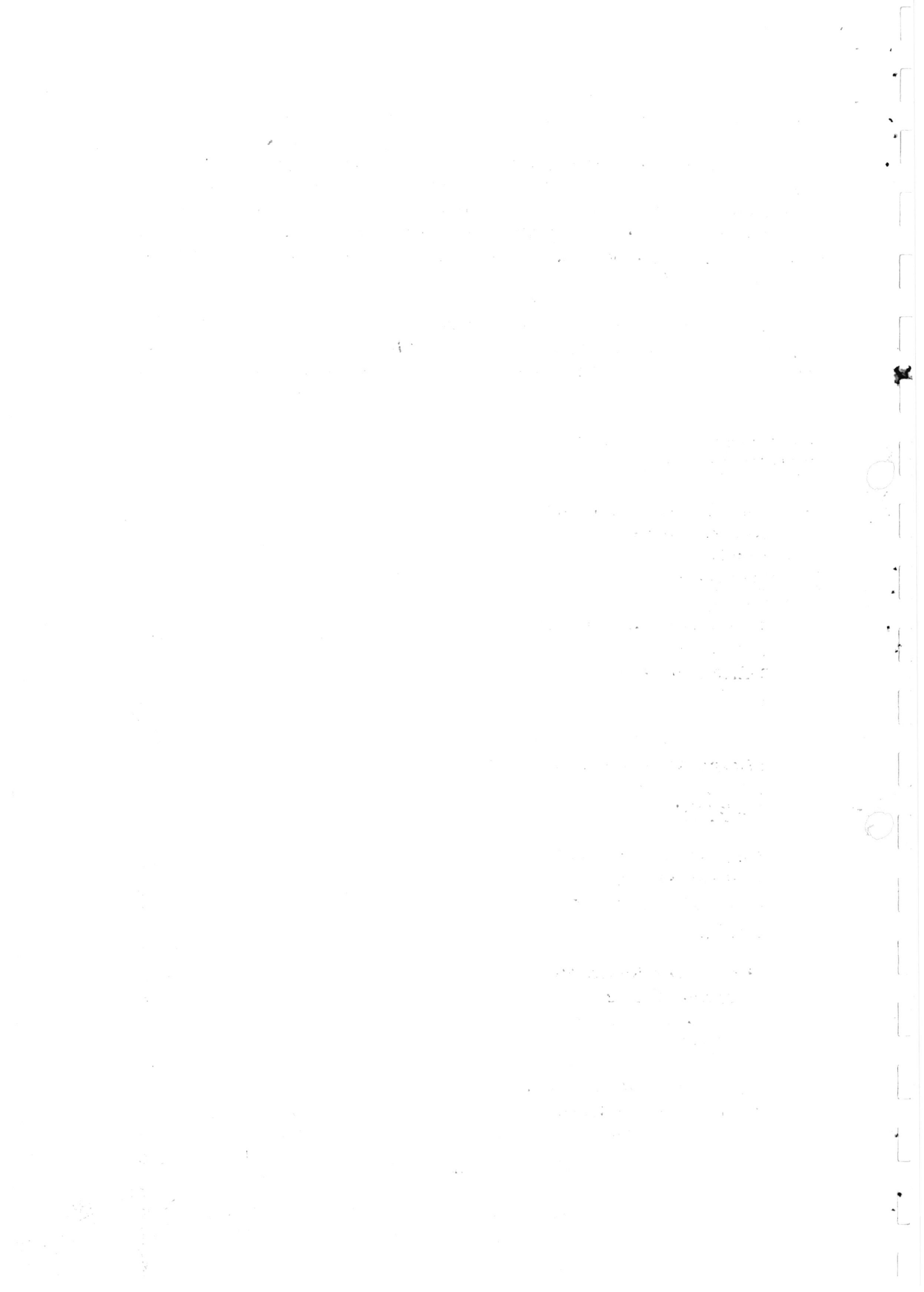
This parcel of land was sold by Martin Moiro to John Arogo in 1972 for a consideration of Ksh27,000/=. The sale agreement was duly executed with the following people as witnesses:

Francis Ombese
Thaddeus Okiro
Mathew Oira
Joseph Kinara
Andrew Omweri



The sale agreement included provision that John Arogo would take care of Martin Moiro and even bury him on the parcel of land. Martin Moiro died in March 1991 and was buried by John Arogo according to the sale agreement between them.

Meanwhile, in 1986 one Peter Bogonko contrived with the Chief of Nyakoe Location, Richard Aming'a, and the Assistant Chief of Bogeka Sublocation, Joseph Kerandi, to grab the land from John Arogo. The matter was reported to the Marani District Office, Kisii Police Station and the Kisii District Commissioner to no avail. Instead, the Arogo family was harassed and



Karagacha Mangi, Nyandika Onyancha, Nyamweya Monchere, Mikwara Swanya and Machaka Mogire. Nevertheless, at the expiry of the 10 years, the rightful owners of the land were restrained from resuming ownership of the said land and illegally arrested, prosecuted and jailed for six months. Subsequently, the rightful owners referred the matter to Gusii County Council, the Nyanza Provincial Commissioner and the Ministry of Lands and Settlement. It was resolved that those who had encroached on the land be ordered to vacate but nothing has happened to this day.

Consequently, you are requested to investigate this matter and ensure that the dispute is settled in accordance with the conditions and terms of the original agreement as outlined in Minute 8/49 of the South Nyanza Local Native Council.

Hon. George M. Anyona, M.P.
KITUTU MASABA (KSC)

cc - Hon. S. Amos Wako, MP
Attorney-General
Sheria House
NAIROBI

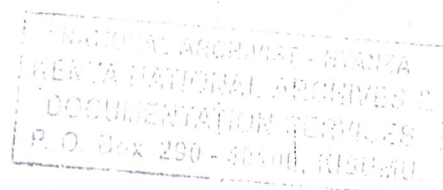
Hon. Jackson Kalweo, MP
Minister of State
Office of the President
NAIROBI

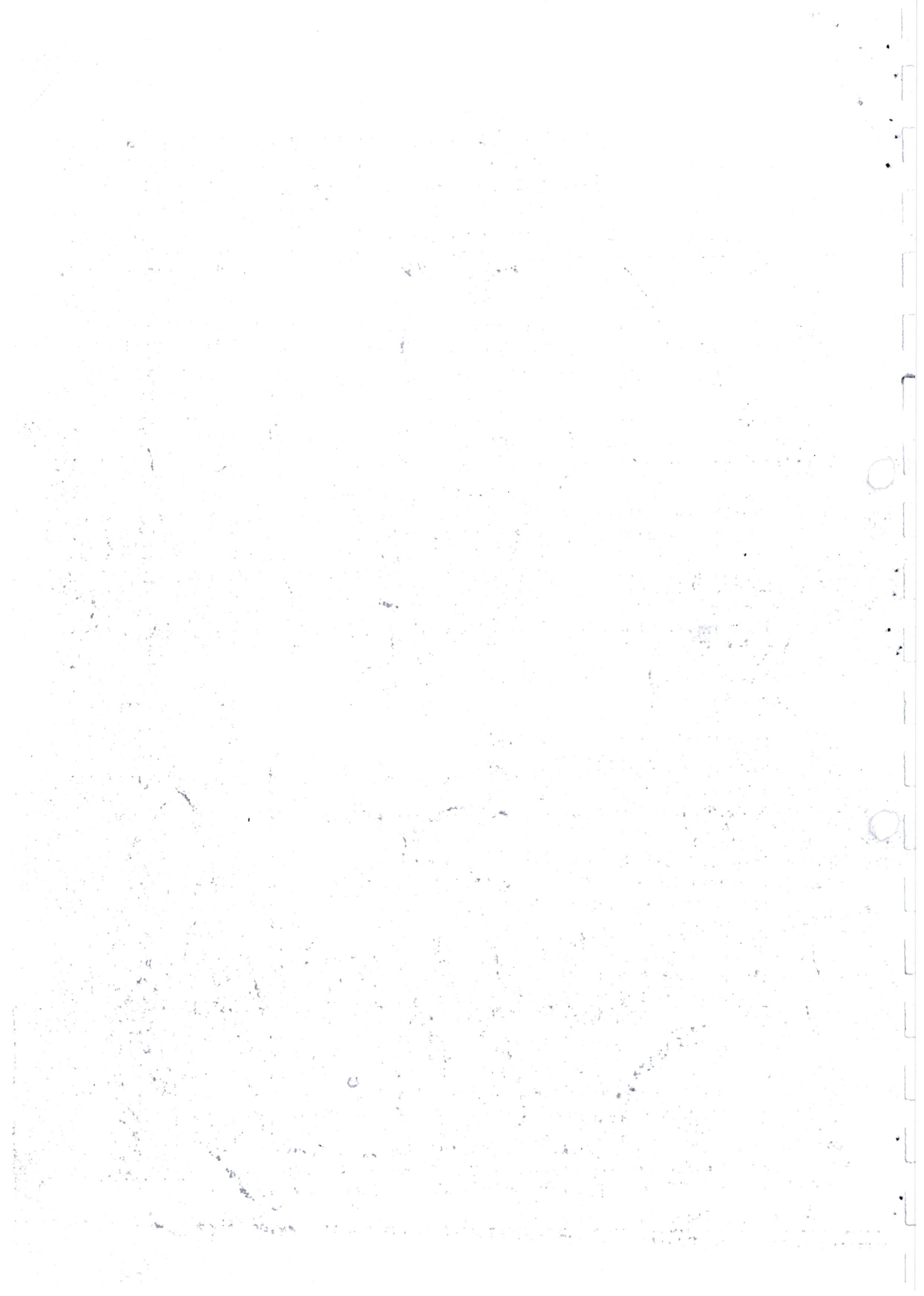
Hon. William R. Ntimama, MP
Minister for Local Government
P.O. Box 30004
NAIROBI

Hon. Julius ole Sunkuli, MP
Assistant Minister
Office of the President
NAIROBI

Hon. Moody Awori, MP
Assistant Minister
Office of the President
NAIROBI

All Members of Parliament
Kisii & Nyamira Districts





Anyona protests over land deals

BY STAFF WRITER

THE Chairman of Kenya Social Congress (KSC), Mr. George Anyona, has protested to the Minister of Lands and Urban Development, General (Rtd) Jackson Mulinge, over alleged shady land transactions in Kisii and Nyamira Districts.

Officers of the Ministry, Mr. Anyona said, are unable to settle land disputes and are ignoring scandals "either because they are involved in some of the transactions or due to interference by influential parties, including the provincial administration".

Mr. Anyona, who is the MP for Kitutu Masaba, in a 19-page document gave details of cases of land grabbing stating, "many rightful owners have been left landless due to illegal land acquisition".

The MP, who gave 29 cases of irregular land transactions, claimed that in some cases District Officers, Chiefs and their assistants failed to settle land disputes or implement court orders as they are directly or indirectly involved in the scandals.

"Some of the disputes may be genuine, but there are many others which arise because they arise from fraudulent transactions," Mr. Anyona says.

The cases affect the urban centres, small markets and villages in the two districts.

Within Kisii Municipality, Mr. Anyona lists several cases of land transactions. He says parcel No. Mwamosiaria 698 KISII which belongs to the Nyakundi and Atogo families and was used as a centre for "cattle tattoo identification and as a cattle dip" and after which it was earmarked for a market centre and much later for Jogoo Primary School Annex has

been grabbed.

He says the two proposals were disregarded and the land allocated to some individuals and civic leaders.

The MP listed the beneficiaries as councillors James Mohari, Samson Nyang'au, Clare Omanga, a former nominated councillor, John Gekone, Councillor Omoke Mogeni and the late former Mayor Jack Nyabengi all of Kisii Municipality.



Anyona - questions plots allocation.

The land, the legislator says, houses a water well which serves Jogoo Primary and area residents. The original owners who donated it were not compensated, he says.

Land No. KISII TOWN/BLOCK 111/339

allocated to Francis Machora to operate a carpentry business has been transferred to an Andrew Onserio, the son of a former Assistant Minister for Commerce, Mr. David Kombó.

Mr. Machora had been allocated the parcel under minute No. 53/86 of the Town Planning, Housing and Works Committee which met on July 15, 1986. The allottee had established his business.

"In the recent past, there has been massive illegal allocation of plots within Kisii Municipality. These illegal allocations of plots

have caused a public outcry," says Mr. Anyona.

This include plots for public utilities, including cemeteries, open markets, police stations, social halls, research stations, housing estates, education, public toilets and health institutions.

In the more recent allocations 42 individuals and private companies had been allocated more than one plot at once and many had promptly sold the plots at high prices.

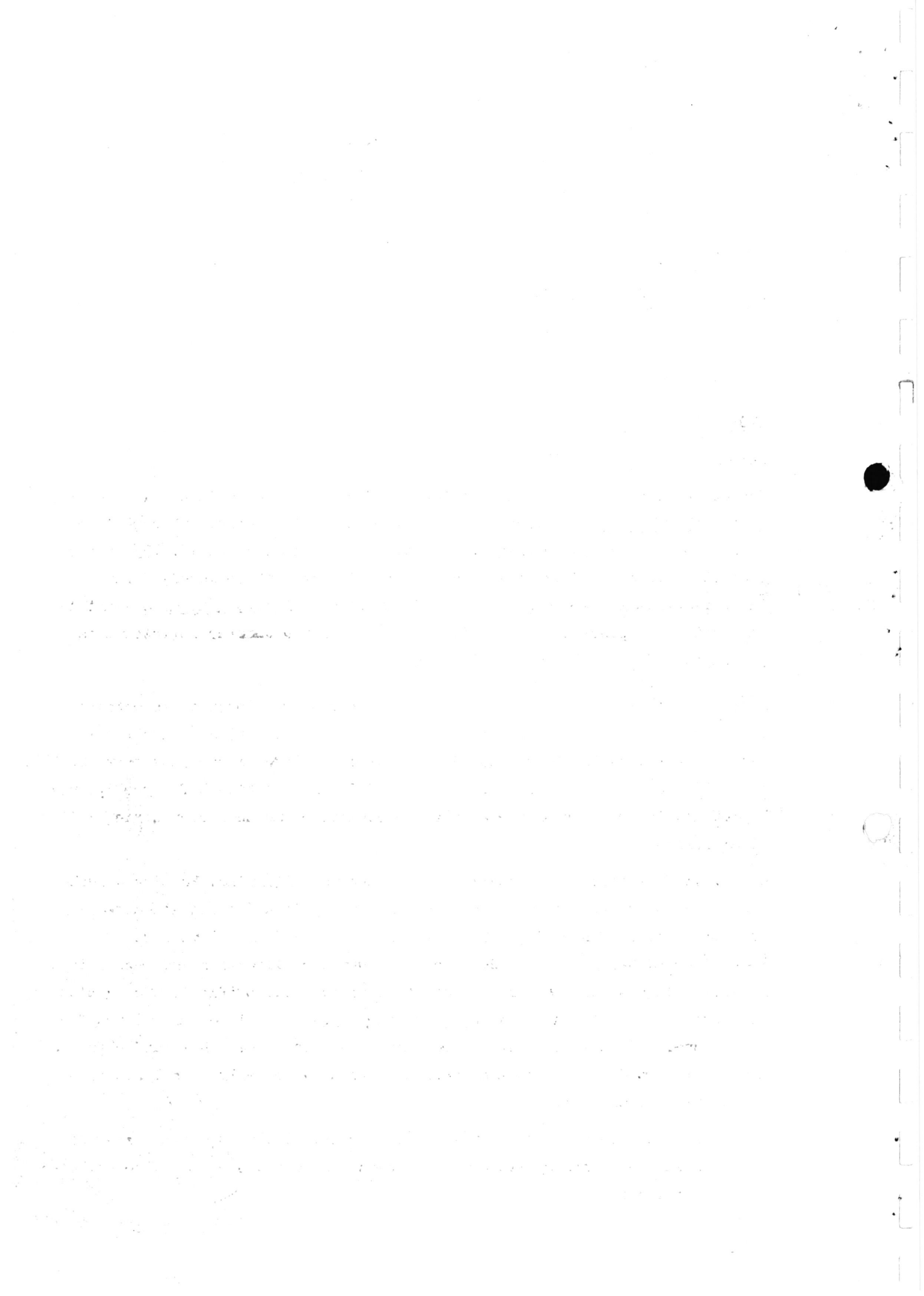
A document availed to *The Western Monitor* showed the names and plot numbers of the allottees. Most of the allottees are civic leaders, council Chief officers, prominent businessmen and personalities of influence.

Another document containing 16 names shows that the land allocated was part of the Nyanza Research Station (KARI).

The list was tabled in Parliament on June 22, 1993 by Mr. Japhet Ekiido. It shows the size of hectares allocated to each of the 16.

Among the beneficiaries are the former Nakuru KANU Chairman, Mr. Geoffrey Asanyo, who was allocated two plots of 0.51 and 1.33 hectares, Minister Zachary Othman and the former Chairman of Trans National Bank, Mr. Jared Kangwana, were allocated 0.4 and 2.0 hectares, respectively.

Others were a former Cabinet Minister, Mr. Andrew Omanga, the late nominated MP Lawrence Sagini 0.8 and 0.8415, respectively. Former Transport and Communication Permanent Secretary, Mr. Sospeter Arasa and a medical practitioner, Dr. Charles Otara, received 0.8 and 1.58 hectares, respectively.



FRANCIS O. G. MACHORA,
C/O P.O. GISEMBE
FURNITURE MAKER & REPAIRS
P.O. BOX 1879,
KISII.

3RD JULY, 1995

THE DISTRICT COMMISSIONER,
KISII DISTRICT,
P.O. BOX 590,
KISII.



