

NAIROBI CITY COUNTY ASSEMBLY



SECOND ASSEMBLY

(THIRD SESSION)

[PUBLIC PETITION PURSUANT TO STANDING ORDER 208]

BY RESIDENTS OF PUMWANI ON MAJENGO SETTLEMENT FORCED EVICTION IN
NAIROBI CITY COUNTY.

WE THE UNDERSIGNED Citizens of Kenya who are residents of Pumwani in Majengo Settlement, Nairobi County.

DRAW the attention of the County Assembly of Nairobi to the following: -

AWARE THAT, Article 185 of the Constitution of Kenya, 2010 vests the legislative authority and oversight of the County governments in the County Assembly;

AWARE THAT, the Constitution of Kenya under Article 37 and Section 15 and 88 of the County Governments Act, 2012, provide the right for citizens to petition the Authorities or the County Government on any matter

THAT WHEREAS, Article 62 of the Constitution mandates the county government to hold in trust public land on behalf of county residents;

THAT, the Pumwani settlement (Majengo) was a plan of the colonial Government racial alignment of 1920's to align Native Africans on their own location of the Nairobi Township which was officially opened in 1922;

THAT, the M.C.A Pumwani Ward, the Ward Administrators, MP Kamkunji, the Central Government have all let the petitioners down by failing to handle the issue of forced eviction going on at Pumwani Ward. The cause of the ever increasing slums shelter along Nairobi River today.

THAT, County planners did illegal actions and irregularities to the original city Plan of Pumwani settlement by changing the former plan house numbers in 1997, 1998 without the consent of the residents.

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THAT, the leaders have added new house numbers to some extent double numbers e.g. 173-173A,177-177A,190-190A etc. where the “A” does not exist on the ground.

THAT, they have turned all the public properties and trust land like Toilets, Recreational Parks Playing grounds, Schools Plots into allotment letters and issued them to themselves, their friends and to property brokers;

THAT, the County administrators changed the initial settlement ownership from community to private against the 1926 Lease under Muhammad Community and Trust Chief Juma Mbwana;

THAT, the County administrators have altered the boundaries between Starehe and Kamkunji Constituency by placing Mashimoni Sub-location under Starehe Constituency against the I.E.B.C agreement with the residents of 2002 at Y.M.C.A meeting.

THAT, they have issued land rate arrears notice to threaten the so called Land Lord to force those who cannot pay to surrender the property;

THAT WHEREAS, petitioners, confirm that efforts have been made to have the matter addressed by the relevant body, it failed to give a satisfactory response;

AND THAT, all the matters in respect of which the petition is raised is not pending before any court of law or constitutional body.

HEREFORE, your humble Petitioners **PRAY** that the County Assembly of Nairobi County intervenes and ensure that; -

- a) All illegal actions and irregularities made by the County Administrators be revoked;
- b) Those who are building Commercial houses in Gikomba market be stopped from replacing residential houses; and
- c) Pumwani Natives who are part of colonial effects of detribalized Communities of 1920-1939(the cosmopolitan Swahilis) Pangani to Pumwani, the Nairobi Township lease of 1926, be respected i.e. draft plan No.26612, Title No. L.R 4097/1, Land Ref.209/2378/1, L.R.2942-L R 1439/4.

And your Petitioners will forever pray.

Presented by;

Hon. Speaker,

On behalf of;

- The Residents of Pumwani.

And by extension;

- All residents of Nairobi County.