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REPUBLIC OF KENYA

KENYA NATIONAL ASSEMBLY

TENTH PARLIAMENT – FOURTH SESSION

REPORT OF THE DEPARTMENTAL COMMITTEE  
ON EDUCATION, RESEARCH AND TECHNOLOGY

ON

THE TRANSFER OF MOI UNIVERSITY SCHOOL OF ENVIRONMENTAL STUDIES  
FROM THE MAIN CAMPUS TO CHEPKOILEL UNIVERSITY COLLEGE (A  
CONSTITUENT COLLEGE OF MOI UNIVERSITY).

CLERK'S CHAMBERS  
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NAIROBI

AUGUST, 2012

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## LIST OF ACRONYMS

MU	- Moi University
MP	- Member of Parliament
TOR	- Terms of Reference
UASU	- University Academic Staff Union
GIS	- Geographic Information System
VC	- Vice Chancellor
RBM	- Responsibility Based Management
MOHES	- Ministry of Higher Education Science and Technology
IDs	- Identity Cards
Prof.	- Professor
Dr.	- Doctor
COCOON	- Cooperation and Conflict over Natural Resources

## PREFACE

Mr. Speaker Sir,

The Departmental Committee of Education, Research and Technology is established under the Standing Order No. 198 (3), and has the following functions:

- i. To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and Departments;
- ii. To study the programme and policy objectives of the Ministries and Departments and the effectiveness of the implementation;
- iii. To study and review all legislations referred to it;
- iv. To study, assess and analyze the relative success of the Ministries and Departments as measured by the results obtained as compared with their stated objectives;
- v. To investigate and inquire into all matters relating to the assigned Ministries and Departments as they may deem necessary, and as may be referred to it by the House or a Minister; and
- vi. To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.

The provisions of the Standing Order 198 state the Terms of Reference (TOR) for the Departmental Committee of Education, Research and Technology as:

- i) Education;
- ii) Training;
- iii) Research; and
- iv) Technological Advancement.

The Standing Orders also empowers the Committee to make its own selection of the subjects regarding the policy, management and administration among others of the Ministries and Departments falling under its jurisdiction.

## COMMITTEE'S MEMBERSHIP

The committee comprises of the following members:-

The Hon. David K. Koech, MP	- Chairperson
The Hon. Francis T. Nyammo, MP	- Vice-Chairperson
The Hon. B. C. Muturi Mwangi, MP	- Member
The Hon. Mwaura Kiburi David, MP	- Member
The Hon. Dr. Joyce Laboso, MP	- Member
The Hon. Mohammed Sirat, MP	- Member
The Hon. Dr. Wilber Ottichilo K., MP	- Member
The Hon. Alfred Odhiambo, MP	- Member
The Hon. Dache John Pesa, MP	- Member
The Hon. Shakila Abdalla, MP	- Member

Mr. Speaker Sir,

On Wednesday 7<sup>th</sup> September 2011, the Hon. Wilbur Ottichillo, M.P asked a question by private notice to the Minister of Higher Education, Science and Technology concerning the transfer of Moi University school of Environmental Studies from main campus to the Chepkoilel University College(a constituent College of Moi University). Following debate on the matter by the House, the Speaker made the following communication from the Chair;

*"Under the circumstances, I am inclined to believe that this answer is not adequate; the Chair will defer this Question to a time convenient to the Minister. In the meantime the relevant Committee is going to undertake the necessary investigations so that we have a situation that is eventually good for the country...The Chair directs that the relevant Departmental Committee moves with speed, carries out its own scrutiny of the matter and gives a report in two weeks' time".*



Subsequent to this ruling, the Departmental Committee on Education, Research and Technology, embarked on the task assigned as directed by the House and held various meetings with among others:- the Minister for Higher Education, Science and Technology; the Vice Chancellor, Moi University; Management of Chepkoilel University College; UASU; Dean School of Environmental Studies; Students of the School of Environmental studies; and Teaching and non teaching staff of the school of Environmental studies.

