

DATE: 19<sup>TH</sup> JUNE, 2023

THE COUNTY ASSEMBLY OF KITUI

THROUGH

THE COUNTY CLERK,  
KITUI COUNTY ASSEMBLY,  
P.O BOX 694 – 90200,  
KITUI – KENYA.



8  
⊕  
Acting S.L.C  
your legal  
advise on this  
petition  
et  
13/7/2023

**RE : PETITION OVER THE LAND ISSUES IN TWIMUMA LIMESTONE  
MINING IN KYUSO WARD – MWINGI NORTH**

We refer you to the above subject matter.

We the land owners of Twimuma in Kyuso location, Mwingi Constituency would like to bring to your attention the following pertinent land issues that have become a bone of contention and we would wish to state the following:

1. That Karsan Ramji & Sons Ltd of P.O Box 48838-00100 Nairobi Kenya, came to Twimuma area in 2019 and they expressed an interest to do prospection of the limestone rich Twimuma Hill but later on the process has been characterized with a lot of illegal mining activities. Therefore, as Twimuma land owners we dispute the manner in which the Karsan Ramji & Sons Ltd of P.O Box 48838-00100 Nairobi Kenya company is undertaking its activities since it is against Kenyan mining Act of 2016.
2. That the investor – Karsan Ramji & Sons Ltd of P.O Box 48838-00100 Nairobi Kenya has been ferrying millions of tones of raw materials from Twimuma to Nairobi in the pretext that the company is unertaking prospecting.
3. That the company did not conduct Environmental and Social Impact Assessment (ESIA) as the law demands and this poses health hazards to us and the future generations.
4. The company has been periodically carrying out heavy blasting during mining and this resulted environmental degradation like dangerous cracks on the graves of our deceased relatives and buildings of the nearby schools – Muuluko primary school and Kyuso Girls Secondary School.

5. That the land owners have been requesting for the establishment of cut line (buffer zone) by National Environment Management Authority (NEMA) with which the company should operate within but this has not been done.
6. That it's now apparent that the investor has no intention of establishing a cement factory as the law requires so that the locals can get job opportunities but instead this project is benefiting people from other countries.
7. That the company has declined to compensate our developments, that is, houses, graves, terraces and all commercial trees as the Kenyan mining law of 2016 requires.
8. That the company did not even bother to come up with a comprehensive resettlement plan for all affected land owners and the two public schools – Muuluko primary school and Kyuso Girls Secondary School .
9. That the investor did not involve the land owners nor the liaison committee to determine the amount of money to be compensated per acre. The investor met secretly with individual land owners and were lured to sell their lands between Ksh.100.000 - 150.000 per acre and therefore we feel that we did not get value for our lands.

### OUR DEMANDS

1. We demand for a community-driven negotiation process on how much money we should sell our lands per acre as opposed to initial approach by the investor where land owners sold their land on individual basis. We want a collective bargaining.
2. We demand the investor to build a factory at Twimuma and to stop ferrying materials to Nairobi.
3. We demand for adequate and prompt compensation once we agree on the selling price of our lands. The negotiation should involve all stakeholders.
4. We demand from the investor to disclose the types, quantity and commercial values of all minerals in Twimuma hill.
5. We demand for Environmental and Social Impact Assessment to be conducted in line with Kenyan mining laws of 2016 and by a company certified by NEMA.



6. We demand for the establishment of cut-line (buffer zone) by NEMA
7. The investor to state clearly the community projects that it intends to undertake as part of Cooperate Social Responsibility (CSR) as the law requires.
8. The affected land owners to engage an independent valuer to value their developments and the investor to compensate them immediately.
9. We also demand from investor to compensate the properties of community members which were destroyed when the company was doing blasting in the recent past.
10. We also demand for relocation of the two public learning institutions – Muuluko primary school and Kyuso Girls Secondary School and which have been adversely affected by blasting done by Karsan Ramji & Sons Ltd of P.O Box 48838-00100 Nairobi Kenya with an immediate effect.