Dear Sir,

ATT: HARRY WAMUBEYI

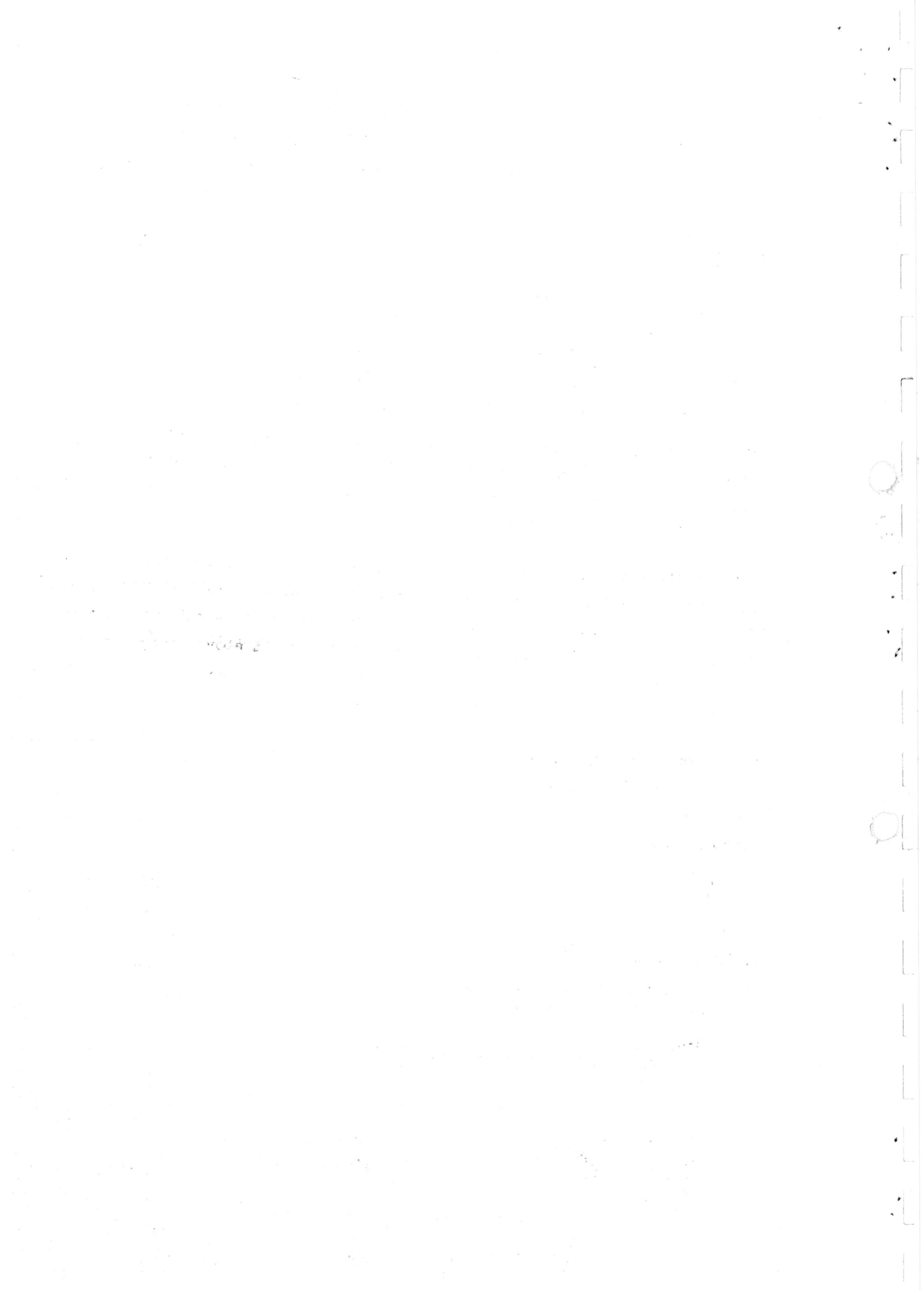
RE: KISII TOWN/BLOCK III/339

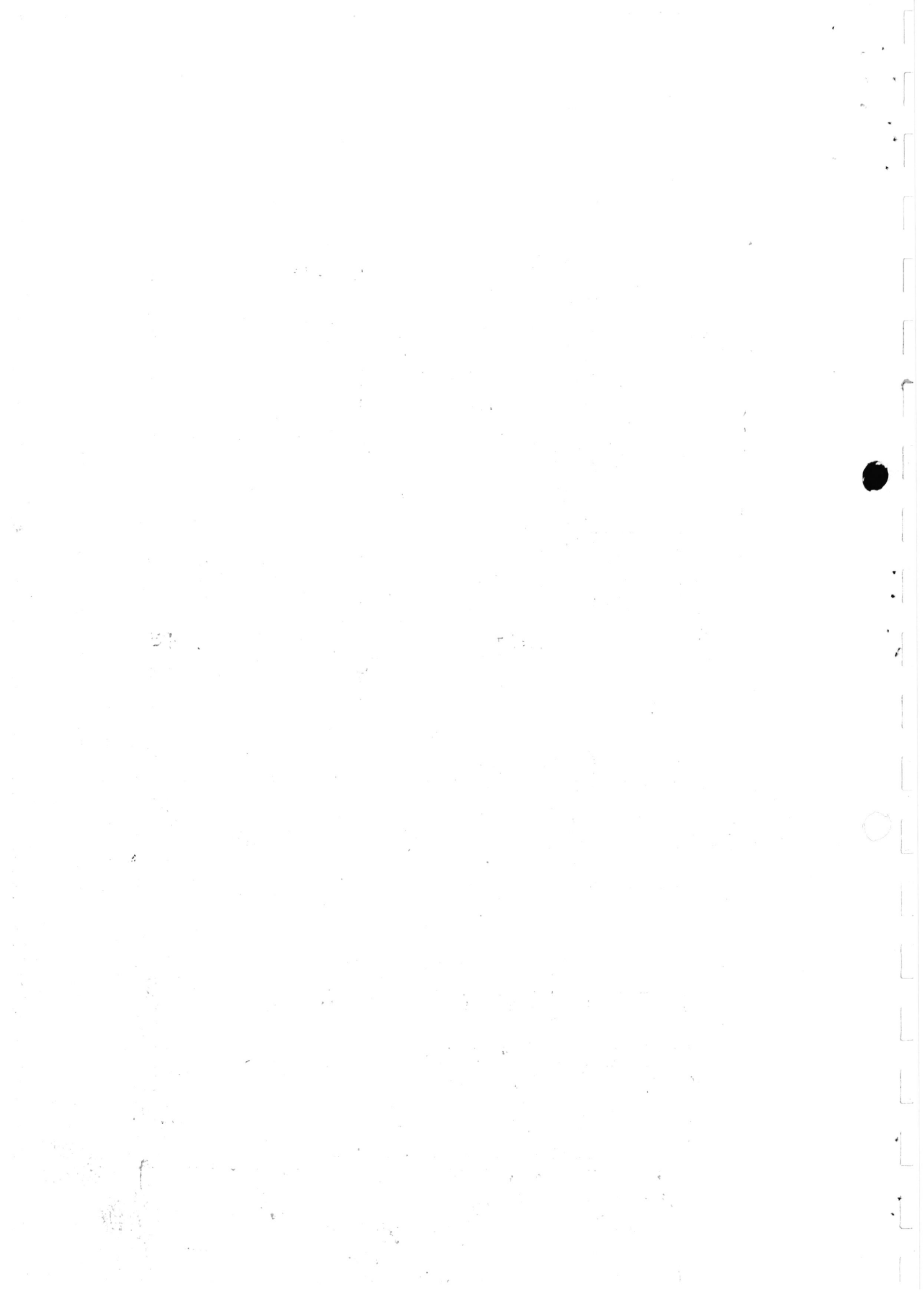
The above plot is shown as has having been registered as a leasehold property to one ANDREW ONSERIO a minor son of Mr. David Kombo Ondimu. This plot is designated to measure in area 0.0109 ha. In my letter dated 19.6.95 to the District allocation Committee (a copy which is herewith enclosed) I have indicated that the above piece of land is cut out of a road Reserve meant to run behind the present Kisii Police Station. Andrew Onserio registered as proprietor of this plot w.e.f 17.10.94.

My complaint over the above plot is that, minor Andrew Onserio was unfairly given this site whereas I had been occupying the same plot and site for well over 10 years, having been legally and lawfully allocated the same on 24.7.1986. I have indicated in my aforesaid letter and I herewith attach for your perusal letter and the minutes of the allocation committee and the accompanying letter of allocation.

On 15.7.1986 I made my application before the Town Planning, Housing & Works Committee who under Minute 53/86 considered my application and allocated me this site for Coffin making. The Town Clerk then Vide his letter ref: KMG/IP/APP./GEN/II/2/I dated 24.7.86 confirmed the allocation and the District Physical Planning Officer under those instructions identified the said plot and instructed me to put up a temporary structure since it was a reserve for future use. If this plot were to be converted into a lease hold and change of user from a road reserve to a commercial leasehold property then I was to be considered for allocation.

It is with this in mind that I was totally surprised that the same site where I have been conducting my aforesaid business for 10 years now has been allocated to another person.





98

File No. EXPT/TEC/NZA/4/98

KENYA NATIONAL AGRICULTURAL RESEARCH STATION

P. O. Box 49210

NAIROBI

D.D.A.

When I visited the Nyanza Agricultural Research Station, Kisii, I looked into the question of the allocation of land between the Research Station and the Farmers' Training Centre. As you know the old Veterinary Department livestock station was taken over by us last year and whereas most of the land was allocated to form the new research station a proportion was allocated to the Farmers' Training Centre. At that time it was intended to expand the herd at the Farmers' Training Centre and therefore the expansion of grazing land was thought to be necessary. Altogether the F.T.C. gained over 78 acres through this allocation. The fact is that because of changes in staff and possibly also a policy change concerning the F.T.C., no expansion of the herd has taken place.

Meanwhile it has become clear that the allocation of land to the new research station is inadequate. This particularly applied to arable land and we must have more space for arable experiments if our work is to be carried out in a proper farming context. The ideal solution would be that we relinquish all rights to the 5 acres of F.T.C. land on which the Research Division has been carrying out experiments for several years now. This can be done without any hardship at the moment.

There is only one tea experiment actually on the ground and for my part this experiment can be abandoned as it is poorly designed and will not provide practically useful information. At the same time we could let the F.T.C. retain 11.8 acres of land of the additional acreage which they obtained when the land of the old livestock centre was divided. This area lies in more conveniently to the F.T.C. than to the research station. The remaining 66½ acres should then be returned to the research station.

Of this 66½ acres 51 approximately are hill land and the remaining 15½ are arable land. It is absolutely essential for proper development that this arable land should go to the research station at an early date. If the F.T.C. can put up a sound argument for the retention of part of the 51 acres of hill land, we would be prepared to negotiate on this. However, it is hoped that this will not be necessary.

I had hoped that Mr. Omamo would be able to meet me at Kisii, but this proved to be impossible. However, I saw him in his office before I made the visit and he appeared to agree that the research station had a sound case in this matter.

98/3 CRO
I consider that you should proceed but I would like Omamo's views on paper first early 7/4

Wentworth
AG. C.R.O.

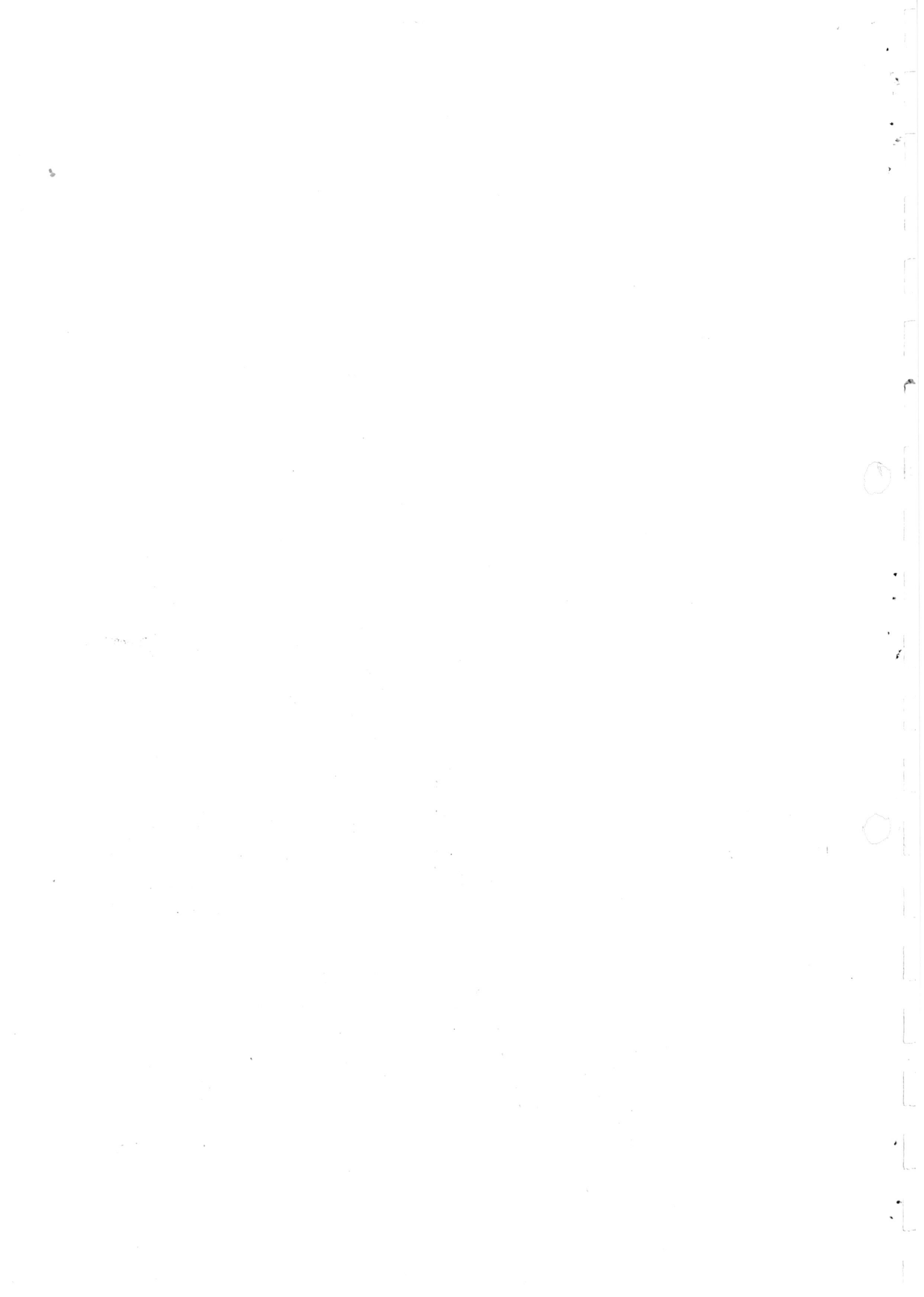
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98/1 AOE

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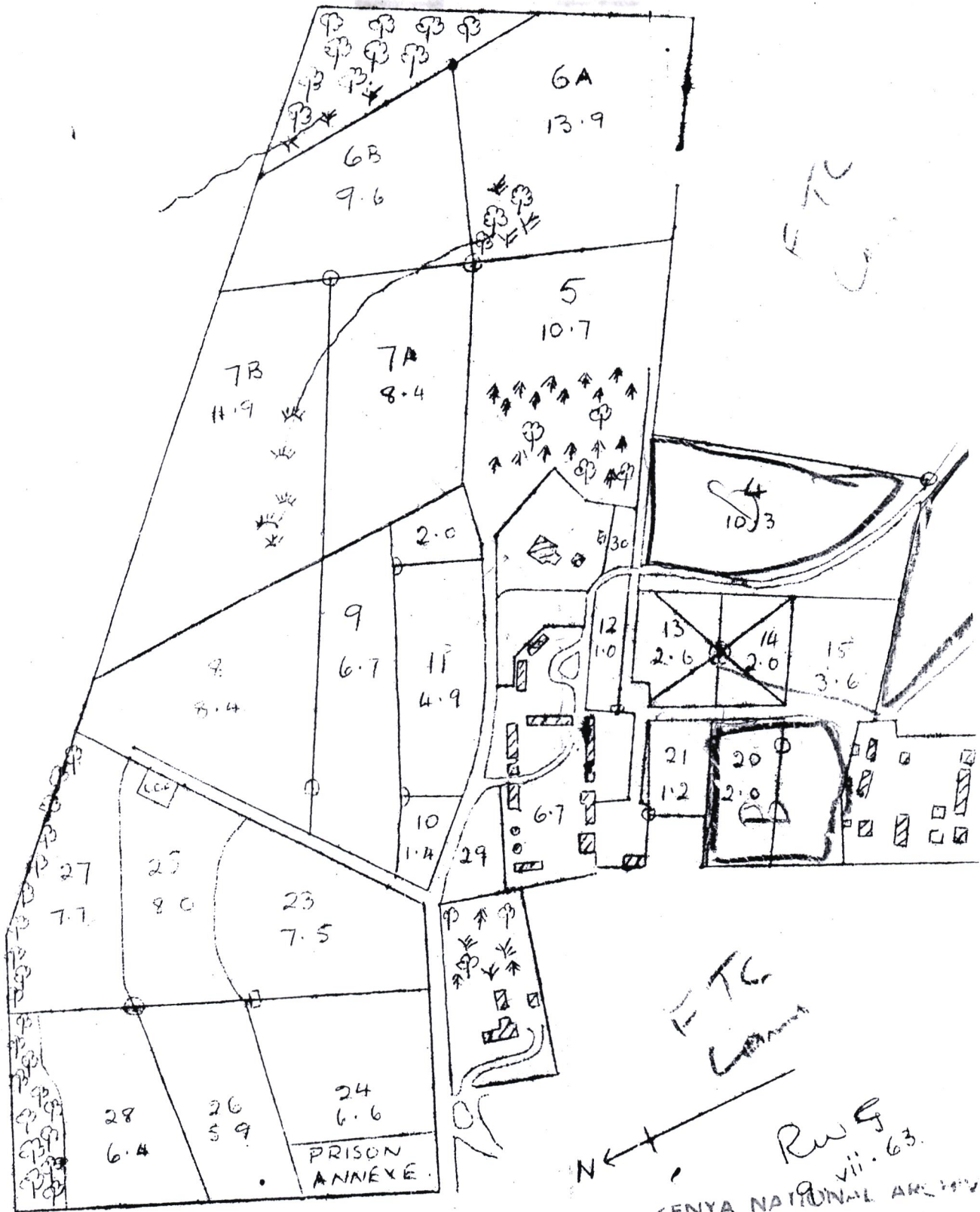
Any comments? I would be inclined to agree with CRO

98/2. Yes. I agree subject to RAO'S Views. AOB AOE. 4/4



46A

KISII EXPERIMENTAL STATION 1963



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 R. G.
 vii. 63.
 KENYA NATIONAL ARCHIVES
 P. O. Box 49210
 NAIROBI



86

File No. EXPT/TEC/NZA/4/II/86

Dep. Sec.

Ref. (85/A)

I propose a reply as attached.

H
(H. Mettrick)
F.O. 1.

1/u

Senator J.K. Kebaso,
P.O. Box 522,
Kisii.

KENYA NATIONAL ARCHIVES
P. O. Box 49210
NAIROBI

Dear Sir, ~~to~~ Dear Senator,

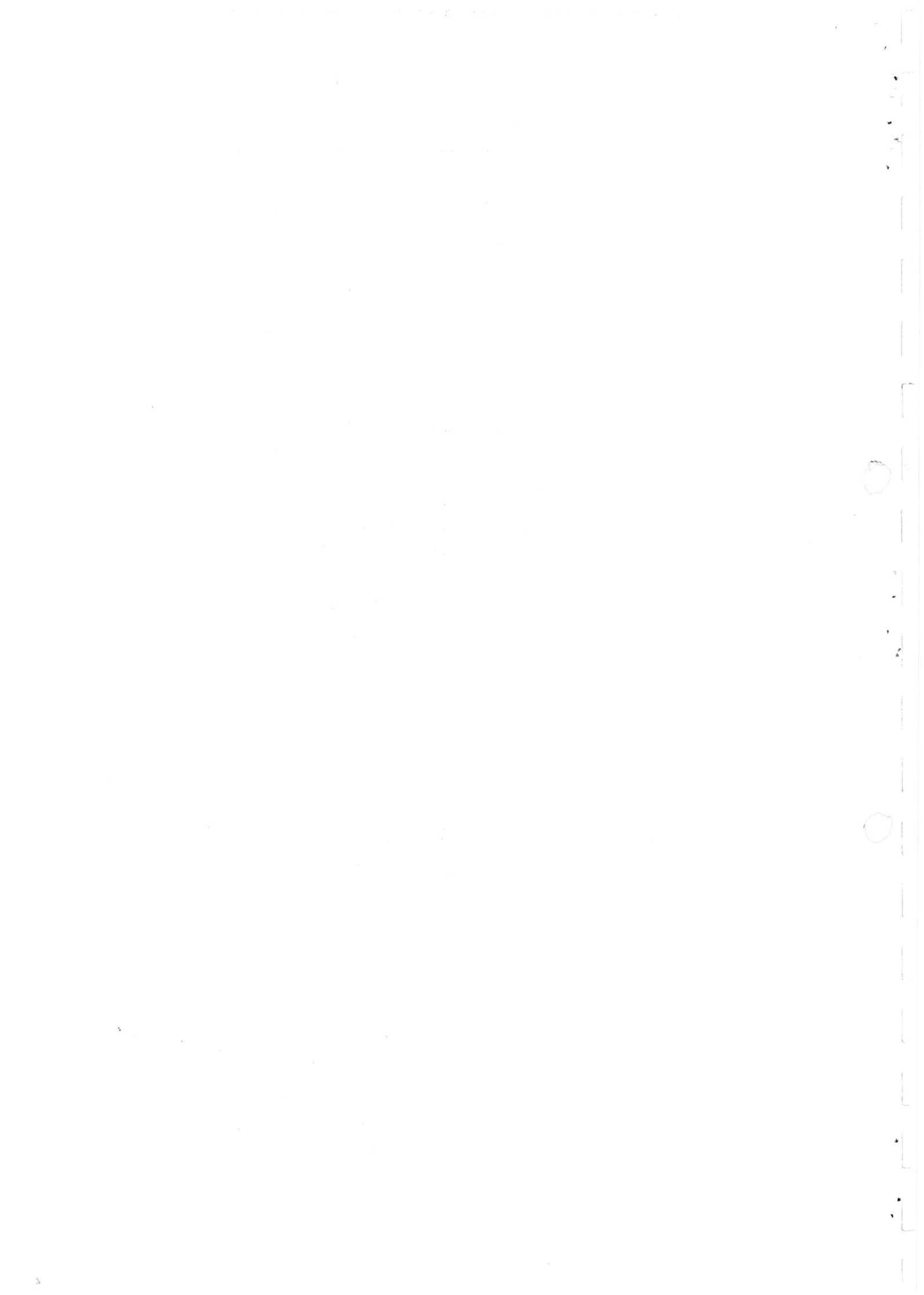
Veterinary Farm, Kisii.

1. Please refer to your letter of 12th October, 1963 concerning the Veterinary Farm at Kisii, addressed to the Regional Government Agent, Kisii. *This has been referred to me for reply.*
2. In May of this year the Veterinary Farm was transferred to the Agricultural Department, part to be used for a Research Station and part as a Farmers' Training Centre. *I believe that* Surely, this fact is well known in Kisii District.

3. Kisii is the only Research Station in Nyanza, and work carried out there will have an increasing effect in formulating agricultural policy throughout the Region, which will be directed to raising the standard of living of the people living in the area. *Research work on food + cash crops of great importance to the district are* Apart from pyrethrum, sweet potato, bean and fertiliser trials already in progress on the station, *in addition,* a very large experimental programme is planned for the coming year, and will be subject to the approval of the D.A.C., Kisii and *of* the Regional Field/Research Committee Meeting in Kisumu.

4. The Farmers' Training Centre at Kisii has the highest student throughput of any Farmers' Training Centre in Kenya. The Centre has attracted funds from the Coffee Board for the building of a dormitory and from the U.S. Agency for International Development for 3 houses for additional staff. It is well known to what extent these institutions are promoting agricultural education throughout the country.

~~Mr. Gray and Mr. Ingoi run two herds of cattle, Jerseys and Guernseys, on the Research Station.~~ *There are two herds of cattle, Jerseys & Guernseys on the Station.*
Apart from animal behaviour trials, the results of which will influence the management of exotic stock in Kisii District, and production costings which



(2)

will be of value to the Farmers' Training Centre, these cattle, ~~plus those of the F.T.C.~~, go a long way towards providing a reliable milk supply to Kisii town, especially the Hospital.

6. I hope that this will convince you that the land is being put to very good use. I am sure that if you wish to visit the Station, the officers there will be delighted to show you round, *and I strongly recommend that you go and see the work being done for yourself.*

Yours faithfully, sincerely,

PARLIAMENTARY SECRETARY.

c.c. The Regional Government Agent, Kisii
The Regional Ag. Officer, Nyanza Region,
P.O. Box 172, Maragoli.
The Regional Veterinary Officer, Nyanza &
Western Region, P.O. Box 66, Kisumu.
The District Ag. Officer, P.O. Kisii.
The District Veterinary Officer, P.O., Kisii.