## COMMITTEE'S FINDINGS AND OBSERVATIONS

- i. The abolition/transfer of Moi University School of Environmental Studies from main campus to Chepkoilel University College (a constituent College of Moi University) may not have been a new phenomenon in the institutions of higher learning. However, the manner in which the transfer was carried out leaves a lot to be desired. The transfer was unplanned, haphazard and resulted in unnecessary suffering and duress to students, lecturers and non teaching staff.
- ii. The proposal to relocate the School of Environmental Studies was approved by the University Council in 2005 in line with the university's Strategic Plan 2005-2015 but this decision was never ratified by the University Senate which has a wider representation including student leaders.
- iii. The leadership and students of the School of Environmental Studies were against the decision to transfer the school to Chepkoilel University College owing to fears of lack of adequate facilities including studios, laboratories and GIS software at Chepkoilel. These fears were confirmed by the Committee during its visit to Chepkoilel University College.
- iv. The equipment moved from Moi University and a container of equipment donated by the government of Netherlands was unutilized and locked up in stores at Chepkoilel University College. It was irresponsible for the university to move a school without ascertaining that there were adequate facilities at the new place;
- v. The quality and standards of education were greatly compromised in the process of transferring the School of Environmental Studies from Moi University Main Campus to Chepkoilel University College.
- vi. The students, lecturers and non teaching staff were greatly inconvenienced and work under strenuous conditions.
- vii. No official handover of assets including land, fees and research funds had been done.
- viii. The school of Business Management was irregularly transferred from Chepkoilel

University College to main campus. This transfer resulted in a shortfall of Kshs. 250 Million on revenue of collection.

- ix. The students from the school of environmental studies had difficulties accessing the library facility.



## COMMITTEE'S GENERAL RECOMMENDATIONS

- i. The VC and the Board of Management of Moi University main campus should be held responsible and accountable for the irresponsible and careless transfer of the School of Environment Studies from Moi University main campus to Chepkoilel University College. This transfer had resulted in compromised quality of education standards and unnecessary frustration to students, lecturers and non-teaching staff. The Vice Chancellor, the Chief Academic Officer and the Chief administrative officer who form the top management of Moi University should be further investigated for abuse of office.
- ii. The Board of Management of Moi University should immediately institute remedial measures to safeguard the deteriorating academic standards by allowing re-installation (at main campus) of laboratory and studio equipment lying unutilized at Chepkoilel University. The Chepkoilel University College should facilitate students to attend the practical lessons at the main campus. This will ensure the students attend practical lessons until the required infrastructure is in place at Chepkoilel University College.
- iii. Owing to the wider representation of the Senate that includes students, faculty heads, UASU and non-teaching staff among others, all decisions of the Board of Management and Council must be ratified by the Senate.
- iv. Proper handing over of all assets and monies including donor research funds, fees meant for the school of environmental studies should be expedited.
- v. The research funds meant for the School of Environmental studies should be transferred by Moi University to Chepkoilel University within three months.
- vi. The ownership of field's stations in Malindi and Homa Hills should be legally transferred to Chepkoilel University College. In this regard, the title deeds of the two stations should be transferred to Chepkoilel University College.
- vii. The certificates/transcripts issued to all students at the Chepkoilel University College should bear the name and the logo of Moi University until Chepkoilel becomes a fully fledged University.
- viii. The Chepkoilel University should prioritize the construction of laboratories, studios and procurement of GIS software.
- ix. The Chepkoilel University College should ensure that all students including those from the school of environmental studies access the library facility at all times.

- x. All institutions of higher learning should endeavour to ensure that their graduates get the relevant skills and are marketable nationally and internationally.
- xi. The process of transferring a school to a campus or a constituent College of the same University should be clearly stipulated in the University Act or any other relevant legislation. These processes must be inclusive, consultative and based on mutual agreement amongst the relevant stakeholders especially.

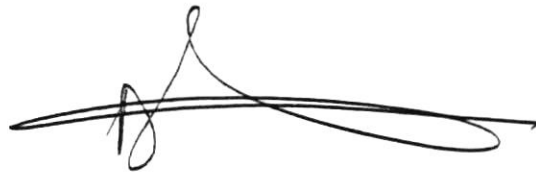
## ACKNOWLEDGEMENTS

The Committee wishes to thank the Offices of the Speaker and the Clerk of the National Assembly for the support extended to it in the execution of its mandate. The Committee also appreciates the Secretariat for the preparation of this report.

Finally, I wish to express my appreciation to the Honourable Members of the Committee who sacrificed their time to participate in the activities of the Committee and preparation of this report.

Mr. Speaker Sir,

It is therefore my pleasant duty and privilege, on behalf of the Departmental Committee of Education, Research and Technology to table this report on the transfer of Moi University School of Environmental Studies from main campus to Chepkoilel University College (a constituent college of Moi University) following a Question by Private notice in the House by the Hon.(Dr.) Wilbur Ottichilo, MP and commend it to the House for debate and adoption pursuant to provisions of the National Assembly Standing Order 181.



Signed .....

CHAIRPERSON

(HON. DAVID KOECH, MP)

Date: ..... 29/08/2012 .....