**Conclusion:**

In conclusion, we the people of Twimuma would like to state that we have been exploited for a long and without any intervention of the two governments and we feel this is the time to act. We refuse to be silenced by forces of corruption and we tell them “ If peace means willingness to be exploited, dominated , humiliated and segregated, we don’t want peace” and there is nothing for us without us.

Attached herein, find the list of Twimuma land owners and the drawers of this petition.

**Yours faithfully,**



Name: .....

Chairman Twimuma Community

CC

- Governor -Kitur County
- County Minister for Energy and Natural Resources
- Chief Officer for Energy and Natural Resources
- MP –Mwingi North Constituency
- MCA – Kyuso Ward



TWIMUMA COMMUNITY DEVELOPMENT COMMITTEE 13/6/2023

NO.	NAMES	ID	PHONE	VILLAGE	SIGN
1.	HAR MUNTOKI MWINZI	20462671	0700066100	MCA	
2	Mercy Mueni Maluki	21934894	0722 269735	DSCA	<del>Signature</del>
3	DANIEL MUYIMI	13641301	0749 653035	TWIMUMA	<del>Signature</del>
4	PETER M. NZUKI	11721063	0743964205	TWIMUMA	<del>Signature</del>
5	CHRISTINE M. KIMANTHI	10875100	0723359865	TWIMUMA	<del>Signature</del>
6	DAVID M. MWENDWA	28116801	0714436888	CENTRAL-GAI	<del>Signature</del>
7	MWENDWA K. MUINDI	0235800	0722 385444	KATAKANI	<del>Signature</del>
8	Jimmy M MURINDI, MUGI	24138022	0743629462	TWIMUMA	<del>Signature</del>
9	TROT M SAMMY	28299764	0717890438	TWIMUMA	<del>Signature</del>
10	JOEL ALEX M. MUAHA	11721577	0716540142	KATAKANI	<del>Signature</del>
11	TINGA MUTHI MWASI	958054	074255586	Keriga	<del>Signature</del>
12	Paul. m. Kithaka	4336021	0721810997	Tunguthu	<del>Signature</del>
13	MULI mbila	31388657	079550528	Twimuma	<del>Signature</del>
14	Kyamba NUSCA	11424742	0742292300	MUTINGWA	<del>Signature</del>
15	Kavele Joseph	22105284	0710520463	MUTINGWA	<del>Signature</del>
16	Mulekye Muthui	3722997	0702923851	Mutingwa	<del>Signature</del>
17	Lelestina nduku Nzyeka	7045258	0795181803	Twimuma	<del>Signature</del>
18	Kyambi UKULO	16000301	0722917413	TWIMUMA	<del>Signature</del>
19	Katuni Kyalo	11426030	0723368933	TWIMUMA	<del>Signature</del>
20	Purity William	34454162	0706417160	Twimuma	<del>Signature</del>
21	Muthakye Mwinzi	244837111	- -	ILILU	M
22	MUSOMI MUTHUI	245352312	- -	Twimuma	m
23	MALIA MUSEVO	11051128	0700700462	ILILU	<del>Signature</del>
24	STONILE MUGASYA	9445222	0711654397	Central Gai	<del>Signature</del>
25	Kitondo MUKANDA	16019542	0707361145	Central	<del>Signature</del>
26	Mawia Muteini	9427209	0796452695	Central	<del>Signature</del>
27	ROSE MULI	3773699	0705999677	TWIMUMA	<del>Signature</del>
28	Pholena Kithembe Kihungu	3723483	0794986414	Kangulu	<del>Signature</del>
29	Rafiah Mufumbeli	12628994	0720175205	<del>Signature</del>	<del>Signature</del>
30	Mwisyo Karindu	23117447	0745793261	GAI	<del>Signature</del>
31	Kiememwini	20187245	0745114033	GAI	<del>Signature</del>
32	Rhoda Kasoka Mubasi	6491479	0701566547	GAI	<del>Signature</del>

