

NAIROBI CITY COUNTY ASSEMBLY



SECOND ASSEMBLY  
(FOURTH SESSION)

*II*  
Petition issued on  
23rd June 2020  
by Hon. David Ndiria,  
Ministry Leader  
Committee  
A. S. C. A.

*I*  
Commit to  
the Committee  
of ~~the~~  
Legal & Justice  
Blair  
23/6/2020

[PUBLIC PETITION PURSUANT TO STANDING ORDER 208]

BY EASTLEIGH MARKET TRADERS ON DEMOLITION AND FORCEFUL EVICTION  
FROM THE STALLS AT EASTLEIGH CITY COUNCIL MARKET, EASTLEIGH NORTH  
WARD, NAIROBI CITY COUNTY.

WE THE UNDERSIGNED Citizens of Kenya who are residents and were owners of demolished stalls in Eastleigh City Council Market in Eastleigh North Ward, 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 Sections 15 and 88 of the County Governments Act, 2012, provides 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 Eastleigh Market Traders Nairobi consisting of a group of 403 Kenyans who owned stalls at Eastleigh City Council Market L.R. No. 36/VII/1037 that had been in existence from the 1960s until its demolition on 10<sup>th</sup> January 2009, allegedly sold to a private developer under the guise of a public-private initiative;

THAT, the County Government have let the petitioners down by failing to handle the issue of demolition and forced eviction as the owners of the stalls in the market were

BY EASTLEIGH MARKET TRADERS ON DEMOLITION AND FORCEFUL EVICTION FROM THE STALLS AT  
EASTLEIGH CITY COUNCIL MARKET, EASTLEIGH NORTH WARD

never consulted on the initiative and their proposal to develop a multi- storey market that had been forwarded was never answered nor were they offered an alternative site despite claims by the City County to have done so;

**THAT**, as a result of the eviction, over 3000 Kenyans who depended on the traders were reduced to poor displaced Kenyans resulting to loss of livelihoods and untold suffering for both the traders and their dependants;

**THAT**, they petitioners had been paying their monthly land rates to the City County through the Nairobi City Council's revenue office, Eastlands revenue office at Makadara;

**THAT WHEREAS**, petitioners, confirm that efforts had been made to have the matter addressed by the National Lands' Commission during their visit to the market on October 2016 whereby the Commission revoked the allocation of the grant issued to private developers through a gazette notice vol. CXIX- No. 97 no. 6862 of 17<sup>th</sup> July 2017;

**THAT**, subsequently a communication on the same was done via a letter dated 25<sup>th</sup> January 2018, Ref NLC/GEN. ADM./ VOL. V (17) to revert the land to the County Government for use as a public market, which recommendations the County Government has failed to implement;

**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) The market that was grabbed by private developers be reverted to the Eastleigh Market Traders; and
- b) Issuance of title deeds/ ownership documents to the market traders who had been issued with original allotment letters for the Market.

And your Petitioners will forever pray.

Presented by;

Hon. David Mberia, MCA

Karen Ward.

*On behalf of;*

- The Eastleigh Market Traders, Eastleigh North Ward.

*And by extension;*

- All residents of Nairobi County.