## CHAPTER ONE

### 1.0 Introduction

Moi University is one of the seven (7) public universities in Kenya and was established in 1984 by the Moi University Act after recommendations of a Presidential Working Party chaired by Prof. Collins B. Mackay. It is located in Eldoret, Western part of Kenya about 310km North West from Nairobi. The first group of 83 students was admitted in 1984 through a transfer from the Department of Forestry of University of Nairobi. Currently, the university hosts a total student population estimated at 26,767 out of whom 22,885 are undergraduates and 1,415 are post graduates. Since 1984, the number of staff at all levels has increased from 143 to 4370 in 2010 of whom 1424 are academic staff. Moi University is established pursuant to the provisions of the Moi University Act, Chapter 210A of the Laws of Kenya (1984). Section 3 of the Act provides, as follows:

*"There is hereby established a university to be known as the Moi University. The University shall be a body corporate with perpetual succession and a common seal and shall in its corporate name capable of suing and being sued; taking, purchasing or otherwise acquiring, holding, charging and disposing of movable or immovable property; borrowing or lending money; entering into contracts; and doing or performing all such other things or acts for the proper performance of its functions under, and for the furtherance of the provisions of, this Act which may lawfully be done or performed by a body corporate"*

Since the inception of Moi University, it has experienced phenomenal growth to a total of fifteen Schools and five Directorates in 2010. The University currently operates the following campuses: Main, Town, Odera Akang'o, Nairobi, Kitale, Kericho, Coast and Alupe campus. It has five constituent colleges; Kabianga, Chepkoilel, Narok, Karatina and Rongo.

The mandate and functions of Moi University are stipulated in section 4 of the University Act, as follows: to provide university education aimed at producing mature and conscientious graduates with the skill, ability and desire to contribute to the well-being and development of the people of Kenya in accordance with the national philosophy mutual social responsibility; to provide university education for national service and development which reflects the national cultural heritage; to develop and transmit knowledge and skills through research and training at undergraduate and post graduate levels, either directly or through the medium of connected colleges, schools or institutes; to foster national consciousness and unity; to preserve, produce, process, transmit and disseminate knowledge and stimulate the intellectual life and cultural development of Kenya; to conduct examinations for, and to grant degrees, diplomas and other awards of the University; to determine who may teach, what may be taught and how it may be taught in the University; to play an effective role in the development and expansion of opportunities for Kenyans wishing to continue with their education.

The school of Environmental studies was one of the pioneer schools of Moi University having been established in 1985 with the first students reporting in 1988. The school was located at the Mackay building at the main campus. The Mackay building had previously housed the Faculty of Forestry- which was the first Faculty of Moi University- and the Faculty of Science. From 1984 when Moi University was established, the University continued to expand and in 1990 when it acquired Moi Science Teachers College which the University named Chepkoilel Campus, the science based courses (Faculty of Forestry and Faculty of Science) were relocated to Chepkoilel campus. With the relocation of the Faculties of Forestry and Science, space was made available for the School of Environmental Studies at the Mackay building at the Campus.

With time, the growth of the University necessitated the creation of colleges so as to locate related schools in close proximity to each other. Efforts towards the location of related schools in close proximity particularly in relation to the school of Environmental Studies, began in 2000 when the Deans of the School of Environmental Studies and

Faculty of Forest Resources and Wildlife Management together with academic staff representatives of the two schools came up with a report on the modalities of establishing the proposed college of Natural Resources Management and Environmental Studies. This report informed the decision made by the University in 2005, to locate the School of Environmental Studies at the College of Natural and Applied Sciences which was to be at the then Chepkoilel Campus (now Chepkoilel University College).

Moi University Strategic Plan (2005-2015) was drawn in 2004 to cover a ten year period. The strategic plan identified nine key priorities which included Implementation of decisions, Governance, Students, Human Resources, Financial Management, Academic, Research and Extension Programmes, Infrastructure and Information, and corporate image and identity.

The Strategic Plan also provides for rationalization of membership to Council and Senate for cost-effectiveness while ensuring effectiveness and efficiency. Financial and administrative functions of the University have been decentralized to Colleges and Schools consistent with Responsibility Based Management (RBM).

Under *Section 2.39 Establishment of Colleges and Schools*, the strategic plan noted that the terms schools, faculties and institutes were used interchangeably in practice yet they had different meanings. According to the Mackay report, a school was to have students and no lecturers; a faculty was to have both students and lecturers; and an institute was to have only lecturers. The strategic plan therefore proposed that the University adopts the concept of a school in which there are both students and lecturers where a variety of degree programmes are offered to avoid duplication of programmes and resources; and compromising academic quality and efficiency by operating too many administrative/academic units.

Under Section 2.40, it is noted in the Strategic Plan that the schools were spread across four separate campuses making it difficult to co-ordinate and it was therefore necessary



to establish campus colleges to enhance efficiency and effectiveness in the academic calendar and in resource allocation. The strategic plan therefore proposed that in addition to College of Natural Sciences (at Chepkoilel campus) four additional campuses be established.