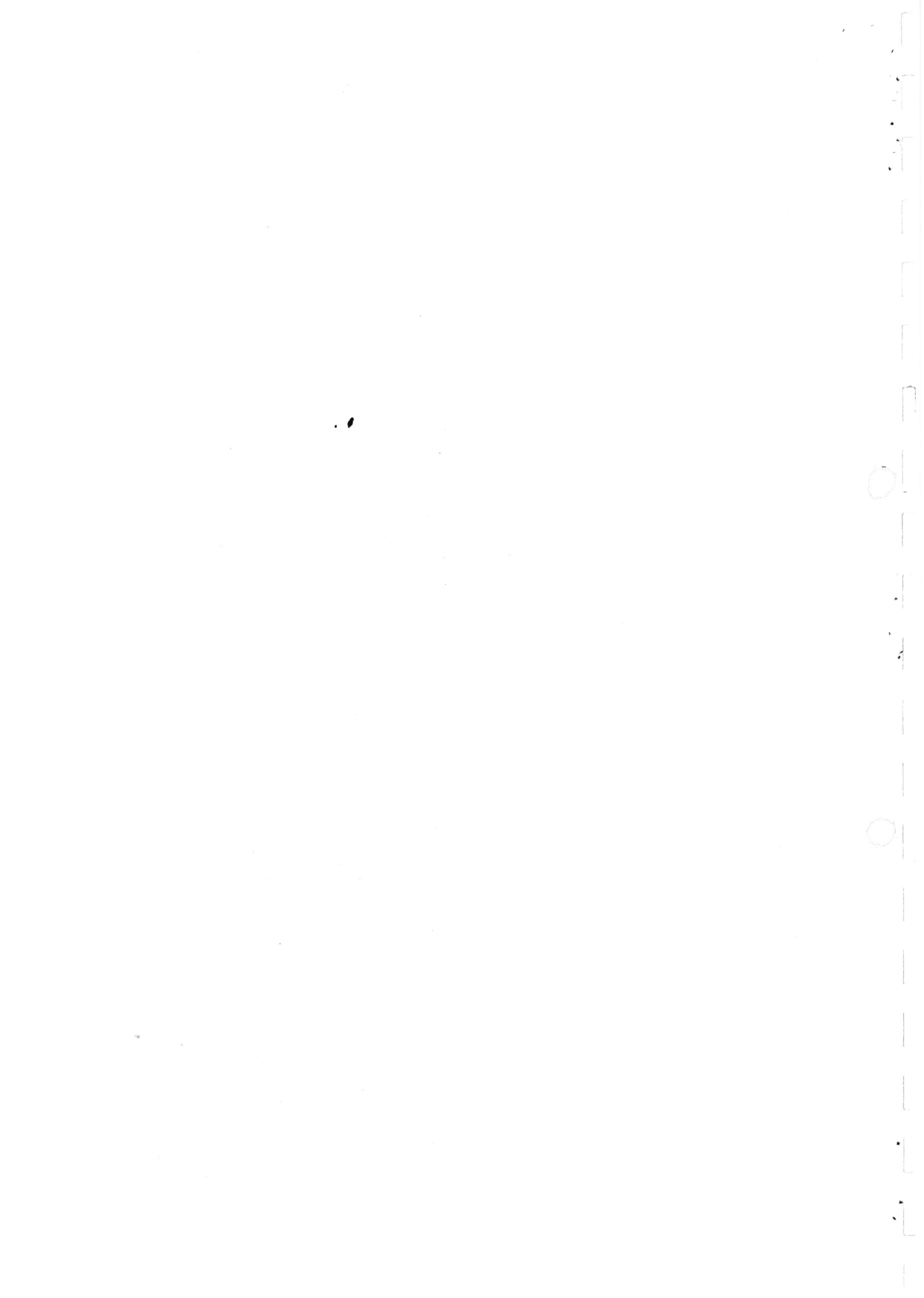
/mr.

(86/1) DA for your approval pls *FDu* 1/11.

(86/2) FO/1 *Approved with one amendment.*
Adm
4/11.

(86/3) Dep Sec This is purely an Ag Dept affair.
According to S.R.O. the trials are animal husbandry trials. *FDu* 5/11.

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P. O. Box 49210
- NAIROBI



COPY

REGIONAL GOVERNMENT AGENT
KISII.

18th October, 1963.

VET.25/6/1.

Senator J.K.Kebaso,
P.O.Box 522,
KISII.

Dear Sir,

KBII EXPERIMENTAL STATION.
Ref.your letter of 12.10.63.

I have passed a copy of your letter to the Regional Agricultural Officer for reply to you direct. The formation of Experimental Stations is a matter of policy at a national level. However, I feel I must let you know that I am most surprised that you should try to use your influence to close down an experimental station of this type at the present stage of Kenya's development. It is a most retrograde action. It is suggested that before putting a serious proposal you should find out what the station will be used for from the Agricultural Department.

Regarding the persons you name. If they are short of land, I suggest they apply for plots in the next Sotik settlement scheme in just the same way as other Kisii.

I regret I cannot support your request.

Yours faithfully,

(Signed) A.F.HOLFORD-WALKER.

REGIONAL GOVERNMENT AGENT
KISII.

c.c. Regional Agricultural Officer, Kisumu. with a copy of the letter
under reference for reply please, direct to Mr.Kebaso.
District Agricultural Officer, Kisii.
Senior Livestock Officer, Kisii.

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NAIROBI



COPY

850

SENATOR J.K.KEBASO
Kenya Autho Service Lbdg.,
P.O.Box 522,
KISII.

1.2.10.63.

The Regional Government Agent,
P.O.Box 590,
KISII.

Dear Sir,

LANDLESS PERSONS.

I feel it to be my duty as a Senator and one who thoroughly understands the problems of Kisii people to bring to your kind notice the following points:-

(1) I cannot understand and no reasonable person can either understand why the Kisii Veterinary farm should not be returned to the original owners since it is serving no useful purpose since the land was set aside. I want you to take earliest action to consult Minister of Agriculture as soon as possible about this matter.

(2) No sincere person can tolerate to see people like Naftali Openda, Kristopher Mbaka, Atogo Mogaka and others to live by the river side when the land taken from them is just idling doing nothing when the owners are lacking land to produce enough food for their children. This matter is very urgent indeed and calls for your earliest attention.

Yours faithfully,

(Signed) J. K. KEBASO.

c.c. The Minister of Agriculture, Box 30028, Nairobi. ✓
The District Agricultural Officer, P.O.Kisii.
The District Veterinary Officer, P.O.Kisii.

Original
copy at (85/c)

KENYA NATIONAL ARCHIVES
P. O. Box 49215
NAIROBI

SENATOR J. K. KEBASO

Land/Misc

TELEPHONE NO. 73.

OFFICIAL ADDRESS:
Parliament Buildings,
P.O. Box No. 1842,
NAIROBI, Kenya, E.A.

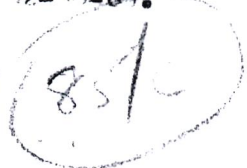
HOME ADDRESS:
Kenya Auto Service Building,
P.O. Box 522,
KISII, Kenya, E.A.

OUR REF:

YOUR REF:



12-10-63



The Regional Government Agent,
P.O. Box 390,
KISII.

Dear Sir,

LANDLESS PERSONS.

I feel it to be my duty as a Senator and one who thoroughly understands the problems of Kisii people to bring to your kind notice the following points:-

(1) I can not understand and no reasonable person can either understand why the Kisii Veterinary farm should not be returned to the original owners since it is serving no useful purpose since the land was set aside. I want you to take earliest action to consult Minister of Agriculture as soon as possible about this matter.

(2) No sincere person can tolerate to see people like Naftali Openda, Kristopher Mbaka, Atogo Mogaka and others to live by the river side when the land taken from them is just idling doing nothing when the owners are lacking land to produce enough food for their children. This matter is very urgent indeed and calls for your earliest attention.

Yours faithfully,

J.K. KEBASO.

c.c. The Minister of Agriculture,
P.O. Box 30028, Nairobi.

The District Agricultural Officer,
P.O. Kisii.

The District Veterinary Officer,
P.O. Kisii.

KENYA NATIONAL ARCHIVES
P. O. Box 49210
NAIROBI



Expt/TEC/NZA/4

SENATOR J. K. KEBASO TELEPHONE NO. 73.

OFFICIAL ADDRESS:
Parliament Buildings,
P.O. Box No. 1842,
NAIROBI, Kenya, E.A.

HOME ADDRESS:
Kenya Auto Service Building,
P.O. Box 522,
KISII, Kenya, E.A.

9th December, 1963.

OUR REF.:

YOUR REF.:

The Hon. James C.N. Osogo, M.P.,
P.O. Box 30028,
NAIROBI.

Dear James,

Many thanks for your letter reference EXPT/TEC/NZA -
4/II/87 of 8/11/63, and to confirm that I am entirely satis-
fied with explanations given in the above quoted letter.

Yours sincerely,

- c.c. The Regional Government Agent, Kisii.
- The Regional Ag. Officer, Nyanza Region, Box 172, Maragoli.
- The Regional Veterinary Officer, Nyanza & Western Regions,
P.O. Box 66, Kisumu.
- The District Ag. Officer, P.O. Kisii.
- The District Veterinary Officer, P.O. Kisii.

Yours Sincerely,
Amulasa

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P. O. Box 49210
NAIROBI

MINISTRY OF AGRICULTURE AND ANIMAL HUSBANDRY

Telegrams: "PROVAGRIC"

Telephone: 191

When replying please quote

Ref. No. 4/10/71.
and date



DEPARTMENT OF AGRICULTURE
PROVINCIAL AGRICULTURAL OFFICE
NYANZA PROVINCE

PRIVATE BAG, KISUMU

28th October,, 19.63.

The Minister for Agriculture,

Thro' The Director of Agriculture,
Ministry of Agriculture and Animal Husbandry,
P.O.Box 30028,
NAIROBI.

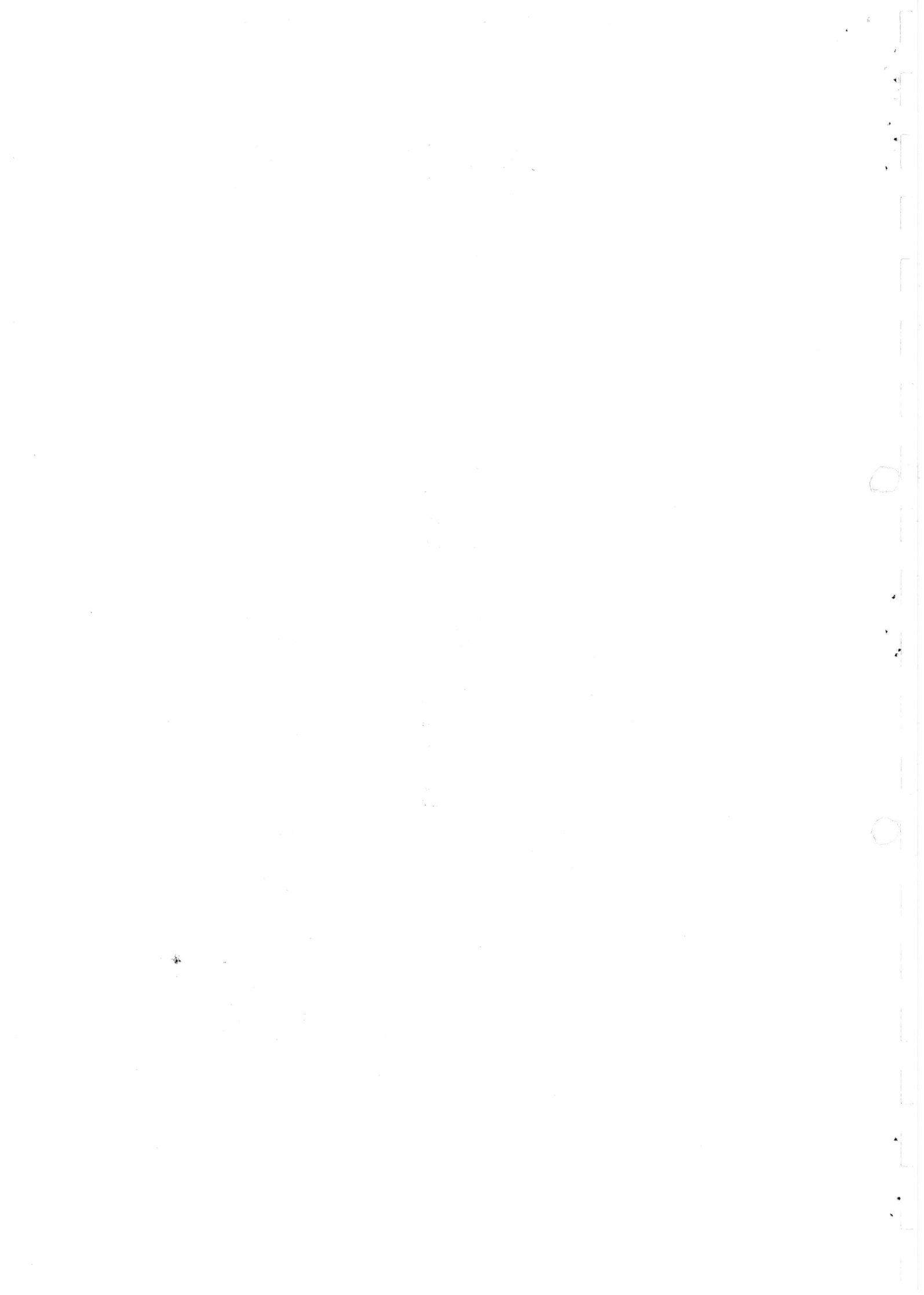
I attach a copy of a letter from Senator J.K.Kebaso, which has been passed to me by the Regional Government Agent, Kisii, under cover of his Vet.23/6/1 of 18th October, 1963, copy also attached.

2. I have discussed this matter with the Officer i/c Research Nyanza and Western Regions, and the Regional Veterinary Officer, and now comment as follows:-

- (1) The Veterinary farm was transferred in May to the Agricultural Department, half to Research and half to the Farmers' Training Centre. This fact is well known in Kisii District.
- (2) I cannot endorse ~~the~~ ^{THE} contention that the Veterinary farm has served no useful purpose since it was set aside. ~~THE~~ ^{THE} criticism concerning the use of this land would appear to be aimed at the Veterinary Department, as they have only recently vacated it. In fact the livestock policy of Kisii and Homa Bay Districts is based on work carried out on the Station prior to its transfer to this Department. Also I do not think that the Veterinary Department can be accused of holding on to land unnecessarily, as, when once satisfied that there was little more to be learned from their work at Kisii, it was handed over.
- (3) Kisii is the only Research Station in Nyanza, and work carried out there will have an increasing effect in formulating agricultural policy throughout the Region: such Stations are the responsibility of Central Government, which gives an indication of the importance attached to them. With regard to the Farmers' Training Centre, it is well known to what extent these institutions are promoting agricultural knowledge. During the quarter ending 30/9/63, a total of 622 students passed through the Kisii Centre alone, attending 19 Courses, a total of 4315 student days. The Centre also provides considerable employment.
- (4) Mr. Gray and Mr. Ingoi run two herds of cattle, Jerseys and Guernseys, on the Research Station. Apart from animal behaviour trials, the results of which will influence the management of exotic stock in Kisii District, and production costings which will be of value to the Farmers' Training Centre next door, these cattle, plus those of the F.T.C., go a long way towards providing a reliable milk supply to Kisii town, especially the Hospital. Other high grade stock are held on behalf of the A.D.C. prior to distribution to more advanced farmers.

The Station also gives employment to 5 A.C.S. Instructors and 20 G.M.E.'s.

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NAIROBI



Apart from pyrethrum, sweet potato, bean and fertiliser trials already in progress on the Station, a very large experimental programme is envisaged in the coming year, and will be approved by the D.A.C. Kisii, and the Regional Field/Research Committee Meeting at Kisumu.

When this is in train, I suggest that Senator Kebaso makes a visit to the Station, by arrangement with the Officer in-charge, who will, I am sure, be delighted to show him around.

RSM/BGF

R. S. McDowell

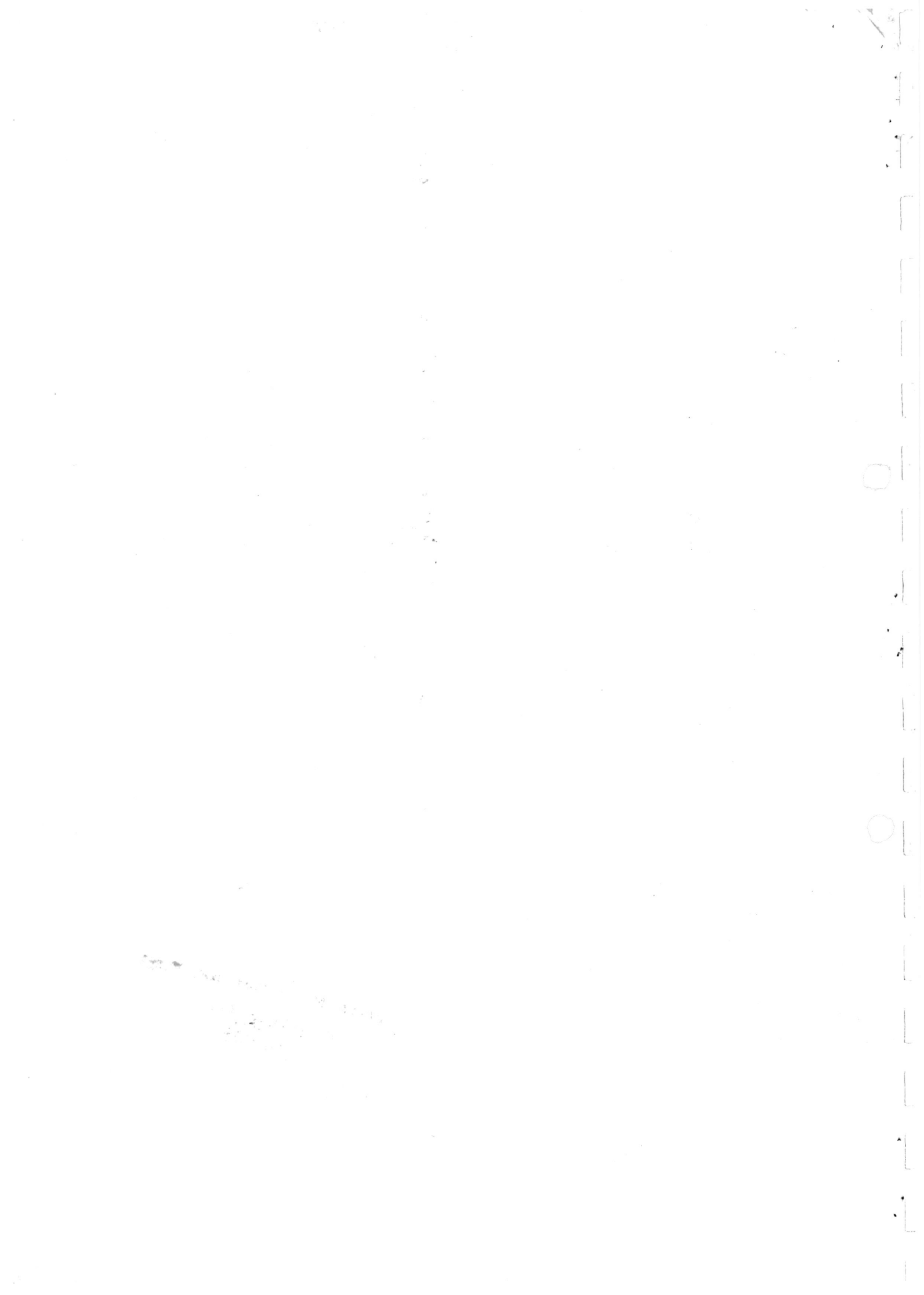
(R.S. McDowell)

FOR AG. REGIONAL AGRICULTURAL OFFICER
NYANZA REGION.

*The position is set out
quite accurately in
the above statement
from ADA.*

*Hand
CRO.
30/10*

KENYA NATIONAL AGRICULTURAL RESEARCH BOARD
P. O. Box 49213
NAIROBI



96

Exp/TC/NA/A/K

File No. Loose Minute.

Ag. S.R.O.

Kisii : Extensions

96

I attach a drawing of the Kisii Experimental Station which shows (if you fold it correctly) the way in which Gray thinks that land could be traded between our unit and the Farmers' Training Centre.

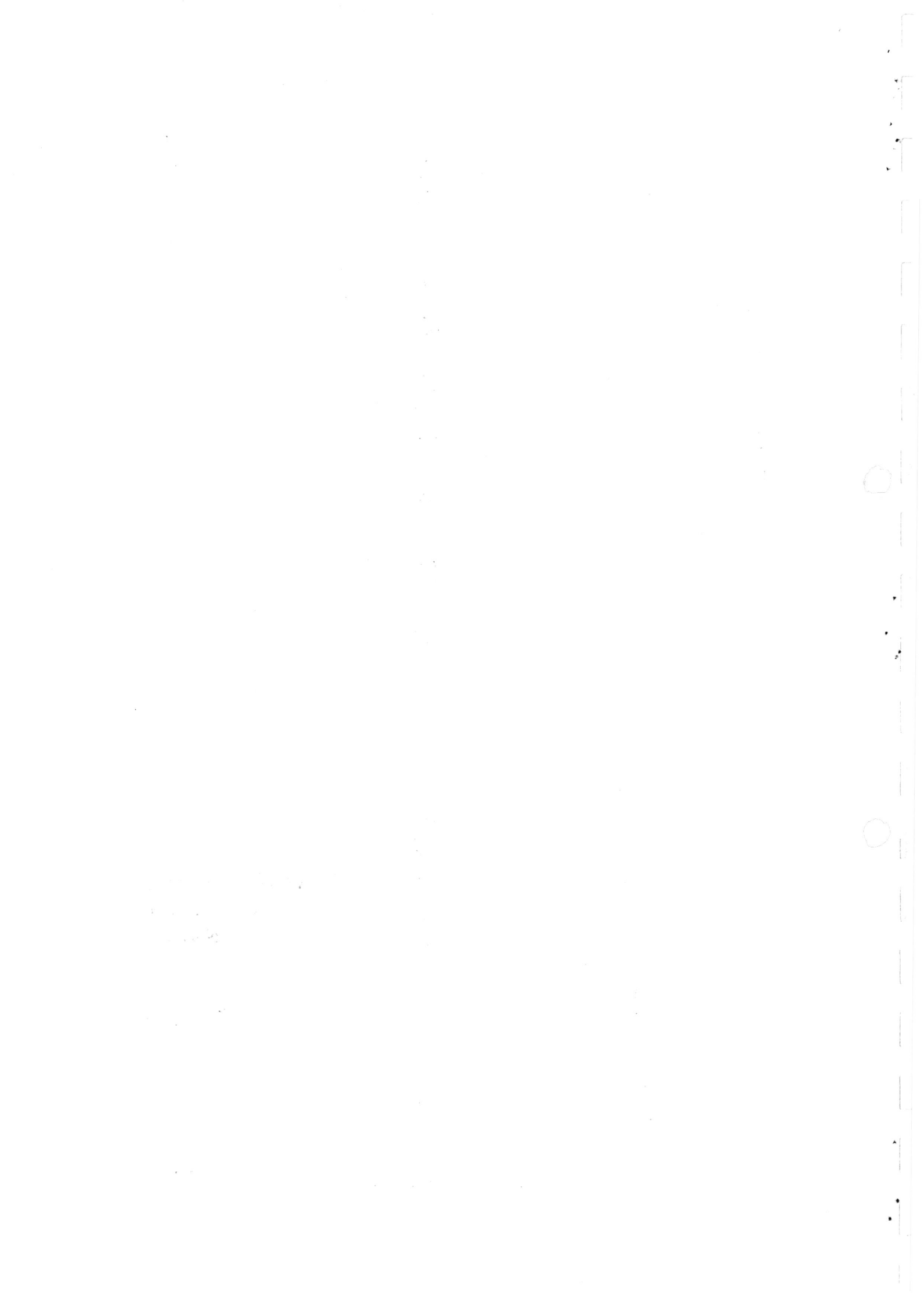
The two plots marked 'B' are useless to him, and the two plots marked 'A' and 'A' being more suitable for experimental use, are the places he wants.