	IS NO	PHONE	VILLAGE	S, G, W
33 MUKYOKI MUTHENGI	11102122	0725937744	GAI	<i>[Signature]</i>
34 JACOB MWENAWA KITHEDU	3740864	0722915601	KAKOONDA	<i>[Signature]</i>
35 Solomon Kimani	3893011	07 2886664	GAI	<i>[Signature]</i>
36. GREGORY M. MBITI	4332394	0723672128	GAI	<i>[Signature]</i>
37. AMMAH K. KIMANI	23928072	0726402051	K. JOSO	<i>[Signature]</i>
38. PATRICK MWANBIKWA	31556325	0783716078	TUGAI	<i>[Signature]</i>
39. BEN MUTUA KITHUMBA	20091047	0726997953	GAI	<i>[Signature]</i>
40. MARILYN M. MUTUA	14563053	071514460	Ngaai	<i>[Signature]</i>
41 MARK MUKUNI	23356121	0724755662	NGAALI	<i>[Signature]</i>
42 DANIEL MBITI MULOXYA	16001960	0713248335	IWIMUMA	<i>[Signature]</i>
43 MALUKI MASAUU	3752764	0720285871	IRIMUMA	<i>[Signature]</i>
44 HIRAN MALUKI WASOMI	3182680	0722247048	IWIMUMA	<i>[Signature]</i>
45 RONALD MUTHAMU KYEMBEU	3722154	0720626285	GAI	<i>[Signature]</i>
46 DOMINIC MUI MASAUU	11424607	079735568	IRIMUMA	<i>[Signature]</i>
47 VERONICA KATISYA MALUKI	9751634	0702242064	KWINDANI	<i>[Signature]</i>
48 AUGUS KASYOKI MWENAWA	27630153	0748502967	IRIMUMA	<i>[Signature]</i>
49 BERNARD MWENAWA	24138002	0700801587	KWINDANI	<i>[Signature]</i>



13/6/23

No	NAMES	AREA	PHONE
1	MALIA WAMBUA <del>MALUKI KASONI</del>	Twimuma	0700700 <sup>462</sup> <del>618</del>
2	MUTUA MUSYATI	<del>Twimuma</del> Kiloki	0719653035
3	MALUKI MAJAUU	Twimuma	0720285891
4	Muli SAMMY	Twimuma	07-17-890-438
5	JACOB MWENDWA KITHOLE	KAKOONCO	0723915601
6	RHOBA KASYOKA MUTHUSI	GAI	0701586547
7	CHRISTINE M. KIMANTHI	Twimuma	0723359865
8	BEN MUTUA KITHUNIBA	GAI	0726997953
9	HRAM MALUKI KASONI	Twimuma	0722247048
10	PETER M. NZUKI	TWIMYUA	0743964205
11	JOEL ARFALEX M. MUKAA	Twimuma	0716540142
12	Stephen Maderi	County Govt	0723280352
13	MUNYOKI MWINDZI	MZA	0700066604
14	Mercy Maluki	County Government	0722269735
15	Saul Makali	County Government	0721581421
16	MWENDWA KIMANZI	KATAKANI	0722385441
17	MWANDIKWA KIALO	Twimuma	0796685999
18	Jimmy M MURANGI	Twimuma	0743629464
19	GREGORY M. MBITI	GAI	0723672128
20	MUNYOKI MUTHENSI	GAI	0725937744
21	KIALO MUTUA	GAI	0725826144
22	IMGU M. MWASI	GAI	0740575866
23	Joseph m. Kiteng'ya	GAI	0759427354
24	Paul M Kithika	GAI	0721810979
25	KYAMBI MUSILA	GAI	0742272300
26	MULI Mbila	Twimuma	0795505048
27	Karewa Joseph	GAI	0710520663
28	Mulekye muthui	GAI	0702923851
29	Nduku mwala	Twimuma	0705181803
30	Kyambi Ukalo	Twimuma	0723917413
31	Katuni Kyalo	Twimuma	0723368933
32	Muthakye Mwindzi	LILU	07114605301