Under table 2.1 the proposed college of Natural and Applied Sciences is shown to include the Faculty of Agriculture; Faculty of Science; Faculty of Forestry Resources and Wildlife Management; and School of Environmental Studies.

Following a Parliamentary question by private notice by Hon.(Dr.) Wilbur Ottichillo, MP on the transfer of Moi University School of Environmental Studies and subsequent debate on Wednesday, 07 September 2011, the Speaker of the National Assembly moved to direct the Parliamentary Committee on Education, Research and Technology to carry out a scrutiny on the matter and report on its findings to the House.

## CHAPTER TWO

### 2.0 Meeting with the Minister for Higher Education and the Vice-Chancellor, Moi University

The Committee held meetings with the Minister for Higher Education Science and Technology who was accompanied by the Permanent Secretary and other Ministry officials; and the Vice Chancellor of Moi University who was also accompanied by other University officials and a joint meeting which brought together the Management of Moi University, Chepkoilel University College, UASU, the Dean School of Environmental Studies, the teaching and non teaching staff and students from the school of environmental studies.

### 2.1 Minister for Higher Education, Science and Technology

The Minister for Higher Education, Science and Technology informed the Committee that:

- i) The decision to transfer the school of Environmental Studies from Moi University main campus to the Chepkoilel Campus was informed by the Strategic Plan of 2005-2015.
- ii) The practice of transferring departments or schools was not a new phenomenon in Kenya and had been done before when new Universities were established. The Minister cited the following instances:-
  - a. Moi University was started off from University of Nairobi Department of Forestry and that all the students and staff of the Department of forestry at Nairobi University were moved to Moi University.
  - b. Kenyatta University began as a constituent college of University of Nairobi and the School of Education from University of Nairobi was moved to begin Kenyatta University.
  - c. When Maseno University was created the faculty of Arts and its staff moved from Moi UNIVERSITY to start the faculty of Arts.
  - d. The faculty of forestry at the main campus of Moi University was moved when Moi University started Chepkoilel campus in 1991.

- iii) The degree awarded to students in the transferred faculties or schools belonged to the founding University.
- iv) It was common practice for the founding University to begin the same programme/school that they had given up to the new University if need be.
- v) The assets of the School of Environmental Studies would be moved to the Chepkoilel campus which was also undergoing new constructions as it had been upgraded to a constituent college in August, 2010.

## **2.2 The Vice Chancellor, Moi University**

The Vice-Chancellor Moi University informed the Committee that:

- i) The school of Environmental Studies was one of the pioneer Schools of Moi University and was established in 1985 with the first students reporting in 1988 and was located at the main campus.
- ii) In 2004, the University drew up a Strategic Plan to cover the period 2005 to 2015. The Strategic Plan was drawn with the participation of the University Senate, the Council, staff and students of Moi University and was eventually approved by the University Council.
- iii) One of the strategies was to consolidate related schools to form colleges to enhance efficiency and effectiveness in the use of resources and among them was the college of Natural and Applied Sciences which was to be situated at Chepkoilel Campus (now Chepkoilel University College).
- iv) The College of Natural and Applied Sciences was to comprise of the School of Agriculture and Biotechnology, School of Science, School of Natural Resource Management and School of Environmental Studies which were related and could therefore share staff and equipment. The School of Environmental Studies was therefore to be transferred from the main campus of Moi University to the then Chepkoilel campus (now Chepkoilel University College).
- v) During its 63<sup>rd</sup> meeting on Tuesday 21<sup>st</sup> June 2005, the Council approved the Strategic Plan 2005-2015 which included re-establishment of the School of Environmental

Studies as separate from the school of Natural Resources and its relocation to Chepkoilel campus.

- vi) Despite the approval and commencement of implementation of the Strategic Plan 2005-2015, the School of Environmental studies could not be immediately moved due to the lack of facilities at the campus at that time.
- vii) In 2009, the University reviewed the Strategic Plan 2005-2015 and came up with the Strategic Plan 2009/10-2014/15 which indicated that the College of Natural and Applied Sciences will comprise of the School of Environmental Studies among other science based schools.
- viii) In 2009, the Ministry of Higher Education Science and Technology (MOHEST) proposed to upgrade Chepkoilel University College to a Constituent College of Moi University. Chepkoilel University College was eventually established on 13<sup>th</sup> August 2010 vide Legal Notice number 125.
- ix) Legal Notice Number 125 of 2010 only provides for the establishment of Chepkoilel University College but does not provide for the establishment or movement of schools which is provided for in other University documents.
- x) Soon after the establishment of Chepkoilel University College, the Executive Committee of Moi University Council met on 19<sup>th</sup> August 2010 and agreed that the School of Environmental Studies would be transferred to Chepkoilel University College together with the transfer of academic and administrative staff
- xi) On November 18 2010, the Executive Committee held a special sitting to discuss the appeal by the Dean, School of Environmental Studies to reconsider the transfer to Chepkoilel University College. The Board however noted that the movement of the school had been envisaged by the Strategic Plan (2005-2015) and resolved that the school of Environmental Studies be given a grace period to move up to 1<sup>st</sup> May, 2011 while the facilities are being put in place in Chepkoilel University College
- xii) The Chepkoilel University College order states that the degrees and postgraduate diplomas to be awarded by the University College shall be degrees and postgraduate diplomas conferred by Moi University and therefore the current students of the