You will find correspondence about this on the files, I suggest that you pursue this and try to get this exchange effected. There is a precedent for such an exercise, as we have already done an exchange of land at Embu. and you should study the correspondence about the Embu affair before making a move.

Discussed with Mr. Gray. To deal with further on visit to Kisii on 25/3. E.H. 13/3 1964

Pereira
for: (E. Hainsworth)
C.R.O. (On leave)

Please B.U. on appropriate file
f.f.n
Ag. S.R.O. 9.3.64



History.

Kisii Experimental Station was opened in May 1963 when the former Livestock Improvement Centre was handed over to the Agricultural Department and divided between the Research Division and the Farmers' Training Centre. The Research Services were apportioned roughly 150 acres of this land.

Of this area only about a third is cultivable, the rest being on a steep hillside with rocky outcrops. The cultivated fields are all in terrace banks. There are six fields of about 10 acres which are farmed on a 6-course rotation of 3 years ley followed by 3 years arable. The short term experiments are fitted into this system. The farm is on a red basaltic loam of pH approximately 5.9 which is characteristic of a large part of the area served by the station. Average annual rainfall is 79.58 inches.

There are two dairy herds on the farm which are run as one unit. A herd of 45 Grade Jerseys were brought from the old Kotik Experimental Station and a herd of 35 Grade Guernseys came from Rukera Demonstration Farm at Ruiru in Central Province. Whole milk is sold locally and there is also a strong demand for butter and ghee.

Scientific Staff.

One Agricultural Officer (Research) in charge of the station.

Technical Staff.

One Asst. Agricultural Officer (Research) who is Farm Manager responsible for the running of the station.

Field Assistants - One in charge of the Experiments and records.

Two in charge of general work on the farm.

One in charge of the experimental plot at Homa Bay.

One clerk.

Work of the Station and its objectives.

The Agricultural Officer (Research) is responsible for carrying out general agricultural research in South Nyanza and Kisii Districts.

Its objectives may be summarised as follows:-

1. The study of all aspects of the agronomy of locally ~~of~~ important food and cash crops.
2. The study of new crops with a view to their introduction to the area on a commercial scale.
3. The study of general cultivation systems.
4. The study of systems of livestock and grassland husbandry suitable to the area

There is close cooperation between the station and the various Specialist Units in the country. The Grassland team at Kitale guides us in our grassland work and we run pyrethrum trials in cooperation with Molo Station.

Dissemination of Results.

All results are published in the annual report of the Department and this should be available to all Senior Officers of the field services.

...../In addition to this.....

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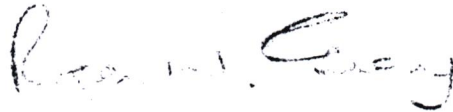
In addition to this the station produces cyclostyled advisory bulletins on various subjects which are distributed to local field staff and to the Farmers' Training Centres.

Each year there is a Field Day on the station when local farmers, agricultural staff, teachers and so on are encouraged to come to see and hear about the work we are doing. Throughout the year parties of school children and many individual visitors are shown round the station.

Economic Value of the Results.

It is too early yet to say how much effect the station will have on the local agriculture. In Kisii district there are many progressive farmers and there is a promise that we shall be able to achieve a lot in this area. There are several new settlement schemes in the East of the District and our work should prove of extreme value there. In South Nyanza there is room for a great deal of progress and if only a few of our recommendations are implemented it must make a very great difference to the standard of agriculture.

There has recently been a most dramatic increase in the number of grade dairy stock in Kisii and the results of our grassland and livestock work will prove of great value here.



(Roger W. Gray).
AGRICULTURAL OFFICER (RESEARCH)
KISII.

RWG/JNF.

KENYA NATIONAL ARCHIVES
P O Box 49210
NAIROBI

MINUTES OF A MEETING OF EDUCATION AND COMMUNITY DEVELOPMENT
COMMITTEE HELD ON 21ST. JANUARY, 1964 IN THE COUNCIL'S HALL,
KISII.

Present: Councillor Stephen G. Michoma - Chairman.
" Samwel Mobegi.
" Gilbert Juma.
" Johnson Ondicho.
" Hellena Moraa.

Absent: " Zebedeo Nyambegera - with apology.

In Attendance: S.N. Nyamweya Esq., Clerk to Council.
N. Oluoch Esq., County Education Officer.
M. Oisebe Esq., Community Development Officer. (M).
Miss B. Nekesa, " " " (W).
Miss A. Bosibori, Social Worker Trainee.
J. Oketch Esq., Ag. Committee Clerk.

MINUTE 1/64. CONFIRMATION OF MINUTES.

Minutes of the meeting held on 23rd October, 1964 having been circulated were confirmed correct and signed by the Chairman.

MINUTE 2/64. NURSERY CENTRES.

It was pointed out that :-

(a) although children below six only could be admitted to nursery centre, they attracted children of school age because the school fees were lower.

(b) it was emphasized that it was a mistake to admit children of school age.

After a long discussion it was resolved;

RESOLUTION 1/64. Proposed by Councillor S. Michoma.
Seconded by Councillor F. Aondo.

(a) "That further steps be taken to ensure that only children under six were admitted to nursery centres;

(b) in order to do this, birth certificates be checked, and

(c) the public be informed by all members of the County and Area Councils."

Carried unanimously.

MINUTE 3/64. TEACHERS' HOUSES.

It was reported that teachers were very unhappy as there were no schemes for housing them. It was further stated that most of the houses occupied by teachers in the district were filthy and unsuitable for human beings.

After lengthy discussion the Committee passed the following resolution;-

RESOLUTION 2/64. Proposed by Councillor Stephen G. Michoma.
Seconded by Councillor Gilbert Juma.

====/2.

10

10

(B) PLANNING COMMITTEE.

It was further recommended to form a planning committee consisting of the following:

- 1 - County Education Officer
- 4 - Managers (S.D.A., D.O.K, D.S.C. and D.E.B.)
- 1 - Kenya National Union of Teachers representative.
- 1 - Chairman of Education Committee.

7

MINUTE 7/64. GUSII COMMUNITY DEVELOPMENT TRAINING CENTRE.

It was suggested and agreed that the name of Kisii District Training Centre be changed to Gusii Community Development Training Centre.

MINUTE 8/64. FUNDS FOR KISII YOUTH CENTRE.

There seemed to be a great demand of funds to run the Youth Centre quoted above and the Community Development Officer Mr. M. Oisebe was asked to call on a sub-committee of Education and Community Development to plan together the methods which shall be applied in order to get sufficient funds for the purpose.

The Chairman of Education and Community Development Committee, Clerk to Council and Community Development Officer will form up an ad hoc committee as required above.

MINUTE 9/64. GRANTS TO LIETAGO PRIMARY SCHOOL.

Although it was said that Lietago Primary School comes under the Moocha Area Council, it was found in fact that the residents in Lietago Settlement scheme came from all over Kisii district and therefore it was a matter of County Council concern to help the people at Rietago at this time.

RESOLUTION 4/64. RESOLVED: That it was in order to help the people at Lietago and the Finance Committee was then requested to give a grant to Lietago primary school for desks, cupboards, tables etc.

MINUTE 10/64. WOMEN CLUBS LEADERS - EDUCATIONAL TOURS OVERSEAS.

Councillor Stephen G. Michoma asked the Community Development Officer (W) to explain what progress has been made on sending "Maendeleo ya Wanawake" women on educational tours overseas and whether such women were becoming of any use in their respective areas.

The reply to this question is attached to these minutes as appendix 'A'.

MINUTE 11/64. VOTE OF THANKS TO COUNTY EDUCATION OFFICER.

After a detailed outline of the state of the collection of the 1st instalment of 1964 fees by the County Education Officer the Committee wished

"That this Committee views with regret the state of teachers' houses and urges the County Council to look into ways of improving the position as soon as possible."

Carried unanimously.

MINUTE 4/64.

HOME FOR ORPHANS.

Miss Abgael Bosibori, Social worker trainee, from Machakos proposed that it was high time the Committee considered establishing a home for neglected children in the district who had no hope of future and who in most cases could commit crimes. Many other Councils were bringing such schemes into practice and hoped Gusii County Council would be one of them. After consideration it was resolved:

RESOLUTION 3/64.

(a) "That the two young orphans cared for at Kisii Training Centre continue receiving services and subsistence out of K.T.C's Vote.

(b) that Finance Committee be requested to find ways of financing the proposed project and building of one house for orphans.

MINUTE 5/64.

PRIMARY EDUCATION - KISII.

In accordance with the Education Ordinance, Section 82(1)(a), the committee required to pass By-law limiting the age of primary school pupils in Kisii District. But as the Committee had doubts about this, the Clerk to Council was asked to write to the Ministry of Local Government in consultation with the Ministry of Education for a Model By-law on 'primary school age limit'.

MINUTE 6/64.

ESTABLISHMENT OF EDUCATION COMMITTEE.

The Clerk to Council, Mr. S.N. Nyamweya explained the Committee that the District Education Board will be dissolved after its meeting of 14th February, 1964. He stated further that this was happening according to the new constitution and the Education Committee of the County Council will take over all the D.E.B's responsibility and the teachers will automatically become the servants of the Council.

The Committee therefore requested the Council pass a resolution delegating powers to Education Committee to execute all educational matters, cases being referred to the Council as appropriate.

This will be a separate Committee from the Community Development Committee. It was recommended that this be composed as follows:

- 1 - Chairman of the County Council.
- 1 - Vice Chairman of the County Council.
- 9 - Two Councillors from each Area and Urban Council.
- 2 - Two women representatives in the County Council.

its appreciation of the work done by the County Education Officer and his staff to be recorded.

RESOLUTION 5/64.

Proposed by Councillor Samwel Mobegi.
Seconded by Councillor Johnson Ondicho.

"That this Committee appreciates the work accomplished by the County Education Officer and his staff in collecting the 1st instalment of 1964 fees and wishes that the same efforts would be made to collect the 2nd instalment.

There being no further business the meeting closed at 1.15 p.m.

Jhoanda
CLERK,
GUSII COUNTY COUNCIL.

/Sam.

Kisii: 3rd February, 1964.

Confirmed.

CHAIRMAN,
EDUCATION AND COMMUNITY DEVELOPMENT COMMITTEE.

Date 1964.

Handwritten marks and symbols along the right edge of the page, including a vertical line and several small, illegible characters.

APPENDIX 'A'.

MAENDELEO YA WANAWAKE LEADERS - EDUCATIONAL TOURS OVERSEAS

A brief report appended below shows the progress being made by Maendeleo ya Wanawake and that the Community Development Department is not dormant to seeing that special attention is paid to women education.

The following are names of women who went to courses outside the District, some of them being Council's employees and others housewives:-

NAME	OCCUPATION		PLACE OF STUDYING
	1963	1964	
1. Mrs. Jemima Mokogi	Loc. Supervisor North Mugirango	house wife	Israel
2. Miss. E. Mokeira	C.D.A.	C.D.A.	Israel
3. Mrs. P. Nyaribo	School Teacher	Temporary school teacher	Israel
4. Miss B. Bosibori	Divisional Supervisor 1962 but 1963 social case worker	Social case worker	Machakos -Israel
5. Mrs Susana Nyarangi	School teacher	Social case worker	Machakos-Israel
6. Mrs Eunice Mekenye	C.D.T.C. teacher	C.D.T.C. teacher	K.I.A. Kabete
7. Miss Jemima Kemunto	---do---	---do---	---do---
8. Mrs Mary Sagini	house wife	house wife	Holland
9. Biliah Oisebe	---do---	---do---	Kericho

Many of the Maendeleo ya Wanawake too have attended short courses at Community Development Training Centre at Kisii and are doing tremendous work in the District.

JO/CNM.

SGD. BILIAH NEKESA
COMMUNITY DEVELOPMENT OFFICER(W)
KISII.

Q

Q

4th January, 1966

The Provincial Agricultural Officer,
Nyanza Province,
KISUMU.ANNUAL REPORT - 1965.
PREPARED BY MR. RICHARD ACHOKI - PRINCIPAL.GENERAL INTRODUCTION.

The Kisii Farmers' Training with a capacity of 103 beds, should be able to train double its capacity (206) students per month. The centre is run for 11 full months which gives more or less than 2266 students per year. Most courses have a duration of 13 days and students are accommodated at a charge of day. Other specialised courses last a week.

It is estimated that of 2266 students who pass through the centre more than 40% have put into practice fruitfully what they are taught here.

Consequently Grade Cattle are now kept in Kisii and in some parts of South Nyanza districts.; The local farmers have been made to appreciate Artificial Insemination as a check and step to control breeding diseases, improve husbandry of crops and animals.

The Co-operation of field workers, administration officers, and visiting lecturers have made the success of recruiting and assisting in teaching possible. Their work has been highly appreciated. Much, however, remains to be desired, as far as follow-up is concerned.

REVIEW OF THE YEAR.

The year has been a successful one. Many students continued to attend courses. Women students showed a great improvement with an increase from a total percentage of 24 to 29 over the previous year. The annual year reports of about four years show that the students attendance to be highest in the 3rd quarters and lowest in the 4th quarters which is attributed, to the fact that during the 3rd quarter weeding is over and during 4th quarters farmers are kept busy by harvesting and ploughing and planting for short rains. Success can only be attained by planning a head. Total attendance show a 90% for the whole year.

WEATHER.

The rain was well distributed throughout the year. April with 456.8 mm in 25 days was the wettest and January was the driest with a total of 10.2 mm in 8 days. May which used to be the peak of rainfall had only 314.1 mm in 20 days. The rainfall data is as shown:-

January	10.2 mm in 8 days
February	68.4 " " 6 "
March	168.7 " " 18 days
April	456.8 " " 25 "
May	314.1 " " 20 "
June	79.0 " " 12 "
July	111.4 " " 15 "
August	81.1 " " 15 "
September	65.7 " " 13 "
October	187.7 " " 12 "
November	219.1 " " 22 "
December	<u>236.4</u> " " <u>23</u> "
	<u>1,998.6</u> " " <u>198</u> "

The average over the year was 10.1 m.m. The Temperature fluctuated with the rainfall; cool days coincided with days with heaviest fall and very hot days with days without rain.

STAFF.

The year has been as usual, attended with a lot of changes both desired and undesired within the staff. With the implementation of Africanisation, Mr. Gilbert Karani, A.A.O. continued serving as the Principal from the start of the year up to 7th June, when Mr. Richard Achoki, A.A.O., succeeded him. Mr. Achoki had served as a vice to Mr. Karani all the while. Mr. Raphael Ong'ondo A.A.O., was appointed as Farm Manager on the 15th of November, 1965. Both Mr. Achoki and Mr. Ong'ondo stayed up to the end of the year.

Unfortunately the centre had to lose three of its most experienced staff who resigned on their own accord to join other firms. They were, replaced immediately and the staff enjoyed continued stay of its members. All the three who resigned were lecturers and are:-

Mr. John Leo Ogola, Field Assistant	(1.1.65 - 22.5.65)
Mr. David Mosera, " "	(1.1.65 - 26.7.65)
Mr. Abner Nyakundi, " "	(1.1.65 - 16.11.65)

Those who remained on the staff till the end of the year were:-

Mr. Silas Ogola Kasera	F.A.	1.1.65 - 31.12.65	Lecturer
Mr. Eli Mikua Angienda	"	1.1.65 - 31.12.65	"
Mr. Paul Omutu	"	19.6.65 - 31.12.65	"
Mr. David Chuma	"	1.1.65 - 31.12.65	"
Mr. Nelson Okeyo	"	26.7.65 - 31.12.65	"
Mrs. Mary T. Ogoti, Home E.E. Asst.		1.1.65 - 31.12.65	"
Miss. Mary Kwamboka, " " "		1.1.65 - 31.12.65	"
Mr. Benson Manyala,	V.A.	1.1.65 - 31.12.65	"
Mr. George Nyabera, Clerical Officer		1.1.65 - 31.12.65	
Mr. K.R. Ogola	" "	2.11.65 - 31.12.65	
Mr. Jason Onsembe	Storeman-J.C.O.	and posted to South Nyanza	
Mr. John Nyabute,	Driver	1.1.65 - 31.12.65	
Mr. Ahiro Omolo	Mason	1.1.65 - 31.12.65	
Mr. Stanley Moses	Farm	1.1.65 - 31.12.65	

There were 3 resignations and transfers. Nevertheless the standard of teaching farmers was maintained due to the high morale shown by the staff. They all attended an extension course on Method Demonstration and 4-K Clubs during the year.

MINOR EMPLOYEES.

Most of them served up to the end of the year. A redundancy affected those who had not served for more than 7 years. Upto the end of the year were:-

Cateress	1
Drivers/Mason	2
Storeman	1
Cooks	4
Sweepers	1
Milkers	4
Pigman	1
Lawn Mower	1
Tractor driver	1
Labourers	5
Office Messenger	1
Watchmen	2
	<u>24</u>

All the casual labourers left due to lack of funds.

TRANSPORT.

The three vehicles continued to operate up to the end of the year although at times they remained in the garage for a long time. The same arrangement of bringing and sending back students remained the same. When vehicles were in bad repair, students were asked to travel on their own.

G.K. 7880, International Bus is at present running at 16 miles per gallon of diesel. The cost of maintenance was rather fantastic. Shillings 10,180/25 was spent on its repairs. This bus is almost unsuitable these rough roads. The current reading as at 31.12.65 is 24,732 miles.

G.K. 7765, Bedford Lorry. This lorry is very unsuitable to carrying farmers, in that it is open and without comfortable seats. When it rains while carrying farmers, the same thing applies when it is duty. The average consumption is about 18 miles per gallon, of diesel. The total maintenance for the whole year was Shs. 9,512-50. The current reading as at 31.12.65 is 59,365 miles. I have asked for its exchange or replacement.

G.K. 7897, L.W.B. Landrover was transferred here from the District. It is at the moment running at 15 miles per gallon of petrol. It had also some repairs and general maintenance amounting to Shs. 386-65 for the whole year. The current reading is 33,636 miles.

The tractor G.K. 7740 is in good running conditions. The running of the tractor was estimated at Shs. 5,505/05.

COURSES.

The programme was drawn up during the last month of the quarter. This method seems to be quite successful although it becomes necessary to remind the staff at times to ensure full attendance. This is most marked when the A.A.O. have a lot to attend to in the field. Courses of all sorts were held. Refresher courses for staff, Extension courses, 4-K Clubs, Home Economics, courses were all conducted. Day courses particularly from school boys and girls who were intending to sit for K.P.E. made sure that they visited the centre for instructions before the actual time for their examination. In all 320 boys and girls visited the centre. The total general attendance is shown in the Appendix "A". There was a shortfall over the last years' target by 5,815 student days. Summary by quarters is shown below:-

1st Quarter	Possible	Actual	Shortfall	Students days.
" "	660	772	+ 172	5110
2nd "	648	488	- 160	5589
3rd "	750	636	- 114	6467
4th "	600	393	- 207	3555
	2,658	2,289	- 309	20,721

VISITORS.

The year was a luck one in that many visitors came to see the centre. Most of them were always happy to return for a second round. Visitors came from both abroad and within the country. The register shows that important personalities came in as well as school boys and girls from within. The list is as follows:-

- 3. 2.65 A.I.D. Representatives
- 16.2. 65 8 Members of Co-operative Union from Tanzania.
- 2. 3.65 Mr. P.H. Griffin of A.I.D.
- 10. 3.65 D.C. Nandi with a party of 10 farmers.
- 18. 5.65 E.A. Livestock Development Survey of U.N. S.F. A team of 3 people.
- 20. 5.65 Mr. Frederick Waa, A.A.O. (E).
- 25. 5.65 Mr. Osloome from University of Nevada Library U.S.A.
- 26. 5.65 Mr. J. Standish King, Chief Commissioner, Kenya Girl Guides.
- 8. 7.65 Christian Emmrich.
- 5. 7.65 - 9.7.65 Paschal Hennesby, F.A.O. Rural Inst. Tanzania.
- 9. 7.65 A team of 5 Instructors for Foreign Agriculture.
- 12. 7.65 Mr. D. Fisher, Extension Advisor A.I.D.



