

10 SEP 2020

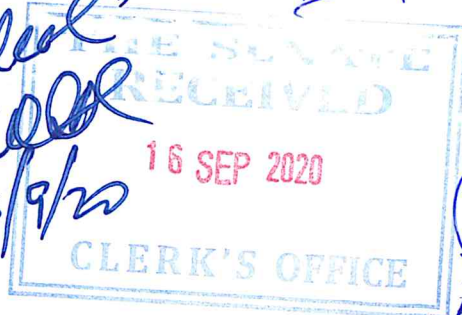
THE CLERK OF THE SENATE  
PARLIAMENT BUILDINGS  
P.O. BOX 41842-00100,  
NAIROBI.

EMAIL: csenate@parliament.go.ke

DLPS  
Please deal  
16/9/20

Mr. Mogere  
(C/O LPS)

pls process  
16/9/20



**RE: PETITION TO THE SENATE ON ENCROACHMENT OF LAND BELONGING TO MKAMENYI RESIDENTS BY VOI SISAL ESTATE IN TAITA TAVETA COUNTY**

We the undersigned;

Citizens of the republic of Kenya living in Mkamenyi village in Voi sub county of Taita Taveta county wish to present this petition to the senate of Kenya on behalf of ourselves and all the residents of Mkamenyi.

1. **THAT** Mkamenyi village borders Voi sisal estate which is land which was initially given as a present by the colonial government to a retired British soldier by the name major Lezen in 1920 for a period of 99 years.
2. **THAT** the British soldier surrendered the land to the government in 1980 and was reallocated to Voi Sisal Estate Limited, which then transferred the lease to Voi Plantation Limited in 2012.
3. **THAT** Voi Plantation Limited transferred the lease to Voi Point Limited in 2019.
4. **THAT** between 1900 and 1930, the sisal estate management requested Mkamenyi elders to allow them to use part of their land located close to the river to:
  - a) Carry out research on a variety of crops like coconuts, bananas, cashew nuts, sugarcane and sisal.
  - b) Install a water pump
  - c) Grow food for their labourers.
5. **THAT** in the 1960s, the population of Mkamenyi residents had increased and so they needed their land back and started agitating for the same.
6. **THAT** the sisal estate refused to give back the land but instead colluded with the police to forcefully extend its boundaries into the peoples homesteads, evicting them and putting the land under sisal.

Ms. Kavita  
Please review and facilitate appropriately. Cross check with Angela on one that may be similar.  
D. Chantler  
17/06/2020

Mr. Chantler  
Please process, was there a similar petition?  
24  
16.09.2020



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**7. THAT** those people who agitated for the rights of the Mkamenyi residents were arrested ,charged with trespass and some were jailed.

**8. THAT** on 11 May 2019 the honorable senator of Taita Taveta and the senate committee on land Environment and Natural resources visited Mkamenyi to hear and recommend appropriate actions to solve the land problem in Mkamenyi.

**9. THAT** in July 2019 the chief Administrative secretary for the ministry of lands accompanied by land officers in the county, the ministry of interior officers, the sisal estate management and political leaders in the county met the residents of Mkamenyi and promised to give back the land being illegally occupied by the sisal estate to the residents.

**10. THAT** on 29 October 2019 the management of Voi point Limited invited three representatives of Mkamenyi residents to a meeting at Ngutinyi Lodge ,where they informed them that:

a) The management would only give them 35 Acres of land instead of the more than 150 acres they were occupying and have been claiming.

b) The 35 acres being offered would be used to settle 28 families occupying the disputed land

**11. THAT** the three members refused to accept the offer of the 35 acres claiming that it was not adequate and that they needed more than 150 acres that the residents of Mkamenyi were initially occupying.

**11. THAT** the management of Voi Point Limited proceeded to do survey and beckoning of the 35 acres of the land they proposed to offer without involving the residents or the county government and processed a group title deed for the same.

**12. THAT** on 26<sup>th</sup>August 2020 the management of Voi Point Limited invited the residents for the issuance of the 35 acre of land offered Title deed but the residents rejected it due to the following:

a) The residents needed more than 150 acres of land and not the 35 acres that they were offering.

b) The group Title deed had names of persons who do not live in Mkameni listed as owners of the land.





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c) The names listed in the title deed as owners of the land were of only six families leaving out 22 families.

**13. THAT** efforts to resolve the matters raised in this petition with the relevant authorities have proved futile,

**14. THAT** there is no case pending in court or any constitutional body on the matters raised in this petition

**HEREFORE your humble petitioners pray that the senate through its relevant committee**

**1.** Deals with this petition immediately in view of the urgency and seriousness of the matters raised herein

**2.** Investigates the circumstances that led to:

a) The decision to offer 35 acres of land and not the more than 150 acres of land which is adequate to settle the Mkamenyi residents.

b) The carrying out of survey and beaconing of land without involving the county government or the residents.

c) The listing of names of persons not living in Mkamenyi, as owners of the land being offered Title deed.

**3.** Makes a declaration that the process followed in the offer of the 35 acre of land and its Title deed to the residents of Mkamenyi was unprocedural and unlawful and therefore null and void.

**4.** Recommends that the ministry of land initiates an all inclusive, open and transparent process of giving the residents of Mkamenyi adequate land that can settle them once and for all.

**5.** Takes any other appropriate action it deems fit to resolve the matters raised here in.

**And your Petitioners will ever pray.**


Dated this 7<sup>th</sup> day of August 2020.



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RESIDENTS BY VOI SISAL ESTATE IN TAITA TAVETA COUNTY**


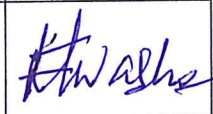
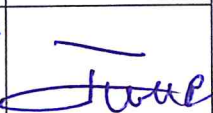
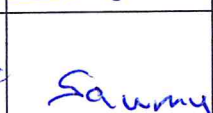
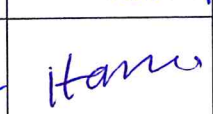
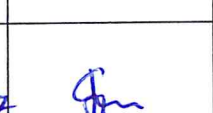
Countersigned by:

Senator Johnes Mwaruma



Senator for Taita Taveta County

SIGNED:

NAME	ADDRESS	MOBILE NUMBER	IDENTITY CARD NUMBER	SIGNATURE
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JUMA MNAMBURI	"	07994524 88	8378584	
SAUMU K. MNAMBURI	"	0701665033	10395634	
HASSAN KIBOICO	"	07725473 85	0151985	
GLADY JUMA	"	07067929 35	20131837	
JULIUS MWASEZI	"	0729076388	11654865	