school of Environmental Studies shall be awarded Moi University degrees until the Chepkoilel Constituent College becomes a fully fledged University.

- xiii) There was some reluctance in the beginning by the staff and students to move to Chepkoilel since they had assumed they would move without any assets but when this was confirmed not to be true, they eventually agreed to move and all reported in August, 2011.
- xiv) The Vice-Chancellor confirmed to the Committee that no staff had lost their job and no student had dropped out due to the move of the school to Chepkoilel University College. He further assured the Committee that no staff member would be penalized for opposing the move.
- xv) The Vice Chancellor also stated that all assets belonging to the School of Environmental Studies would be transferred to Chepkoilel Campus including 100 acres of land in Malindi and Homa Bay Hills.

## **2.3 Meeting at Chepkoilel University College**

### **2.3.1 Students from the School of Environmental studies**

The students who attended the meeting informed the Committee that:

- i. They were forced to relocate to Chepkoilel University College. This was against their plea to remain at Moi University where the facilities were good
- ii. The students were unable to borrow books from the library and whenever they borrowed their Kenya National Identity cards were held by the library authorities until they returned the books. This was unnecessary inconvenience since students could not access other services that required the use of Identity cards.
- iii. There were no laboratories for GIS and remote sensing equipments for students. This had led to students being taught without practical classes which were crucial in the GIS and remote sensing specialization. The studio classes for students taking Environmental Planning and Management were also not available due to lack of space to install the equipment moved from Moi University.

- iv. A number of good and reliable lecturers had left the school since it was moved to Chepkoilel for instance Dr. Rachael, and Dr. Kipkirui.
- v. The student's accounts had not been reconciled since they moved from main campus and this had resulted in unnecessary delays in registration and attendance of classes.
- vi. The existence of two sets of transcripts (one bearing the Moi University Logo and the other bearing the Chepkoilel University College logo) was affecting the absorption of graduates in the job market, be it in internships, attachments or employment.
- vii. There were no consultations prior to the relocation of the school of environmental studies from Moi University main campus to Chepkoilel university College
- viii. The laboratory and studio equipment moved from main campus was unutilized due to lack of space for installation

**Students suggested recommendations:-**

- i. They should be allowed to borrow books from the library without their National IDs being retained by the library authorities. The students requested to be allowed to use their University ID cards.
- ii. They should be allowed to go back to Moi University main campus where they can access labs and studios
- iii. Harmonization of Transcripts. The transcripts should bear one logo

**2.3.2 Non-teaching staff**

- i. The staff complained that their transfer to Chepkoilel had caused them a lot of sleepless nights. This was because at their levels (job groups 1- 4) what they earned could not help them rent houses in their new place of work. They had taken the job at Moi where they owned land.

- ii. Environmental labs were dismantled and the equipment was unutilized at Chepkoilel University College. This meant that the practical classes were never taken especially the studio and GIS and remote sensing classes.
- iii. The Staff previously enjoying facilities at the main campus were greatly disadvantaged in delivery of the services. For instance those who had established linkages with other universities outside Kenya lost the opportunities in the form of research funds.
- iv. The Staff had also to sign new contracts and their leaves were affected
- v. The unused instruments risked becoming obsolete in due course
- vi. The standards had been compromised especially for students taking courses on GIS and remote sensing and Environmental Planning and Management
- vii. Some chemicals/reagents had expired
- viii. The transfer of the school was done without consultation, proper planning and in a hurry.

**Non teaching staff suggested recommendations:**

- i. There was urgent need for allocation of funds and space to construct studios and laboratories.

**2.3.3 Teaching staff**

- i. The transfer/relocation came as a rumour and was effected without proper preparation, consultation and planning. It was a unilateral decision by the Moi University Board of Management and Council.
- ii. There had been an embargo on staff recruitment and promotions in the school of environmental Studies.
- iii. The linkage between the school of Environmental Studies and Amsterdam University in the Netherlands was in jeopardy because of the transfer. Laboratory equipment donated by Amsterdam University was lying unutilized in a container. Reagents and machines were also lying unused. The breaking of linkages with



collaborators was disastrous to research and the quality of students graduating from the school.