- 12. 7.65 Mr. Booth and Mr. Welseman - A.I.D. Team - Extension Course.
- " Mr. Z. Owiro, Provincial Agricultural Officer, Nyanza Province.
- 29. 7.65 Mr. P.P. Ongalo, U.N. Special Fund, Box 21, Kikuyu.
- " Mr. A.N. Mwaniki, Ag. Provincial Veterinary Officer.
- " Mr. B.J. Foot, N.I.R.D. Reading University, England.
- " Mr. Pigird Nielson, Dairy Officer, Denmark.
- " Mr. John, Economist, F.A.O. Survey Team.
- " Prof. Dr. F. Paring, University of Go Etingen, Germany.
- 27. 8.65 Mr. S.M. Sandhu & Miggley - Horticulturists, Thika.
- 30. 8.65 Mr. Body, P.A. to P.A.O. Nyanza Province.
- 4. 9.65 Dr. A.L. Mathien, Office of African Training, F.A.O. Rome, Italy.
- 17. 9.65 Mr. D. Owino, P.C. Nyanza Province, on Women Seminar.
- 27. 9.65 Mr. A. Mascharenhas, Machinery Survey, G & R.
- 3.11.65 A Team of 6 Tanzania en route to Principal participants conference.
- 17.11.65 Mr. A. Langwein, Pyrethrum section, Molo.
- 5.12.65 Mr. D. Fisher & Mr. Gatuna, Extension Officers.

PART II.

THE FARM.

Moneys raised from sale of Farm Produce during the year:-

	<u>1ST QUARTER</u>	<u>2ND QUARTER</u>	<u>3RD QUARTER</u>	<u>4TH QUARTER.</u>
Milk	-	799-00	810-00	3,899-10
Butter	329-45	36-00	70-00	167-25
Pork	189-35	995-25	400-00	2,640-00
Coffee	-	-	-	-
Tea	78-30	132-00	134-10	502-65
Cows	-	-	-	300-00
Fees	3,655-00	4,755-00	3,424-00	2,628-00
	<u>4,252-10</u>	<u>6,717-25</u>	<u>4,838-10</u>	<u>10,137-00</u>
Badges	33-00	-	-	-
	<u>4,285-10</u>	<u>6,717-25</u>	<u>4,838-10</u>	<u>10,137-00</u>

N.B. No payment was made for Coffee delivered for the whole year.
10,043 Kg. was delivered.

<u>RATION PURCHASED</u>	4,893-30	2,672-00	2,637-00	2,431-90
<u>PRODUCED.</u>	Whole-year	-	-	11,343-50
<u>FUEL COSTS.</u>	1,128-00	4,755-00	6,982-00	8,797-27
	<u>6,021-30</u>	<u>7,427-00</u>	<u>9,619-00</u>	<u>22,272-67</u>

FARM EXPENSES.

Non "C" scale officers 70,851-00

CROPS.

Maize. was harvested in August/September. The yield was affected by prolonged drought and heavy rains. The average for the farm was about 15 bags per acre. Both Kitale Synthetic II and Hybrid maize was planted. Maize was eaten in the Kitchen and some fed to pigs. Some 7 bags was exchanged for seed.

Tea. This cash crop continued to increase the yield. A total of 2,000 lbs of green tea was collected from the mature tea. The young tea is doing well. There should have some infils of about 3,000 tea stumps but due to lack of finance, this was not possible.

The tea shamba should actually be well looked after which at present is not the case as there are too few labourers in the farm. It needs people rather expert in tea. Weeding and pruning will be done when we have new allocation. Young tea should come to full production next year.

COFFEE.

(Arabica) mainly Blue Mt. K.7, and SL. 6 varieties. A total of 10043 Kg. was delivered during the year. Mulching was done during the year. Picking became a bother when the casual labourers were discharged. Prisons labourer do help occasionally but when we have to get them on every other week, it does not improve the situation. Pruning and spraying were done. The prison labour is not now promised as they have started their own farm.

VEGETABLE PLOT:

This one acre plot continued to supply vegetable to kitchen and at the end of the year we sold some cabbages which had not been eaten by students. This plot can support the kitchen well if there is enough of plan ahead.

Brassica family was attacked by Bacterial wilt (confirmed by National Labs.) and we have to start a new plot. A section was given to Home Economics Assistants for their demonstration. They had both exotic and indigenous types. All types of vegetable for demonstration and for kitchen use should be included. A small part of this plot was given as a demonstration by Horticulture - Thika, and a total of 12 kinds were grown. All these showed healthy growth and heavy yielding.

LIVESTOCK.

DAIRY. The herd is still increasing. One barren cow was butchered. Their health has been well maintained except one which died suddenly. The D.V.O. said it was a tick-borne disease although spraying is done regularly. There are only rare cases of mastitis and most of them are quite fertile as they come on heat regularly. They are up to 31.12.65 as below:-

Cows in milk	23
Dry cows	2
Heifers	16
Heifers bulling	5
Calves	5
Bull calves alive	1
Yearling	<u>2</u>
	<u>54</u>
	<u>==</u>

PIGS.

The young boar was used sparingly from August, for service. Most of the sows farrow and we have plenty of piglets, about 40. Their growth was retarded due to the fact that we had less food for them towards their weaning. About 10 were slaughtered for Xmas and many people bought the pork. They fetched about 900/- during the time.

The pig herd can be maintained if they can be given enough to eat, especially the porkers. The residents of Kisii town and neighbouring places make a good market for us. Many people will soon go in for pig keeping and they should be shown how to cook and eat. They stand as below up to 31.12.65:-

Sows	8
Boar	1
Gilts	1
Porkers	9
Piglets	<u>3</u>
	<u>22</u>

PUBLICATIONS AND VISUAL.

A small booklet was started by Principal and staff but it is still being approved and then will be passed for publication.

VISUAL AIDS.

VISUAL AIDS.

A record player was given by the Ministry of Agriculture. A variety of coloured slides were taken and framed for use. Improved visual aids like flannel graphs etc. are needed. The T.V. has not been installed although the experts have yet to find out whether or not reception here can be good.

LAND USE AT F.T.C.

Some was taken by Research Station and boundaries have now been drawn. Community Development had been given 5 acres which is still lying fallow.

There is no small holding demonstration at the moment. A recent seminar recommended one.

BUILDINGS.

These are still far from a dequate. The teachers houses are still small although some improvements were done on them, namely ceiling and whitewashing. More and better housing are demanded by staff.

The Vice Principal has not been housed as other Senior Staff members in the District. Three staff houses do not enjoy any light. something has to be thought of this.

Installation grant if given will be about £80 - 100 to complete this work.

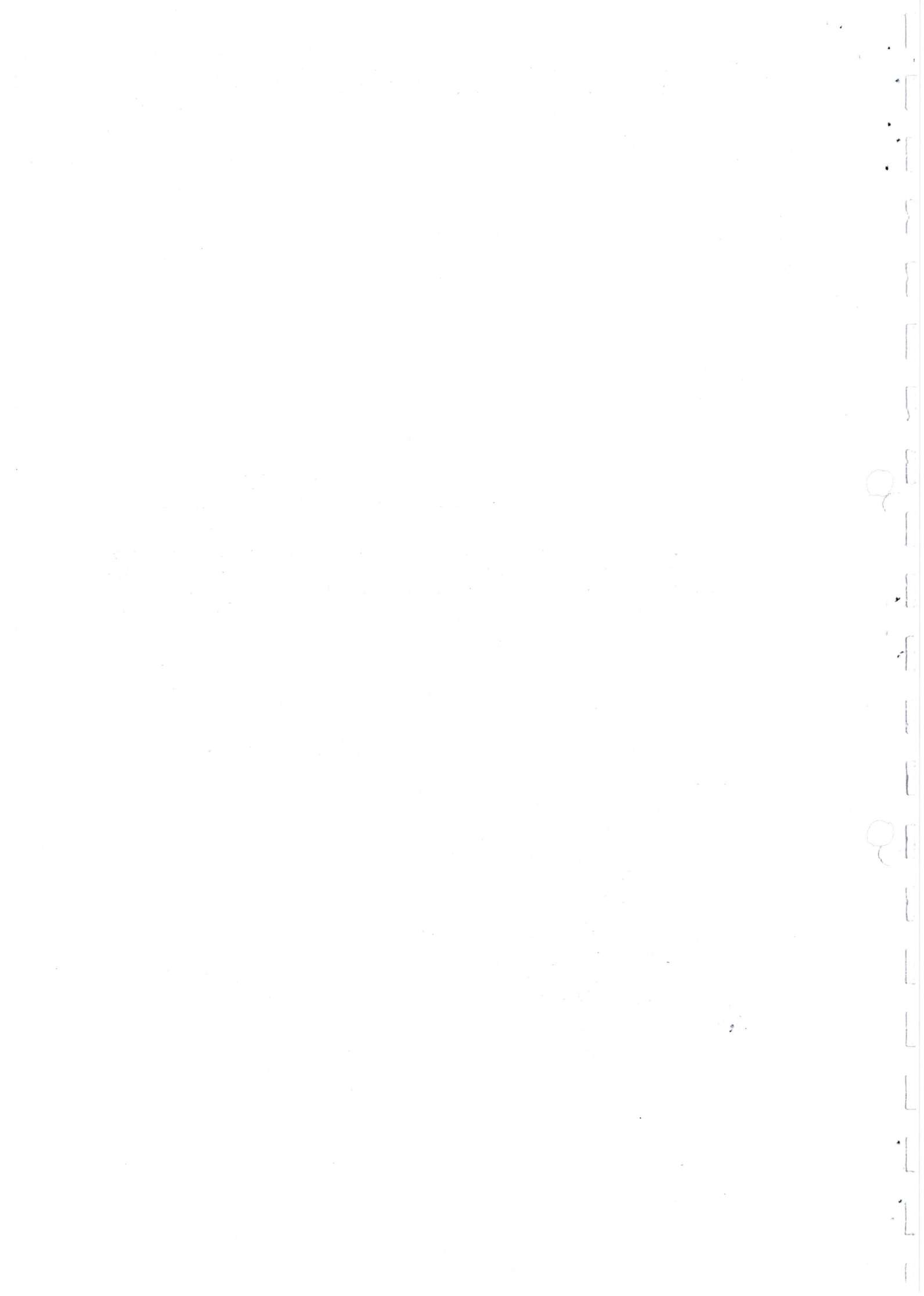
POULTRY UNIT AT F.T.C.

At present farmers are not given any lesson on the poultry keeping. There is a growing interest coming up and something has to be done to cater for the needy farmers. Some farmers have chosen poultry as their enterprise and their interest has to be stimulated. A plan of keeping improved poultry is also coming up and the D.A.O. has a plan for this. A poultry run can be started at F.T.C. estimated to be about £800 for the work.

RA/KLOR

R. Achoki
(Richard Achoki)
PRINCIPAL.

- Copies to:
- Asst. Agricultural Officer (Education), Nairobi.
 - The District Commissioner, Kisii.
 - The District Commissioner, South Nyanza, Homa Bay.
 - The District Agricultural Officer, South Nyanza, Homa Bay.
 - The District Agricultural Officer, Kisii.
 - The Community Development Officer, Kisii.
 - The Principal, Bukura F.T.C., Kakamega.
 - The Principal, Kabianga F.T.C., Kericho.
 - The Principal, Masemo F.T.C., Maseno.
 - The Home Economics Supervisor, Nairobi.





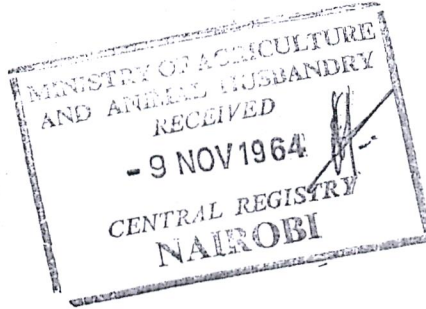
GUSII COUNTY COUNCIL
African District Council of Kisii

Res/Kisii/1

Chub
138

Telephone: KISII 30
Telegrams: AFRIDISCO
In reply please quote

Ref. No. GCC/AGR/10/4/18.



Council Offices

P. O. Box 90

Kisii Kenya

Date: 3rd November, 1964.

The Secretary,
Regional Research Advisory Committee,
P.O. Box 523,
KISII.

RE: LAND FOR COFFEE RESEARCH AT KISII.
Your letter FARM/1/83/33 of 25th September, 1964, refers.

I regret the delay in replying to your letter under reference. However I have to inform you that the Council had decided to have the plot for the purpose of building a teacher training College. The Council decided so because they deemed the training College to be of vital importance.

P. T. NYACHIEO
CLERK TO COUNCIL,
GUSII COUNTY COUNCIL.

c.c. to: ✓ The Chief Research Officer,
P.O. Box 30028,
NAIROBI.

Coffee Research Services,
P.O. Box 4,
RUIRU.

The Regional Agricultural Officer,
KISUMU.

The Officer in Charge,
Coffee Sub-Station,
KISII.

The District Agricultural Officer,
KISII.

P.A.
J. Jm
18/4

10. FARM/1/83/29.

DEPARTMENT OF AGRICULTURE,
NYANZA AGRICULTURAL RESEARCH STATION,
P. O. BOX 523, KISII.

126
13TH AUGUST, 1964.

→ The Chief Research Officer,
Ministry of Agriculture,
NAIROBI.

The Regional Agricultural Officer,
Nyanza Region,
KISUMU.

The Senior Research Officer,
Ministry of Agriculture,
NAIROBI.

125
UTILIZATION OF LAND AT KISII.

Ref: Your RES/KISII/1 of 28th July, 1964.

In accordance with the instructions given in the above referred letter we have discussed the boundary between our farms and have agreed that the permanent and final boundary shall be as under:-

From the water tank in the West corner of the farm standing along the Eastern and Southern boundaries of Field 22; From the S.W. corner of Field 22 South-Westwards to the North end of the sprayrace; From there around the Southern and Eastern side of the Research Station staff camp; From the Eastern corner of the camp in a Southerly direction to the main road and along the N. side of a track running parallel to the main road to the Research Station access road; From there along the Northern and Western side of this access road to the water trough, and from there along the N.E. edge of Field No.1 to the top boundary of the farm.

It has been decided that the expense of realigning of the fence between fields 1 & 2 is not justified because of the poverty of the grazing in the one or two acres involved and for this reason the boundary has been drawn in its present and final place.

G. Karani
(G. KARANI)

Principal,
KISII FARMERS' TRAINING CENTRE.

Roger W. Gray

(ROGER W. GRAY)
AGRICULTURAL OFFICER (RES.)
KISII.

RWG/DPO:

Noted
D.D.

Handwritten text on the right margin, possibly a list or index, including the word "a" and other illegible characters.

28th July, 64

RES/KISII/1/

125

Officer-in-Charge,
Nyman Agricultural Research Station,
P.O. Box 523,
Kisii

Principal,
Farmers' Training Centre,
P.O. Box 52,
Kisii

UTILIZATION OF LAND AT KISII

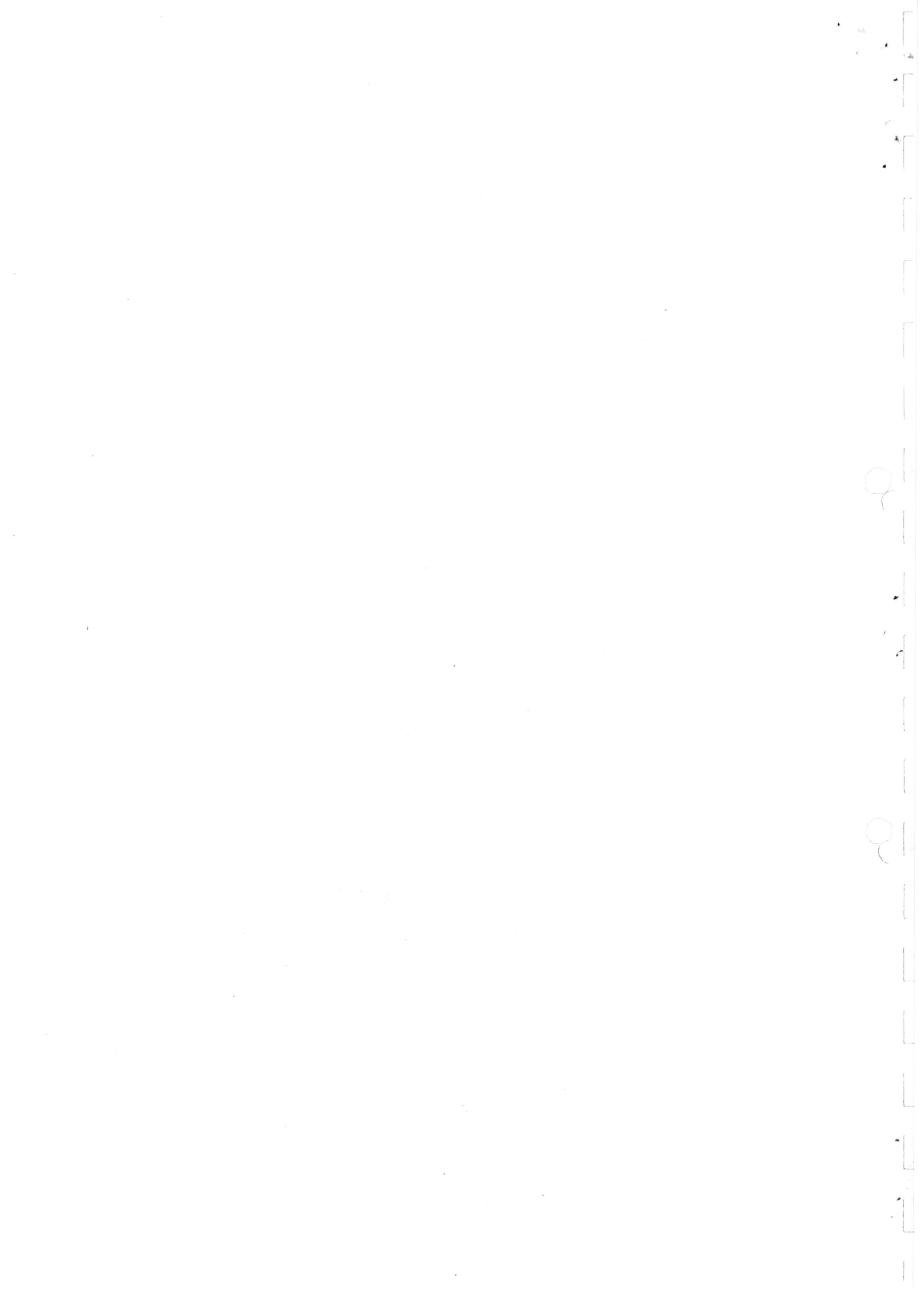
We are writing this joint letter to you after discussing your problem in Head Office today. We are of the opinion that there is no problem in regard to the land usage on your stations which cannot be solved by mutual arrangements.

As we understand it one of the problems on the F.T.C. is the assurance of adequate milk supplies for use on the station. Surely some arrangement can be made whereby some of the milk from the herd on the research station can be made available to the F.T.C. This will mean that the necessity of using the flat land merely for milk production will no longer have the same degree of urgency and the possibility of the release of some of it for experimentation can be considered.

Alternatively should it prove to be impossible for this land to be made over to the research station, we can see no reason why it could not be leased temporarily to the station say for 3-4 years for the duration of specific trials which Mr. Gray wishes to conduct.

Even if this is not possible it will surely be possible for the work to be carried out by the F.T.C. on behalf of the experimental unit.

In return the F.T.C. might look more closely at the land which is being offered in exchange by the research unit to see whether their objections to its



use as grazing land can be overcome.

We are now proposing to leave this matter entirely to you. We are confident that you will now be advising us of ^a the solution satisfactory to all concerned.

(S.J. Hjerose)
Senior Research Officer

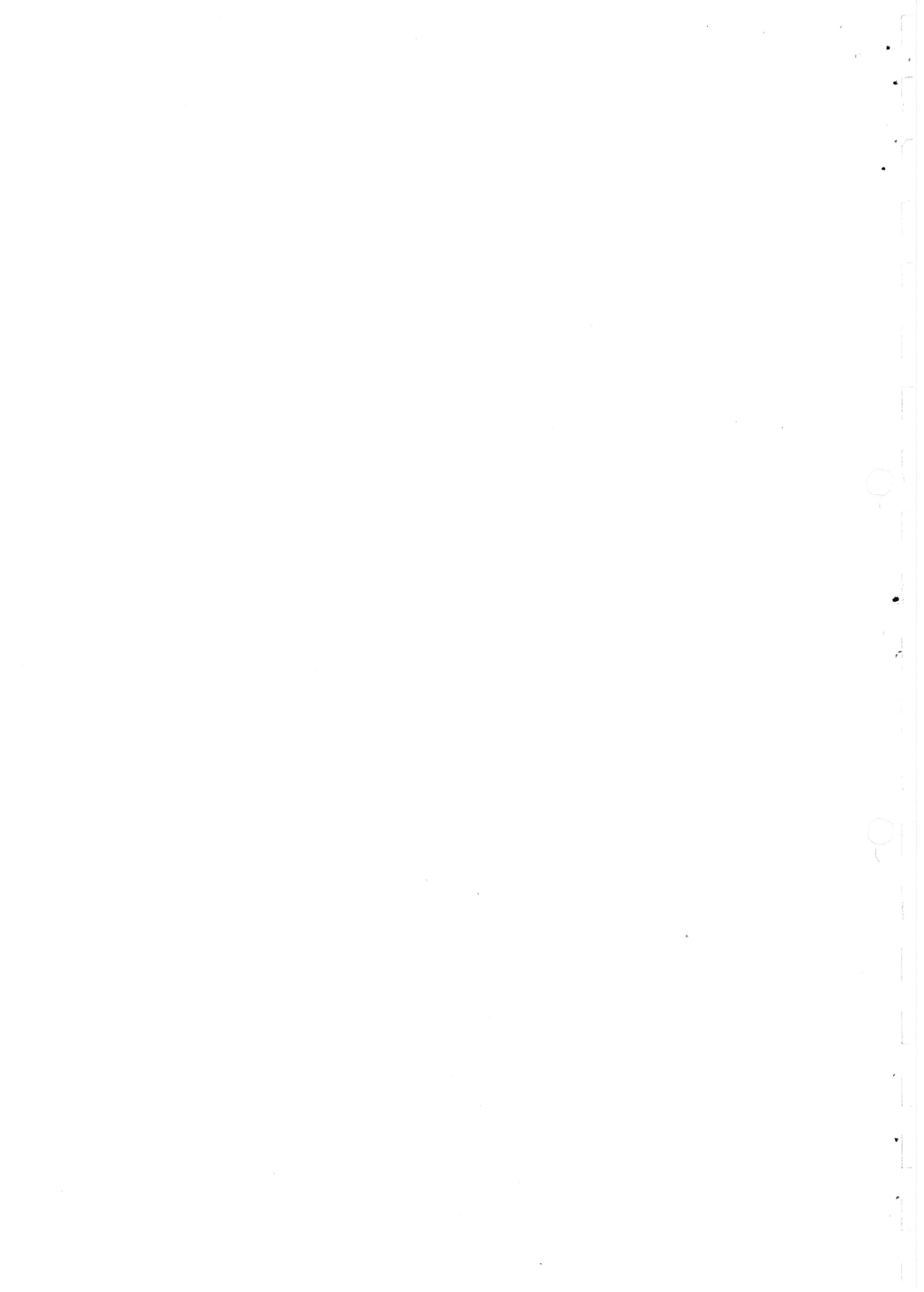
(W. Orango)
Regional Agricultural Officer
Nyansa Region

(E. Hainsworth)
Chief Research Officer
For: DIRECTOR OF AGRICULTURE

EM/CJP

c.c.