- iv. The Lake Victoria Management programme funded by World Bank was interrupted because the leading implementer was the school of environmental studies. Another project, 'COCOON'- Cooperation on Conflict over natural resources funded by the Netherlands Cooperation for Scientific Research under the Ministry of Foreign Affairs Netherlands did not take off due to the transfer of the school which was the key collaborator from the Kenyan side.
- v. The output through post graduate students had greatly been affected whereby in the academic year, 2011 only four PhD students graduated compared to ten in the previous academic year (2010).
- vi. The quality of teaching and graduates was compromised due to lack of laboratories and studios, GIS software among others.
- vii. The lecturers were unable to supervise the students due to lack of funds and this leads to delayed graduation for students on post graduate studies.
- viii. The research funds for the school of environmental studies had not been transferred from Moi University. The mother university had promised to transfer but was taking too long.
- ix. Controversy over the ownership of Malindi and Homa Hills field stations, 100 hectares each remained unresolved. These two field stations belonged to the School of Environmental studies, but the titles were in the name of Moi University.
- x. The school was unable to promote and recruit more staff and lecturers due to lack of funds. This may lead to other universities poaching lecturers from the school.
- xi. The decision, planning and communication of the transfer of the school of environmental studies from Moi University main campus to Chepkoilel University College was irregular and inconsistent with prudent management practices.

#### Teaching staff suggested recommendations

- i. Allocation of funds to construct laboratories and studios

- ii. Allocation of funds to purchase GIS software
- iii. Urgent transfer of research funds
- iv. Allocation of space to install the equipment lying in stores

#### **2.3.4 University Academic Staff Union**

- i. There was no formal communication to students and lecturers about the transfer of school of Environmental studies to Chepkoilel University College.
- ii. The students and lecturers were moved under duress. The lecturers had been threatened to move or risk not receiving their salaries.
- iii. The relocation of the school was hurriedly done without adequate consultations. Therefore, the relocation of the school was a unilateral decision of Board of Management and Council of Moi University and the senate was not involved.
- iv. The labs and studios at Moi University main campus should be activated and where necessary, re-installation of equipment lying unused at Chepkoilel be done as a temporal measure until the Chepkoilel University College constructs its own labs. This would alleviate the students suffering and ensure quality standards are maintained.
- v. There was evidence to the effect that members of staff were threatened with sacking and salary suspension.
- vi. There was need to acquire a software for the library and the environmental resource centre
- vii. Students were frustrated in accessing the library and labs. This may lead to production of low quality graduates.

#### **2.3.5 Vice Chancellor Moi University**

The Vice Chancellor informed the Committee that:

- i. The decision to transfer the school of environmental studies to Chepkoilel was informed by the University strategic plan 2008-2018

- ii. Moi University had not and has no plans to establish another school of Environment at Main campus
- iii. Facilities previously used by the school of Environmental studies were being utilized by the school of Biological and Physical Sciences
- iv. The facilities at main campus can be used by all students and the school of environmental studies was welcome back to use the labs and studios until the labs were constructed at the Chepkoilel University College.
- v. He was not aware until the Committee's visit that the equipment of the school of environmental studies previously uprooted/removed from the main campus of Moi University was lying in stores at Chepkoilel University College.
- vi. Undertook to do everything possible to help the school of environmental studies to function optimally.
- vii. Re-installment of equipment at main campus was possible
- viii. All funds owed to Chepkoilel by Moi University will be paid soonest possible as planned in the handover of the assets
- ix. The field stations in Malindi and Homa Hills will be handed over to Chepkoilel University College once the legal huddle of transferring the title deed was overcome.

### 2.3.6 The Dean of the School of Environmental studies

The Dean Informed the Committee that:

- i. The School lacked adequate space to house the teaching and non-teaching staff as well as laboratories and studios for practical lessons
- ii. The school had written several letters to the principal on the need to construct temporary labs and studios
- iii. The school was studying temporal structures constructed by Chinese constructor in Burnt forest area and was considering using a similar technology in the construction of labs and studios
- iv. The transfer of the school from main campus to Chepkoilel was a unilateral decision of the Moi University Council and Board of Management and the school of environmental studies was against it from the onset.

- v. The staff and the students were forced to relocate to Chepkoilel University College despite persistent requests to be allowed to remain in main campus.

### 2.3.7. The Principal Chepkoilel University College

The Principal informed the Committee that:

- i. The University College lacked resources to construct the labs and studios and housing for the school of environmental studies
- ii. The University College was exploring several options on providing the required housing to the school of environmental studies
- iii. The transfer of the school of Business Management which was the cash cow for the University College to main campus was a real drawback in the school's financial stability
- iv. The transfer of the School of Environmental Studies from main campus to Chepkoilel was done in a hurry and without the required planning and preparation.
- v. The financial challenges faced by the University College had lead to borrowing a bank loan to support expenditure obligations.
- vi. The transfer of assets and liabilities had not been finalized

## CHAPTER THREE

### 3.0 COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

#### 3.1 COMMITTEE'S OBSERVATIONS

The Committee observed that:

- i. The transfer of schools or faculties from main campuses to begin colleges elsewhere was a common practice in Kenya;
- ii. The decision to transfer the School of Environmental Studies to Chepkoilel University College (formerly Chepkoilel campus) was envisaged by the Strategic Plan (2005-2015) and (2009-2015) and approved by the Moi University Council in 2005 but this decision was never ratified by the University Senate which has a wider representation including student leaders. Needless to say that the strategic plan is only a guiding framework to achieve the stated goals and objectives and should be flexible and subject to continuous review and modification.
- iii. The school of Environmental studies which was to be relocated to Chepkoilel University college would transfer with all its assets, staff and student;
- iv. No staff had lost their job and no student had dropped out due to the move of the school to Chepkoilel University College and further, no member of staff member would be penalized for opposing the transfer of the school;
- v. The decision to transfer the School of Environment from Moi University main campus to Chepkoilel University College was unilateral, unplanned, haphazard and irresponsible. This had resulted in untold suffering to lecturers, students and staff of the school and compromised education standards;
- vi. The powers to transfer a school to a constituent college or a different campus of the same University were susceptible to abuse and malice. It is therefore necessary that matters relating to a transfer of a school be enshrined in the University Act or other relevant legislation;

- vii. There was an urgent need to find immediate solution to the problems facing the school of environmental studies especially the need for laboratories, studios, GIS software and a functional library. If this situation is not immediately attended and corrected the quality and standards would greatly be affected.
- viii. The students and lecturers were unduly inconvenienced and worked under very strenuous conditions.
- ix. The equipment moved from Moi University was unutilized and locked up in stores at Chepkoilel University College. It was irresponsible for the university to move a school without ascertaining that there were adequate facilities at the new place;
- x. The Moi University Board of Management and the Council were irresponsible and careless in the manner in which they managed the transfer the School of Environmental studies to Chepkoilel University College.
- xi. The transfer of the School of Business from Chepkoilel University College to Moi University main campus was irregular. This transfer negatively affected the revenue collection of Chepkoilel University College. The shortfall on revenue collection was estimated to be Kshs. 250 Million
- xii. The Mother University (Moi University) had not transferred various funds meant for the School of Environmental studies to Chepkoilel University College including research funds and school fees collections.



### 3.2 COMMITTEE'S RECOMMENDATIONS

The Committee recommends that:

- i. The VC and the Board of Management of Moi University main campus should be held responsible and accountable for the irresponsible and careless transfer of the School of Environment Studies from Moi University main campus to Chepkoilel University College. This transfer had resulted in compromised quality of education standards and unnecessary frustration to students, lecturers and non-teaching staff. The Vice Chancellor, the Chief Academic Officer and the Chief administrative officer who form the top management of Moi University should be further investigated for abuse of office.
- ii. The Board of Management of Moi University should immediately institute remedial measures to safeguard the deteriorating academic standards by allowing re-installation (at main campus) of laboratory and studio equipment lying unutilized at Chepkoilel University. The Chepkoilel University College should facilitate students to attend the practical lessons at the main campus. This will ensure the students attend practical lessons until the required infrastructure is in place at Chepkoilel University College.
- iii. Proper handing over of all assets and monies including donor research funds, fees meant for the school of environmental studies should be expedited.
- iv. The research funds meant for the School of Environmental studies should be transferred by Moi University to Chepkoilel University within three months.
- v. The Chepkoilel University College should prioritize the construction of laboratories, studios and procurement of GIS software.
- vi. The Chepkoilel University College should ensure that all students including those from the school of environmental studies access the library facility at all times.
- vii. All institutions of higher learning should endeavour to ensure that their graduates get the relevant skills and are marketable nationally and internationally.