1. District Agricultural Officer,
P.O. Box 52,
Kisumu
2. Regional Agricultural Officer,
Nyansa Region,
Private Bag,
Kisumu



REF. FARM/1/83/27.

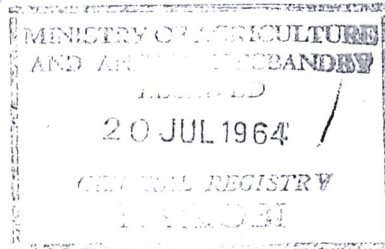
DEPARTMENT OF AGRICULTURE,
NYANZA AGRICULTURAL RESEARCH STATION,
P.O. BOX 523,
KISII.

17th July, 1964.

Res Kisii 1/7

123

The Chief Research Officer,
Ministry of Agriculture & A.H.,
P.O. Box 30028,
NAIROBI.



ALLOCATION OF LAND AT KISII.

You may recall that, when you were in Kisii at the beginning of the month for our Field Day, you told me that you hoped to be able to get matter of the land at Kisii settled by a direct approach to the Chief Agriculturalist.

9
As I said in my FARM/1/83/15 of 18.6.64 there is a certain amount of urgency in the matter, as the District Agricultural Officer has already booked the District Surveyor to survey out the new fence lines as decided by the Regional Agricultural Officer during his Visit to the station in June, and he will be coming onto the farm sometime this month, I understand.

116
Would it be possible to get a final directive to us fairly quickly? .

Roger W. Gray

(Roger W. Gray)
AGRICULTURAL OFFICER (RESEARCH)
KISII

RWG/JM:

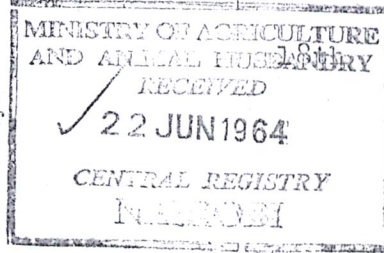


Kes/KISII/1

REF: NO. FARM/1/83/15.

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DEPARTMENT OF AGRICULTURE,
NYANZA AGRICULTURAL RESEARCH STATION,
P. O. BOX 523, KISII.



June, 1964.

The Chief Research Officer
Ministry of Agriculture,
NAIROBI.

RE: ALLOCATION OF LAND AT KISII.

Ref: R.A.O.(NYANZA)'s 4/10/83 of 11.6.64.

115

You will have seen the above referred letter which is, I presume, the one to about which you spoke to me at Kakamega. I see no change in the attitude to the proposals at all in this letter which I imagine outlines what Dr. Njeroge told you himself.

Paragraph b) is misleading. The permanent pasture offered to us is nearer 18 acres and certainly not as much as 25.

The last paragraph is also incorrect. The agreement was not mutual, but since we were asking for land from them we were hardly in a position to agree or not. Mr. Omamo told us that he was prepared to let us have so much, and with that we had to be content.

The D.A.O. Kisii has already asked the surveyor to mark out the new lines so things are happening fairly fast at this end.

RWG/DPO:

(ROGER W. GRAY)
AGRICULTURAL OFFICER (RES.)
KISII.

Telegrams: "REGSEC", Kisumu
Telephone: 191, 192 & 193
When replying please quote
Ref. No. 4/10/83.....
and date

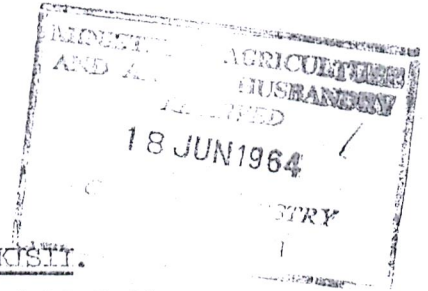


RES/1451/1

REGIONAL AGRICULTURAL H.Q.
NYANZA REGION OFFICE
PRIVATE BAG, KISUMU

115 11th June,, 1964.

Ag. Chief Research Officer,
Ministry of Agriculture,
P.O. BOX 30028,
NAIROBI.



RE: ALLOCATION OF LAND AT KISII.

Ref. your EXPT/TBC/NZA/4/105 of 13.5.64.

I would refer to letter No. EXPT/I/53/44 of 29.5.64 addressed to the Ag. Senior Research Officer by the Agricultural Officer (Research) Nyanza Agricultural Research Kisii; and, to confirm that the Ag. Senior Research Officer, Agricultural Officer (Research) Kisii, D.A.O. Kisii, the Principal Kisii F.T.C. and I, walked the F.T.C. and The Research Station land and finally came to a decision as follows:-

- a) That extra arable land of approximately 7 acres be added to the Research Station land.
- b) That an extra land of approximately 25 acres of permanent pasture grass be allocated to the Research Station.
- c) New boundaries to effect decisions in (a) and (b) above, were indicated on a map and agreed upon. The D.A.O. Kisii was to invite a Surveyor to fix the boundaries both on the map and on the ground.

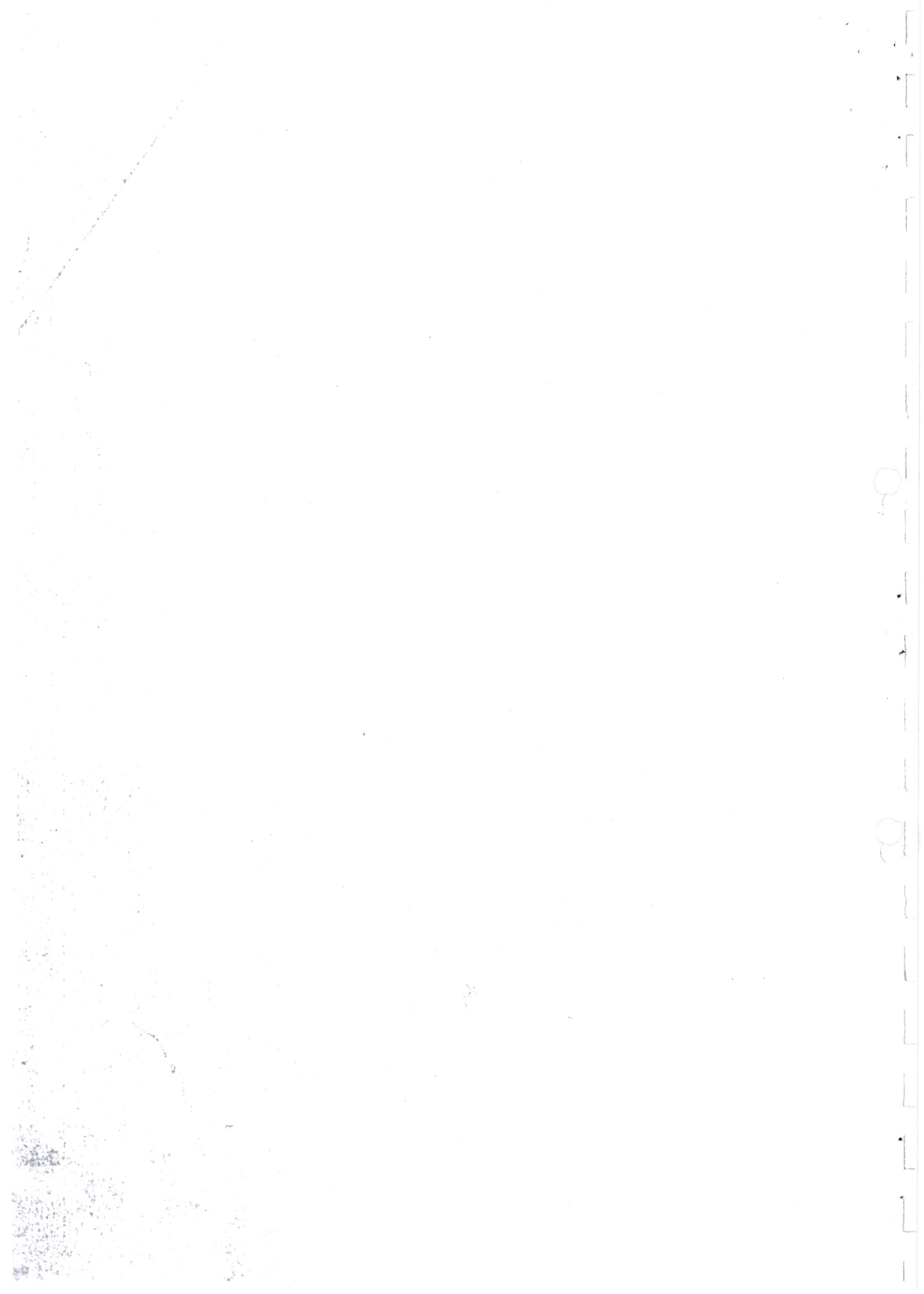
As the above decision was mutually agreed after weighing several imponderables on both sides, I hope that the new allocation would work for mutual benefit of both the F.T.C. and Research Station.

(W.O. OMAMO).

REGIONAL AGRICULTURAL OFFICER.
NYANZA REGION

C.C. Director of Agriculture,
NAIROBI
D.A.O. KISII.
The Principal,
Kisii F.T.C.

The Agricultural Officer, (Research) Kisii.
WOO/TK



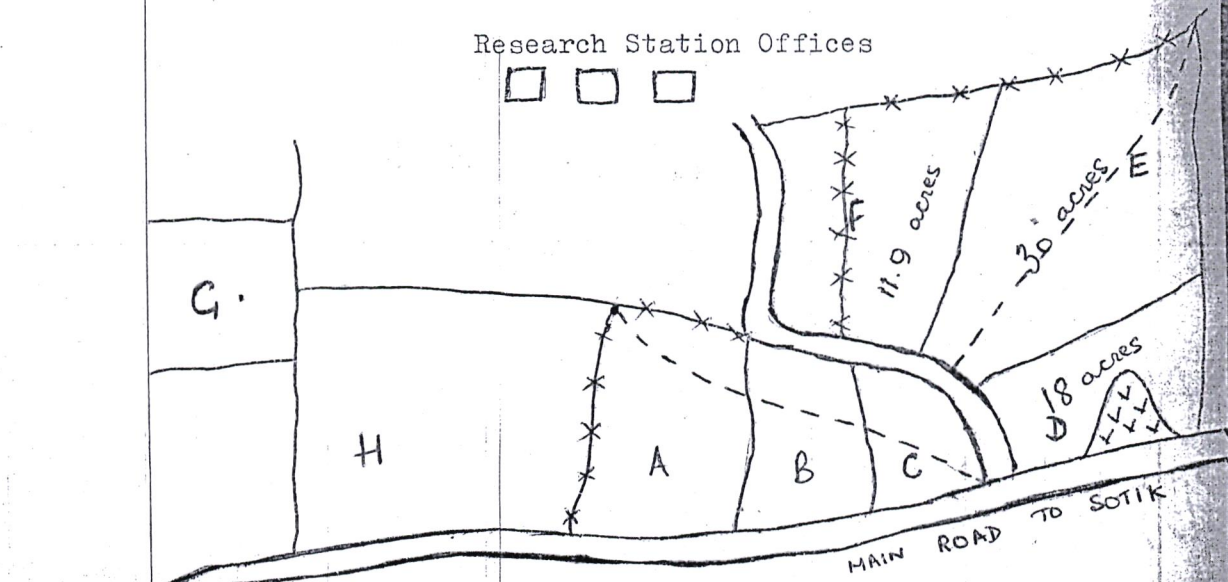
113

File No. Loose Minute

C.R.O.

VISIT TO KISII 8th/9th JUNE
(Ref: Your note of 10.6.64)

Gray and I did our best but I am afraid the Regional Agricultural Officer, District Agricultural Officer, Kisii and the Principal, Farmers' Training Centre were all firmly on the opposite side. I attach a rough sketch map of the parts of the station and the F.T.C. involved.



To Kisii Township

2. We were prepared to let F.T.C. acquire the use of G (5 acres) in addition to fields 22(9.4) and 19 (2.4) a total of 17.0 acres in exchange for A, B and C approximately 16 acres of cultivable land. But they would not let us have the 16 acres. They had already decided to partition the block (A, B and C) into two and our exhortations to them to change this were of no avail. Proposed partition marked in dotted lines giving us something like 8 acres.

3. D, E and F comprise 51 acres of hill land. They did not want to give us any of this. After hard bargaining they agreed to give us about half of the block D, E, and F by giving us F and half of E.

4. We had to accept this but Gray asked me whether we could try to change this from this end as the station will be short of grazing. We have 100 livestock units but F.T.C. have only 45. Their argument was that they intend to increase the number of animals if and when they get money for the purpose.

5. R.A.O. undertook to write to H.O. concerning the proposed exchange.

JJN/CJP
10.6.64

J. M.
S.A.O.

P.S. Also see (110) m attached file
J. M.



110

DEPARTMENT OF AGRICULTURE,
NYANZA AGRICULTURAL RESEARCH STATION,
P.O. BOX 523,

MINISTRY OF AGRICULTURE
AND ANIMAL HUSBANDRY
27th May, 1964: ED
30 MAY 1964
CENTRAL REGISTRY
NAIROBI

Ag. Chief Research Officer,
Ministry of Agriculture,
P.O. Box 30028, NAIROBI.

108

LAND FOR NYANZA AGRICULTURAL RESEARCH STATION.
Ref. R.A.O. Nyanza's 4/10/77 of 21st May, 1964.

I hope that you will by now have received my telephone message of 23.5.64 in which I told you that Friday June 5th has been agreed as the date for this "farm walk". I hope very much that you may be able to come and support me on this occasion as otherwise it will be a case of myself alone discussing this with the Regional Agricultural Officer, P.A. to the Regional Agricultural Officer, District Agricultural Officer and Principal all of whom are likely to be against our proposals. I feel sure that Mr. Ammonds, the P.A., will be strongly opposed to any exchange.

Regarding the Regional Agricultural Officer's second paragraph the report has not been sent to him yet for two reasons:-

- (i) Because it was asked for by the committee as a whole and will be submitted to the committee as a whole at its next meeting and not to an individual member prior to the meeting. In the normal course of events the committee would not meet again until September or October just before the Research Programme meeting in Nairobi. If I interpreted the remarks you made to me in March correctly I think you share my view that this is not a matter for the committee at all and Mr. Omamo is mistaken in his ideas of its function.
- (ii) As I said in my MEET/2/96/12 of 4.3.64 to you, I do not think that I am the correct person to comment on this factor alone and that it is the Province or more Senior Officers of the Research Division as it concerns Divisional Policy. I think you agreed with me on this but I would be grateful for official guidance if you could put it on paper for me.

I confess that I am a little nettled by the way the Regional Agricultural Officer is handling this matter.

(Roger W. Gray).
AGRICULTURAL OFFICER (RESEARCH).
KISII.

RWG/JFN.

c.c. FILE 96.



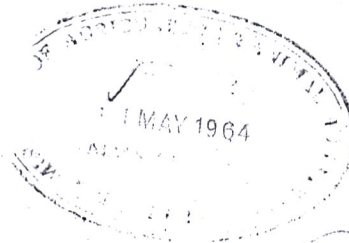
REGIONAL AGRICULTURAL HQ.

NYANZA REGION OFFICE
PRIVATE BAG, KISUMU

..... 5th May,, 1964

Telegrams: "REGSEC", Kisumu
Telephone: 191, 192 & 193
When replying please quote
Ref. No. 4/10/75.....
and date

Ag. Chief Research Officer,
Department of Agriculture,
P.O. BOX 30028,
NAIROBI.

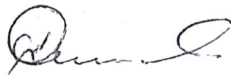


ADDITIONAL LAND FOR THE NYANZA
ADVISORY RESEARCH STATION KISII DISTRICT.

Ref. your EXPT/TEC/NZA/4/99 of 10th April, 64

You are probably aware, that the Nyanza Regional Research Advisory Committee is concerned about the inadequacy of land at the Kisii Agricultural Research Station and asked Mr. Gray to put up a report for the next meeting. Since receiving your letter referred to above, I have met the Chairman and several members of the Advisory Committee, and they think that it is the full Committee which should take decision as suggested in your letter.

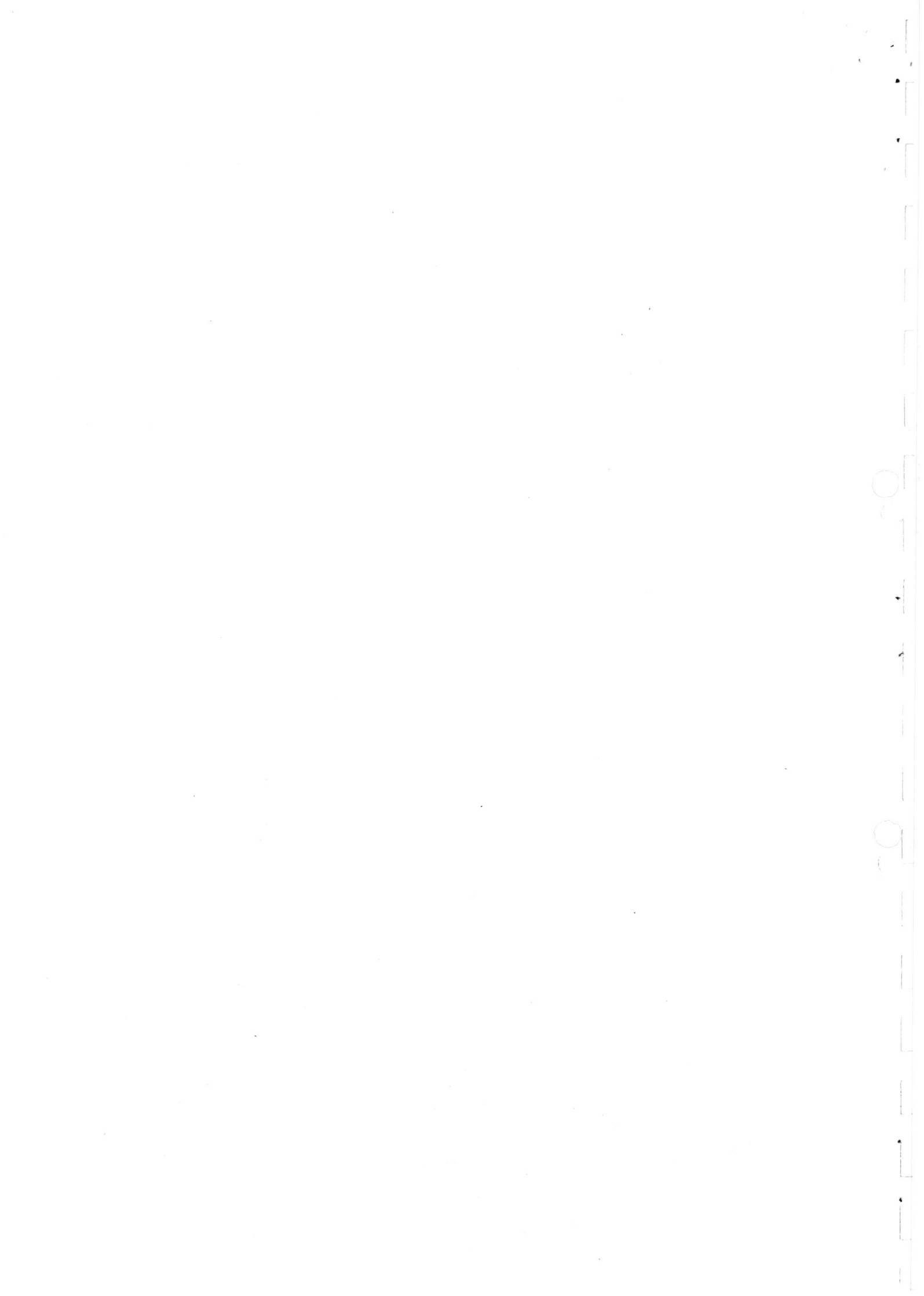
2. By copy of this letter I am requesting Mr. Gray to convene a meeting of the Advisory Committee at an early date and include this subject in the Agenda.


(W.O. OMAMO).
REGIONAL AGRICULTURAL OFFICER.
NYANZA REGION.

C.C. Mr. Gray,
Agricultural Officer,
Research Station, Kisii.

WOO/TK

Telegram: "REGSEC", Kisumu
Telephone: 191, 192 & 193
When replying please quote
Ref. No. 4/10/75.....
and date



98

File No. EXPT/TEC/NZA/4/98

D.D.A.

When I visited the Nyanza Agricultural Research Station, Kisii, I looked into the question of the allocation of land between the Research Station and the Farmers' Training Centre. As you know the old Veterinary Department livestock station was taken over by us last year and whereas most of the land was allocated to form the new research station a proportion was allocation to the Farmers' Training Centre, At that time it was intended to expand the herd at the Farmers' Training Centre and therefore the expansion of grazing land was thought to be necessary. Altogether the F.T.C. gained over 78 acres through this allocation. The fact is that because of changes in staff and possibly also a policy change concerning the F.T.C., no expansion of the herd has taken place.

Meanwhile it has become clear that the allocation of land to the new research station is inadequate. This particularly applied to arable land and we must have more space for arable experiments if our work is to be carried out in a proper farming context. The ideal solution would be that we relinquish all rights to the 5 acres of F.T.C. land on which the Research Division has been carrying out experiments for several years now. This can be done without any hardship at the moment.

There is only one tea experiment actually on the ground and for my part this experiment can be abandoned as it is poorly designed and will not provide practically useful information. At the same time we could let the F.T.C. retain 11.8 acres of land of the additional acreage which they obtained when the land of the old livestock centre was divided. This area lies in more conveniently to the F.T.C. than to the research station. The remaining 66½ acres should then be returned to the research station.

Of this 66½ acres 51 approximately are hill land and the remaining 15½ are arable land. It is absolutely essential for proper development that this arable land should go to the research station at an early date. If the F.T.C. can put up a sound argument for the retention of part of the 51 acres of hill land, we would be prepared to negotiate on this. However, it is hoped that this will not be necessary.

I had hoped that Mr. Omamo would be able to meet me at Kisii, but this proved to be impossible. However, I saw him in his office before I made the visit and he appeared to agree that the research station had a sound case in this matter.

*done
10/4*

*98/3 CRO
I consider that you should proceed but I would like Omamo's views on paper first 10/4*

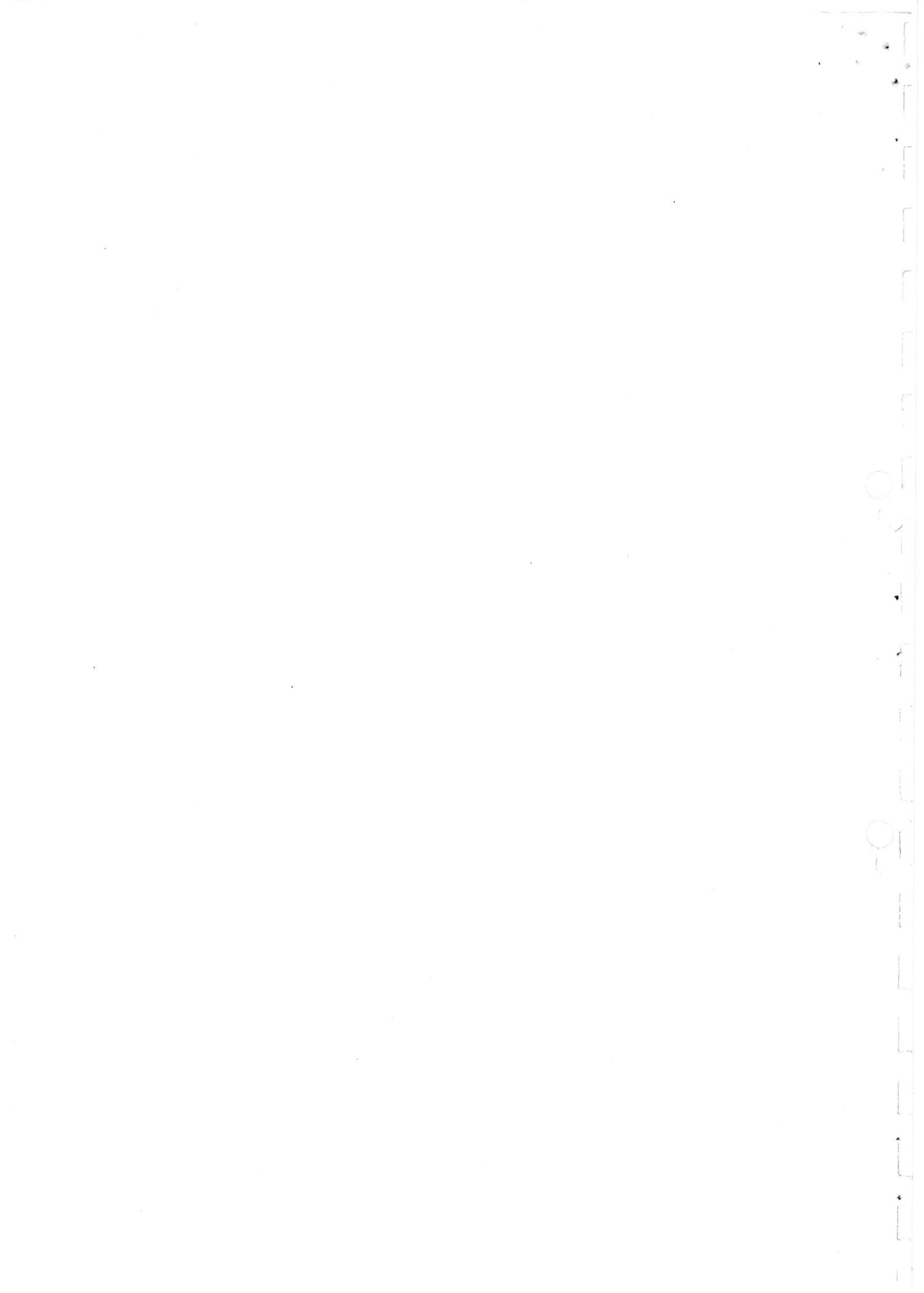
*Wainwright
Ag. C.R.O.*

98/1

*AOE
Any comments? I would be inclined to agree with CRO*

WAW/CJP
3.4.1964

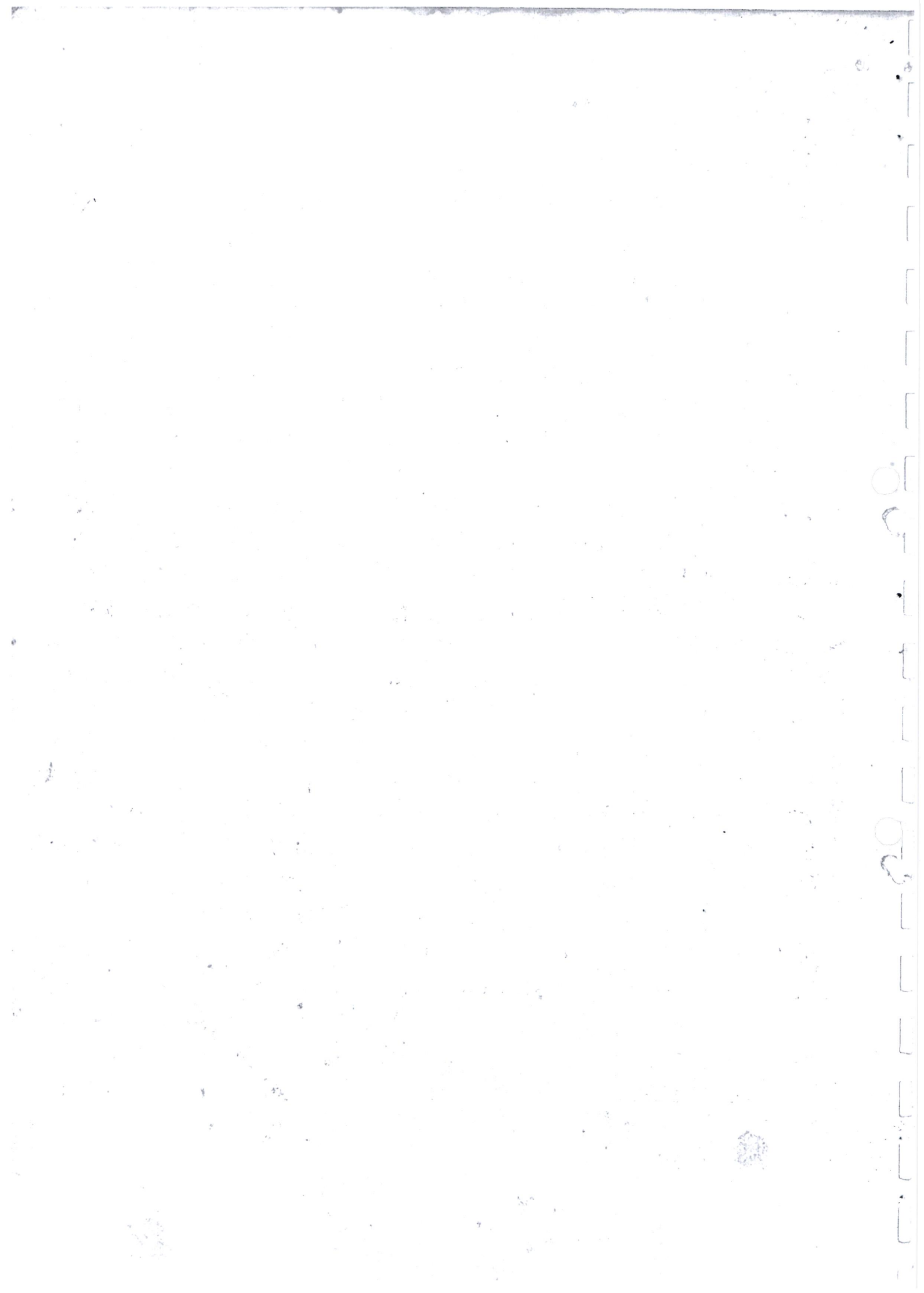
*98/2. yep. I agree subject to
to RAO'S Views. Add AOE. 4/4*



96A

KISII EXPERIMENTAL STATION 1963





The Commissioner of Lands,
Department of Lands,
P.O. Box 20089,
NAIROBI.

P.O. Box 1410,
KISII,
20-12-2006.

REF: ALLOCATION OF PLOTS AT KARI FARM IN KISII DISTRICT

We hereby submit to you a copy of our Complaint letter of 23rd September, 1992 addressed to Provincial Commissioner Nyanza Province, Kisumu, also copied to you among others regarding the above subject to which he didn't reply or get any comment from you to date. The said Farm was meant for the benefit of the local people of Kisii also the nation of our country but not for the individuals. We refer to a case you issued a letter of Allotment being a portion from this Farm to Sansora Oil Mills Ltd, P.O. Box 102, Kisii reference No. 31002/XXIII/27 of 20th July 2005. If this is the case we should therefore be definitely considered for the allocation because it is our late Father's land among other people who were expelled from there in 1948. Our late Father's name is Enoch Nyabaro Ogutu. We are completely landless being fourteen (14) sons married ones with several children as the Colonial Government did not consider our case. We therefore kindly request you to seriously consider our case for the allocation of this land, whatever portion you can manage to give us we shall appreciate. We shall not at any time be happy seeing our land being allocated to individuals without ourselves also being considered for the allocation even a portion. We shall therefore be glad to hear from you soon please expecting a positive response if possible.

Yours Faithfully,
Nyabaro's Sons.

P.T.O

1. Pastor Ezekiel M. Nyabaro — — Lemayenge
 2. Zachariah B. Nyabaro — — Likizabano
 3. Justus O. Nyabaro — — ~~Likizabano~~
 4. Albert O. Nyabaro — — ~~Amplian~~
- On behalf of Nyabaro's Family.

CC. The Director of Lands & Settlement, Box 300297 NAIROBI.
The Minister for Agriculture, Box 30028, NAIROBI.

The Provincial Commissioner, Box 1912, KISUMU

The Chairman Provincial Agricultural Board, Box 1912, Kisumu.
Hon. M. P. Kitutu Chache

The Director K.A.R.I, Box 52, KISII.

The Permanent Secretary, Ministry of Lands & Settlement, NAIROBI, Box

The Permanent Secretary office of the President,
P.O. Box 30510, NAIROBI.

The District Commissioner, Kisii District,
P.O. Box 590, KISII.

P. O. BOX 1410
K I S I I

23 -9- 1992

The Provincial Commissioner
Nyanza Province,
P.O. Box 1912,
KISUMU

Dear Sir,

REF: KENYA AGRICULTURAL RESEARCH INSTITUTE FARM - KISII

We have learnt from the reliable sources that the above farm is being divided to individuals having been surrendered by the Government. If it is true that the Government surrendered it to be divided to individual people then we request to be considered or the farm be surrendered to us as the Farm Owners. The said Farm was our fathers land among other people who were expelled from there by force by the Colonial Government in the year 1948.

If the farm is meant for Government purposes then that would be quite in order because it is the benefit of the people of Kisii and the nation as a whole but if it is meant to be divided among the individuals then it would mean grabbling of land which must not be the case because the owners are there. The land has to be returned to the owners or be considered first whereby our father is one of them whose name is ENOCH NYABARO OGUTU. We are totally landless as we are fourteen (14) married sons and several daughters since our father had three (3) wives. In case you need to know more about the family life we are ready to provide any information which might be required at any time.

We hope that our request will meet with your favourable consideration please.

Yours faithfully Nyabaro's Sons

1. Pastor Ezekiel Mayieng'a Nyabaro
2. Zachariah Bwaringa Nyabaro
3. Justus Ondima Nyabaro
4. Albert Ongeru Nyabaro

On behalf of Nyabaro's Family

cc. The Commissioner of Lands
P.O. Box 30089
NAIROBI

The Director of Lands & Settlement
P.O. Box 30297 - 30400
NAIROBI

The Chairman
Provincial Agricultural Board
P.O. Box 1912
KISUMU

The District Commissioner
Kisii District
P.O. Box 590
KISII

The Director
K.A.R.I
P.O. Box 52
KISII

The Minister for Agriculture
P.O. Box 30028
NAIROBI

The Permanent Secretary
Office of the President
P.O. Box 30510
NAIROBI



The Commissioner of Lands,
Department of Lands,
P.O. Box 30089,
NAIROBI.

P.O. Box 1410,
KISII,
20-12-2006.

REF: ALLOCATION OF PLOTS AT K.A.R.I FARM IN KISII DISTRICT

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Yours Faithfully,
Nyabaro's Sons.

P.T.O

1. Pastor Ezekiel M. Nyabaro — ~~Limayanga~~
 2. Zachariah B. Nyabaro — ~~Likizabano~~
 3. Justus O. Nyabaro — ~~...~~
 4. Albert O. Nyabaro — ~~Amulani~~
- On behalf of Nyabaro's Family.

CC. The Director of Lands & Settlement, Box 300297 NAIROBI.
 The Minister for Agriculture, Box 30028 NAIROBI.

The Provincial Commissioner, Box 1912, KISUMU

The Chairman, Provincial Agricultural Board, Box 1912, KISUMU
 Hon. M. P. Kitutu Chache

The Director K.A.R.I, Box 52, KISUMU

The Permanent Secretary, Ministry of Lands & Settlement, Box NAIROBI

The Permanent Secretary office of the President,
 P.O. Box 30510, NAIROBI.

The District Commissioner, Kisii District,
 P.O. Box 590, KISII.



KENYA REVENUE
AUTHORITY

ISO 9001:2015 CERTIFIED

1. KRA-IMF002

REF. KRA/110C501/IMF/001-2

CONFIDENTIAL

Date 18/08/2020

Mr./Ms. Phillip Achiki

P.O. Box 854

Nairobi Kisii

Dear Sir/Madam,

RE: ACKNOWLEDGEMENT OF INFORMATION RECEIVED

We acknowledge receipt of the information you submitted to this office on 18/08/2020
regarding Hotel Capital; Nye Konyo Hotel; Masimba Plaza and Makindu Park Hotel

The information shall be processed and you will be kept posted on the status.

Yours faithfully,

Millicent Gaki

FOR: COMMISSIONER - INTELLIGENCE AND STRATEGIC OPERATION



Tulipe Ushuru, Tujitegeme!

KENYA
VISION 2030

① BANK |

Co-op.

Pyrellon*

MD 2a / BANK Paybill,



**KENYA REVENUE
AUTHORITY**

ISO 9001:2015 CERTIFIED

1. KRA-IMF002

REF. KRA/IL0C50/IMF/001-1

CONFIDENTIAL

Date. 18/08/2020

Mr./M/s. Phillip Achiki

P.O. Box. 854

Nairobi Kijili

Dear Sir/Madam,

RE: ACKNOWLEDGEMENT OF INFORMATION RECEIVED

We acknowledge receipt of the information you submitted to this office on 18/08/2020
regarding Amil Dabial Tailor - A0000958144

The information shall be processed and you will be kept posted on the status.

Yours faithfully,

Millicent Gaku



FOR: COMMISSIONER – INTELLIGENCE AND STRATEGIC OPERATION



Tulipe Ushuru, Tujitegeme!

**KENYA
VISION 2030**

1880000

THE RESIDENTS OF KERERI
MWABUNDUSI SUBLOCATION
PO BOX 854 - 40200
KISII .

29/4/2025

TO
THE HON CHAIRMAN,
STANDING COMMITTEE ON LAND,
ENVIRONMENT AND NATIONAL RESOURCES.

Dear Sir,

RE: SUBMISSIONS

We wish to make a presentation to this honourable committee on this occasion which the community considers as a privilege and honour to the community.

We fully take cognisance of the motto "*for the welfare of society and the just government of the people*" we do not take your coming to this part of Kenya for granted.

We consider your coming here as a privilege and a clear servanthood by the honourable senators.

Briefly allow us thank most sincerely the hon. RICHARD MOMOIMA ONYONKA, who not only helped us immensely when we appeared before this committee but suspended his parliamentary duties of the day to ensure that our group was fully taken care of by sitting with our representatives almost as a party, we owe him our accolades .

The Hon. chair, the issue now before this committee is a matter that has been in public domain for as long as this country has been independent.

We wish to file and present additional documents in respect of the petition now under consideration.

We are aware of the constitutional provisions article 40 which allows the state to acquire land for public purposes or public interest subject to compensation.

Kindly refer to the letter by the senator J.K. KEBASO dated 12-10-1963, To The Regional Government and the response therein.

The issue of compensation is a matter that has never been addressed by the state .the land in question was taken from our fathers and the state was supposed to give us alternative land in Sotik but that never happened.

The land was acquired by the government was but later there was an attempt to subdivide it among the elite in the community after the expiry of the lease in 1992. (See enclosed reports).

The documents attached to these submissions are candid and self-explanatory we request for your intervention.

We made a request when we appeared in parliament and true to your word you have come, what a better opportunity for us?

We had engaged the NLC on this matter but the commission has never addressed the issue, we are aware of the mandate of NLC the commission but in our respective view the commission is answerable to parliament.

The near total silence by NLC has impacted negatively on our way forward to Kenya land acquisition tribunal challenge whatever is irregular.

We are also aware that the state has a responsibility to address land reforms including historical injustices and equitable access of land by her citizens.

Finally it is in record that government acquired and set aside 88 acres for development of livestock which land is lying waste while the indigenous do not derive any benefit from the land, ours has been let the KARLO take its duly allocated land of 88 acres and give us back the rest because what they are having is beyond the allocation of the expired lease.

Finally chair, we wish to thank you most sincerely for finding time to come and address our grievances

Thanking you and we wish safe journey back to Nairobi.



PHILIP ACHIKI

SENATOR J. K. KEBASO

Land/Misc

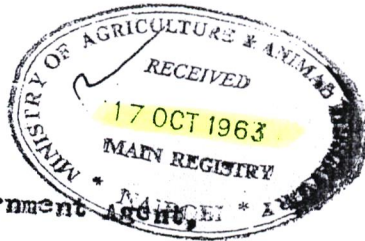
OFFICIAL ADDRESS:
Parliament Buildings,
P.O. Box No. 1842,
NAIROBI, Kenya, E.A.

TELEPHONE NO. 73.

HOME ADDRESS:
Kenya Auto Service Building,
P.O. Box 522,
KISII, Kenya, E.A.

OUR REF:

YOUR REF:



12-10-63

43

851

The Regional Government Agent,
P.O. Box 190,
KISII.

Dear Sir,

LANDLESS PERSONS.

I feel it to be my duty as a Senator and one who thoroughly understands the problems of Kisii people to bring to your kind notice the following points:-

(1) I can not understand and no reasonable person can either understand why the Kisii Veterinary farm should not be returned to the original owners since it is serving no useful purpose since the land was set aside. I want you to take earliest action to consult Minister of Agriculture as soon as possible about this matter.

(2) No sincere person can tolerate to see people like Naftali Openda, Kristopher Mbaka, Atogo Mogaka and others to live by the river side when the land taken from them is just idling doing nothing when the owners are lacking land to produce enough food for their children. This matter is very urgent indeed and calls for your earliest attention.

Yours faithfully,

J.K. KEBASO.

c.c. The Minister of Agriculture,
P.O. Box 30028, Nairobi.

The District Agricultural Officer,
P.O. Kisii.

The District Veterinary Officer,
P.O. Kisii.

KENYA NATIONAL ARCHIVES
P. O. Box 49219
NAIROBI

5/12/63

Expt/Tec/NZA/4

SENATOR J. K. KEBASO TELEPHONE NO. 73.

OFFICIAL ADDRESS:
Parliament Buildings,
P.O. Box No. 1842,
NAIROBI, Kenya, E.A.

HOME ADDRESS:
Kenya Auto Service Building,
P.O. Box 522,
KISII, Kenya, E.A.

91

9th December, 1963.

OUR REF.:

YOUR REF.:

The Hon. James C.N. Osogo, M.P.,
P.O. Box 30028,
NAIROBI.

Dear James,

Many thanks for your letter reference EXPT/TEC/NZA -
4/II/87 of 8/11/63, and to confirm that I am entirely satis-
fied with explanations given in the above quoted letter.

Yours sincerely,

- c.c. The Regional Government Agent, Kisii.
- The Regional Ag. Officer, Nyanza Region, Box 172, Maragoli.
- The Regional Veterinary Officer, Nyanza & Western Regions,
P.O. Box 66, Kisumu.
- The District Ag. Officer, P.O. Kisii.
- The District Veterinary Officer, P.O. Kisii.

Yours sincerely,
Amulans

KENYA NATIONAL ARCHIVES
P. O. Box 49210
NAIROBI

MINISTRY OF AGRICULTURE AND ANIMAL HUSBANDRY

Telegrams: "PROVAGRIC"
Telephone: 191
When replying please quote
Ref. No. 4/10/71.
and date



DEPARTMENT OF AGRICULTURE
PROVINCIAL AGRICULTURAL OFFICE
NYANZA PROVINCE
PRIVATE BAG, KISUMU
28th October, 19.63.

The Minister for Agriculture,

Thro' The Director of Agriculture,
Ministry of Agriculture and Animal Husbandry,
P.O.Box 50028,
NAIROBI.

I attach a copy of a letter from Senator J.K.Kebaso, which has been passed to me by the Regional Government Agent, Kisii, under cover of his Vet.23/6/1 of 18th October, 1963, copy also attached.

2. I have discussed this matter with the Officer i/c Research Nyanza and Western Regions, and the Regional Veterinary Officer, and now comment as follows:-

- (1) The Veterinary farm was transferred in May to the Agricultural Department, half to Research and half to the Farmers' Training Centre. This fact is well known in Kisii District.
- (2) I cannot endorse ~~the~~ ^{THE} contention that the Veterinary farm has served no useful purpose since it was set aside. ~~THE~~ ^{THE} criticism concerning the use of this land would appear to be aimed at the Veterinary Department, as they have only recently vacated it. In fact the livestock policy of Kisii and Homa Bay Districts is based on work carried out on the Station prior to its transfer to this Department. Also I do not think that the Veterinary Department can be accused of holding on to land unnecessarily, as, when once satisfied that there was little more to be learned from their work at Kisii, it was handed over.
- (3) Kisii is the only Research Station in Nyanza, and work carried out there will have an increasing effect in formulating agricultural policy throughout the Region: such Stations are the responsibility of Central Government, which gives an indication of the importance attached to them. With regard to the Farmers' Training Centre, it is well known to what extent these institutions are promoting agricultural knowledge. During the quarter ending 30/9/63, a total of 622 students passed through the Kisii Centre alone, attending 19 Courses, a total of 4315 student days. The Centre also provides considerable employment.
- (4) Mr. Gray and Mr. Ingoi run two herds of cattle, Jerseys and Guernseys, on the Research Station. Apart from animal behaviour trials, the results of which will influence the management of exotic stock in Kisii District, and production costings which will be of value to the Farmers' Training Centre next door, these cattle, plus those of the F.T.C., go a long way towards providing a reliable milk supply to Kisii town, especially the Hospital. Other high grade stock are held on behalf of the A.D.C. prior to distribution to more advanced farmers.

The Station also gives employment to 5 A.C.S. Instructors and 20 G.M.E.'s.

KENYA PROVINCIAL AGRICULTURAL OFFICE
P. O. BOX 50028
NAIROBI

Apart from pyrethrum, sweet potato, bean and fertiliser trials already in progress on the Station, a very large experimental programme is envisaged in the coming year, and will be approved by the D.A.C. Kisii, and the Regional Field/Research Committee Meeting at Kisumu.

When this is in train, I suggest that Senator Kebaso makes a visit to the Station, by arrangement with the Officer in-charge, who will, I am sure, be delighted to show him around.

RSM/EGF

R. S. McDowell

(R.S. McDowell)

FOR AG. REGIONAL AGRICULTURAL OFFICER
NYANZA REGION.

The position is set out quite accurately in the above statement from ADA.

*Ward
1-CRO.
30/10*

KENYA NATIONAL AGRICULTURAL OFFICER
P. O. Box 49217
NAIROBI

COPY

REGIONAL GOVERNMENT AGENT
KISII.

VET.25/6/1.

18th October, 1963.

Senator J.K.Kebaso,
P.O.Box 522,
KISII.

Dear Sir,

KISII EXPERIMENTAL STATION.
Ref.your letter of 12.10.63.

I have passed a copy of your letter to the Regional Agricultural Officer for reply to you direct. The formation of Experimental Stations is a matter of policy at a national level. However, I feel I must let you know that I am most surprised that you should try to use your influence to close down an experimental station of this type at the present stage of Kenya's development. It is a most retrograde action. It is suggested that before putting a serious proposal you should find out what the station will be used for from the Agricultural Department.

Regarding the persons you name. If they are short of land, I suggest they apply for plots in the next Sotik settlement scheme in just the same way as other Kisii.

I regret I cannot support your request.

Yours faithfully,

(Signed) A.F.HOLFORD-WALKER.

REGIONAL GOVERNMENT AGENT
KISII.

c.c. Regional Agricultural Officer, Kisumu. with a copy of the letter under reference for reply please, direct to Mr.Kebaso.
District Agricultural Officer, Kisii.
Senior Livestock Officer, Kisii.

KENYA NATIONAL ARCHIVES
P. O. Box 40210
NAIROBI

(86)

File No. EXPT/TEC/NZA/4/II/86

Dep. Sec.

Ref. (85/A)

I propose a reply as attached.

HM
(H. Mettrick)
F.O. 1.

1/u

Senator J.K. Kebaso,
P.O. Box 522,
Kisii.

KENYA NATIONAL AIR SERVICE
P. O. Box 49240
NAIROBI

~~Dear Sir,~~ *HM* Dear Senator)

Veterinary Farm, Kisii.

1. Please refer to your letter of 12th October, 1963 concerning the Veterinary Farm at Kisii, addressed to the Regional Government Agent, Kisii. *This has been referred to me for reply.*

2. In May of this year the Veterinary Farm was transferred to the Agricultural Department, part to be used for a Research Station and part as a Farmers' Training Centre. *I believe that* Surely, this fact is well known in Kisii District.

3. Kisii is the only Research Station in Nyanza, and work carried out there will have an increasing effect in formulating agricultural policy throughout the Region, which will be directed to raising the standard of living of the people living in the area. *Research work on food & cash crops of great importance to the District area is* Apart from pyrethrum, sweet potato, bean and fertiliser trials already in progress on the station, *in addition,* a very large experimental programme is planned for the coming year, and will be subject to the approval of the D.A.C., Kisii and *of* the Regional Field/Research Committee Meeting in Kisumu.

4. The Farmers' Training Centre at Kisii has the highest student throughput of any Farmers' Training Centre in Kenya. The Centre has attracted funds from the Coffee Board for the building of a dormitory and from the U.S. Agency for International Development for 3 houses for additional staff. It is well known to what extent these institutions are promoting agricultural education throughout the country.

~~Mr. Gray and Mr. Ingoi run two herds of cattle, Jerseys and Guernseys, on the Research Station.~~

Apart from animal behaviour trials, the results of which will influence the management of exotic stock in Kisii District, and production costings which

There are two herds of cattle, Jerseys & Guernseys on the Station.

(2)

will be of value to the Farmers' Training Centre, these cattle, ~~plus those of the F.T.C.~~, go a long way towards providing a reliable milk supply to Kisii town, especially the Hospital.

6. I hope that this will convince you that the land is being put to very good use. I am sure that if you wish to visit the Station, the officers there will be delighted to show you round, and I strongly recommend that you go and see the work being done for yourself.

Yours faithfully, sincerely,

PARLIAMENTARY SECRETARY.

- c.c. The Regional Government Agent, Kisii
- The Regional Ag. Officer, Nyanza Region, P.O. Box 172, Maragoli.
- The Regional Veterinary Officer, Nyanza & Western Region, P.O. Box 66, Kisumu.
- The District Ag. Officer, P.O. Kisii.
- The District Veterinary Officer, P.O., Kisii.

/mr.

(86/1) DA for your approval pls FDL 1/11.

(86/2) FO/1 Approved with one amendment.

ADP
4/11.

(86/3) Dep Sec This is purely an Ag Dept affair. According to S.R.O. the trials are animal husbandry trials. FDL 5/11.

KENYA NATIONAL ARCHIVES
P. O. Box 20119
NAIROBI

PRESS RELEASE

PROBLEMS IN KISII AND NYAMIRA DISTRICTS

All is not well in Kisii and Nyamira Districts. Recent events have brought to the fore some of the problems in the two districts.

In Kisii District, which comprises seven constituencies (Nyaribari Chache, Nyaribari Masaba, Kitutu Chache, Bonchari, Bobasi, Bomachoge and Bogirango Maate) there are serious problems of land and plot grabbing. The land belonging to the Kisii Regional Research Centre was illegally allocated to prominent individuals for speculative purposes. This irregular allocation threatened to render the KARI research centre a white elephant when donors with-held donor assistance to the research project. The original owners of the land numbering 98 families (list attached), who were displaced from their land, were not considered for allocation and are now living as "squatters" on the fringes of their former land which has been grabbed by the **nouveau riche** in Abagusii society.

The current controversy and crisis in Kisii District between the Kisii District Commissioner, Mr. Harry Wamubeyi, and some Kisii Municipal Councillors is about plot grabbing within the Municipality. About 300 plots at Nyanchwa area of the Municipality have been illegally allocated to prominent individuals and their relatives and friends for speculative purposes. Indeed, some of the allottees have already sold the plots for a fortune.

The saga of these irregular plot allocations goes like this: The plots were advertised and many members of the public applied for them. The procedure laid down in law for plot allocation was not followed. The Plots Allocation Committee, with the District Commissioner as Chairman, did not meet to allocate the plots as required by law. Instead, an illegal meeting took place somewhere in Western Province to allocate the plots. Those who took part in the illegal meeting allocated themselves several prime plots which they have sold for huge sums of money. The illegal allocation of the plots was not made public, but a list of the "allottees" was forwarded to the Commissioner of Lands for legitimisation of the illegal allocation.

When the matter reached the public through the grapevine, there was immediate uproar. Some of the Kisii Municipal Councillors, who were allocated marginal plots without their knowledge, raised the alarm as public opinion against the illegal allocation gathered momentum. In all this public controversy and crisis, the District Commissioner, Mr. Harry Wamubeyi, and the Mayor of Kisii Municipality, Councillor Jack Nyabengi, have maintained conspiratorial silence over the sensitive issue of the illegal plot allocation.

In the process, the Acting Town Clerk, Mr. Albert Onkundi, became the easy scapegoat and victim of the illegal allocation of these plots. He was accused of "letting the cat out of the bag" of the illegal and secret allocation of the plots. He had to go in order to protect the illegality and irregularity of the plot allocation. In his place, came a new Town Clerk, Mr. S.A. Mugane, in order to seal the veil of secrecy of the illegal plot allocation.

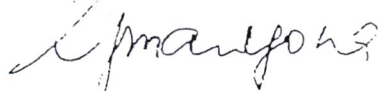
This is the background to the current controversy and crisis in Kisii District between the District Commissioner and some Councillors of Kisii Municipality. The arrest of the Councillors, ordered by the District Commissioner, had nothing to do with the breach of public order, but had everything to do with machinations and manoeuvres to cover-up a public scandal of illegal plot allocation in the Kisii Municipality. The arrests had nothing to do with public security, but had everything to do with attempts to conceal and protect the illegal actions of public servants from the glaring torch of accountability and transparency in the illegal plot allocations.

The Kisii District Commissioner should not hide behind the thin veil of "public order and security". He should come out and explain the background of the whole saga and scandal of illegal plot allocations in Kisii Municipality. Similarly, the Mayor of Kisii Municipality should not hide behind the thin thicket of silence and behind-the-scenes manoeuvres over these illegal plot allocations. The people in Kisii and Nyamira want to know how, when and where the plots were allocated. The list of the allottees should be published for public scrutiny. Meanwhile, the Commissioner of Lands is cautioned not to legitimise these illegal plot allocations. To do so, he would be acting in complicity of the illegality and irregularity of a public scandal.

The arrest and harassment of the Councillors by the Police on the express orders of the District Commissioner was an arbitrary, high-handed and illegal act. It is both illegal and intolerable for the District Commissioner and the Police to arrest and harass elected representatives of the people going about their legitimate duty of questioning official corruption within the Kisii Municipality. Indeed, the current District Commissioner and the Police have been involved in many negative issues portraying the Abagusii Community in bad light. Such utterances as have come from the District Commissioner in the recent past about the integrity of Abagusii and their leaders are unacceptable.

The Councillors are justified and right in demanding that if the District Commissioner cannot work with them and other elected leaders of the people, then the only option open to him is to go away from the District. You can transfer a District Commissioner any time but you cannot transfer an elected leader at all.

The Abagusii political leaders have resolved to work together in the best interests of the community and will not brook any divisive tactics hatched to create chaos, confusion and disunity in Kisii and Nyamira Districts. The Abagusii leaders will remain resolute and united in the defence of the welfare of the community.



MR. GEORGE M. ANYONA, M.P.

KITUTU MASABA

Parliament Buildings,
NAIROBI.

26 January 2004



PROPOSED COMMERCIAL PLOT

MINISTRY OF LANDS & SETTLEMENT

PHYSICAL PLANNING DEPARTMENT

KISII

PART DEVELOPMENT PLAN



SCALE	1:2,500
DATE	17.10.1994
PREPARED BY	
DRAWN BY	L KOPIYO

DEPARTMENTAL REFERENCE NO. NPB 37/94/1

DIRECTOR *[Signature]* 19/10/94
Department of physical planning

APPROVED BY

COMMISSIONER OF LANDS

NAIROBI

Date _____

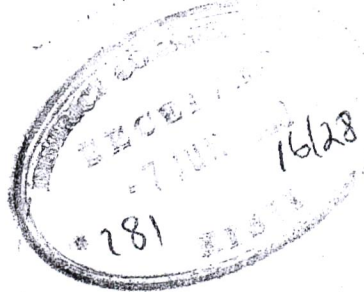
APPROVED - DEVELOPMENT PLAN No _____



KENYA AGRICULTURAL RESEARCH INSTITUTE
Regional Research Centre, Kisii,
P.O. Box 523, Kisii.
Tel: 31800/3.
Fax 31801.

62

When replying please quote



Our Ref: RRC/CON/ADM/1/126

30th May, 2000

The Director,
KARI HQS
P.O. Box 57811,
Nairobi.

DL

RE: CURRENT STATUS OF KARI LAND IN KISII

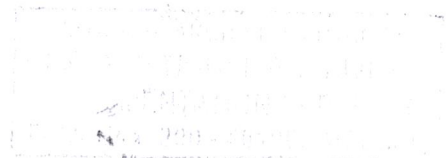
Reference is made to discussions between the DC, Kisii and I (Makini) on the above subject. Currently, there is total alienation of the Centre land and the Commissioner of lands has issued several individuals with allotment letters. However, although the DC is under pressure to release them to the owners, he has kept them to enable us to take action on the restoration of the situation.

The urgency of this action cannot be overemphasised. I am therefore requesting you to request the Commissioner of lands to withdraw those allotment letters through a letter to the DC if this land is to be restored to KARI. In addition, re-planning of the land should be undertaken to merge these small plots into a single land parcel. This can then be used to request for an allotment letter and later a title deed.

Your urgent response will greatly be appreciated.

Thank you.

Dr. Felister Makini
CENTRE DIRECTOR, RRC-KISII



CC. The District Commissioner, Kisii ✓

OFFICE OF THE PRESIDENT

PERMANENT SECRETARY, SECRETARY TO THE CABINET
AND HEAD OF PUBLIC SERVICE

P.O. Box 30510
Nairobi

Telegraphic address: "Rais"
Telephone: Nairobi 227411
When replying please quote

Ref. NoOP.....1.1./39A.....

and date

..27.1.h...September....., 19 ...95..

~~SECRET~~

II See
B/M in file
28/9

Mr. Wilson Gacanja,
Commissioner of Lands.
NAIROBI

Dear Karega,

LAND TITLES TO BE GRANTED TO KARI

This is to confirm that His Excellency the President has approved that titles should be given to land currently held for research purposes by Kenya Agricultural Research Institute (KARI). It is noted that you have advised that this land is officially reserved for the Ministry of Agriculture and to facilitate registration of this land in the name of KARI the Ministry of Agriculture, Livestock Development and Marketing will have to surrender it formally to KARI.

By a copy of this letter I am requesting the Permanent Secretary, Ministry of Agriculture, Livestock Development and Marketing to facilitate the issuance of titles to KARI and for your office to endorse the appropriate caveat to show that this land is held on behalf of the Government and cannot be sold or used as security without the approval of His Excellency The President.

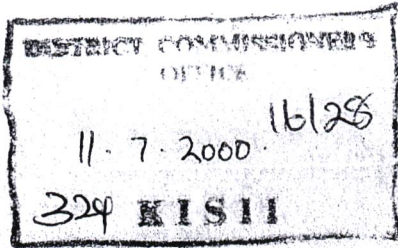
Yours Sincerely
Philip M. Mbithi

PROF. PHILIP M. MBITHI, EGH, EBS,
PERMANENT SECRETARY, SECRETARY TO THE
CABINET AND HEAD OF PUBLIC SERVICE

cc: Eng. Peter W. Wambura, EBS,
Permanent Secretary,
Ministry of Agriculture, Livestock
Development and Marketing,
NAIROBI

✓ Prof. Karega Mutahi,
Permanent Secretary,
Ministry of Research, Technical Training
and Technology,
NAIROBI

SECRET



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Bu

KENYA AGRICULTURAL RESEARCH INSTITUTE
HEADQUARTERS:
P.O. BOX 57811 TEL: 583301-20 FAX: 583344
NAIROBI

*Noted. Action
taken*

When replying please quote:

Our Ref: KARI/4/023C/VOL.II/189

Date : 6th July, 2000

Your Ref:

The Commissioner of Lands,
Lands Department,
P. O. Box 30089,
NAIROBI.

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RE: TITLE DEED FOR KARI LAND, KISII RESEARCH CENTRE

On 5th June this year, we wrote a letter to the District Commissioner, Kisii requesting him to assist us in getting a Title Deed for the Centre. A copy of which was given to you but for closer reference, I have attached another copy.

Kisii District and other adjacent districts are among the most densely populated in the country. As a result, parcels of land are becoming smaller and extensive crop production is no longer feasible. Therefore, future farmers would require technologies that would increase production on limited land. The technologies can only be developed in a research centre like Kisii.

I would, therefore, appeal to you that you cancel all the letters of allotment issued to individuals and issue one to KARI for the entire area. The investment that has been put on the construction of office/laboratory buildings coupled with the investment put on the training of highly qualified scientists far exceed any other need.

It would, therefore, be appreciated if your office and that of the Director of Survey, to whom this letter is copied, could facilitate the processing of the title deed.

On the same note, it would be appreciated if title deeds could be issued for other KARI parcels of land.

Romano M Kiome (Dr)

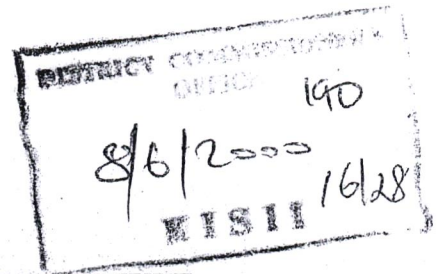
R. M. Kiome (Dr)
Ag. DIRECTOR, KARI.

c.c The Permanent Secretary,
Ministry of Agriculture & Rural Development,
P. O. Box 30028,
NAIROBI.

The Director of Surveys,
Department of Surveys,
P. O. Box 30046,
NAIROBI.

~~The District Commissioner,~~
Kisii District,
P. O. Box 590,
KISII.

The Centre Director,
Regional Research Centre,
P. O. Box 523,
KISII.



KENYA AGRICULTURAL RESEARCH INSTITUTE
HEADQUARTERS:
P.O. BOX 57811 TEL: 583301-20 FAX: 583344
NAIROBI

When replying please quote:

Our Ref: KARI/4/023C/VOL.II/188

Date : 5th June, 2000

Your Ref:

The District Commissioner,
Kisii District,
P. O. Box 590,
KISII

DC

79

KARI LAND

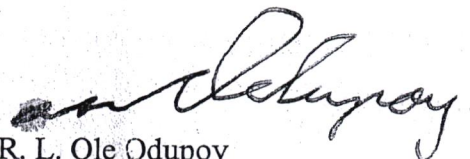
It has been brought to our notice that some people are still interested in taking away KARI land at Kisii. We are informed that letters of allotment have been issued to individual people for the Regional Research Centre, Kisii.

Due to the pressure on KARI research land, the Office of the President issued a letter to the Commissioner of Lands in September, 1995, directing him to issue Title Deeds to all KARI land. A copy of the letter is attached for your closer reference.

In its eighth report on KARI annual accounts, the Public Investment Committee (PIC) observed that KARI's land at Kitale and Tigoni had been taken by individuals. The PIC directed the Commissioner of Lands to revoke all the title deeds issued (and by implication those title deeds issued for Kisii land) and to issue title deeds to KARI. Although this has been partially done, the exercise is yet to be completed.

In July, 1999, the Office of the President wrote another letter, a copy is attached, instructing all Accounting Officers to ensure that all Government land is registered and title deeds obtained. KARI has already hired a firm to survey all KARI land in all our centres and to follow up with the Commissioner of Lands for the title deeds. The exercise is on-gong.

It would therefore be appreciated if you could assist our Research Centre at Kisii to obtain title deeds for the land. If we join forces, we should certainly save the research land for future generations.



R. L. Ole Odupoy
for: DIRECTOR, KARI.

c.c. The Commissioner of Lands,
P. O. Box 30089,
NAIROBI.

The Centre Director,
Regional Research Centre, Kisii,
P. O. Box 523,
KISII.