- viii. The Chepkoilel University College prioritizes the construction of laboratories and studios for the school of Environmental studies. The required funds should be allocated by the government.
- ix. The Board of Management of Moi University should institute remedial measures to safeguard the academic standards by allowing re-installation (at main campus) of laboratory and studio equipment lying unutilized at Chepkoilel University. This will ensure the students attend practical lessons at the main campus until the required infrastructure is in place at Chepkoilel University College.
- x. The certificates/transcripts issued to all students at the Chepkoilel University College should bear the name and the logo of Moi University until Chepkoilel University College becomes a fully fledged University.
- xi. The process of transferring a school to a campus or a constituent College of the same University should be clearly stipulated in the University Act or any other relevant legislation. These processes must be inclusive, consultative and based on mutual agreement amongst the relevant stakeholders especially the students, the lecturers, UASU and the Non-teaching staff.
- xii. Owing to the wider representation of the Senate that includes students, faculty heads, UASU and non-teaching staff among others, all decisions of the Board of Management and Council should be ratified by the Senate.
- xiii. The ownership of field's stations in Malindi and Homa Hills should be transferred to Chepkoilel University College. The title deeds of the two stations should be transferred to Chepkoilel University College immediately.
- xiv. The VC and the Board of Management should be held responsible for the irresponsible and careless manner in which they managed the transfer of the School of Environment Studies from Moi University main campus to Chepkoilel University College. This transfer had resulted in compromised quality of education and standards and unnecessary frustration to students, lecturers and non-teaching staff.

MINUTES OF THE 43<sup>RD</sup> SITTING OF THE DEPARTMENTAL COMMITTEE  
ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON  
THURSDAY, AUGUST 23<sup>RD</sup>, 2012 AT SMALL DINING, MAIN PARLIAMENT  
BUILDING AT 10.00 A.M.

PRESENT

Hon. David Koech, M.P. - Chairperson  
Hon. (Dr.) Wilbur Ottichilo, M.P.  
Hon. John D. Pesa, M.P.  
Hon. Alfred Bwire Odhiambo, M.P.

ABSENT WITH APOLOGY

Hon. F. T. Nyammo, M. P. - Vice-chairperson  
Hon. Shakilla Abdalla, M.P.  
Hon. (Dr.) Joyce Laboso, M.P.  
Hon. David Njuguna, M.P.  
Hon. Mohammed Sirat, M.P.  
Hon. B. Muturi Mwangi, M.P.

IN ATTENDANCE

Mr. Derick Koli  
Mr. George Otieno  
Ms. Lynette Otieno

KENYA NATIONAL ASSEMBLY

- Third Clerk Assistant  
- Third Clerk Assistant  
- Parliamentary Intern

MIN.NO. 193/2012: PRELIMINARIES

The Chairman called the meeting to order at ten minutes to eleven o'clock in the morning and the meeting started with a word of prayer.

MIN. NO.194/2012: CONFIRMATION OF PREVIOUS MINUTES

Minutes of the following sittings were confirmed by the Members present and signed by the Chairperson.

- i. Minutes of the Thirteenth Sitting held on 13<sup>th</sup> April 2012 were proposed by Hon. Ottichilo and seconded by Hon. Koech.

- ii. Minutes of the Fourteenth Sitting held on 13<sup>th</sup> April 2012 were proposed by Hon. Ottichilo and seconded by Hon. Koech.
- iii. Minutes of the Fifteenth Sitting held on 17<sup>th</sup> April 2012 were proposed by Hon. Pesa and seconded by Hon. Koech.
- iv. Minutes of the Sixteenth Sitting held on 18<sup>th</sup> April 2012 were proposed by Hon. Pesa and seconded by Hon. Koech.
- v. Minutes of the Twentieth Sitting held on 23<sup>rd</sup> April 2012 were proposed by Hon. Ottichilo and seconded by Hon. Koech.
- vi. Minutes of the Thirty First Sitting held on 23<sup>rd</sup> June 2012 were proposed by Hon. Odhiambo and seconded by Hon. Ottichilo.
- vii. Minutes of the Thirty Second Sitting held on 23<sup>rd</sup> June 2012 were proposed by Hon. Ottichilo and seconded by Hon. Odhiambo.
- viii. Minutes of the Thirty Third Sitting held on 24<sup>th</sup> June 2012 were proposed by Hon. Ottichilo and seconded by Hon. Odhiambo.
- ix. Minutes of the Thirty Fourth Sitting held on 24<sup>th</sup> June 2012 were proposed by Hon. Ottichilo and seconded by Hon. Odhiambo.

**MIN. NO.195/2012:**

**ADOPTION OF THE REPORTS ON: CHEPKOILEL  
UNIVERSITY COLLEGE (2011); NON-FORMAL  
SCHOOLS (2010); NON- ACCREDITATION OF  
ENGINEERING GRADUATES FROM MASINDE  
MULIRO UNIVERSITY AND KENYATTA  
UNIVERSITIES AND CANCELLATION OF KCSE 2011  
RESULTS**

The Committee considered and adopted the following reports for subsequent tabling and debate in the House. The Committee further resolved that the reports be tabled immediately.

- i. The report on the transfer of Moi University school of environmental studies from Main Campus to Chepkoilel University College (A constituent college of Moi University) 2011 were proposed by Hon. Ottichilo and seconded by Hon. Odhiambo.
- ii. The report on Non-formal Schools in Kenya were proposed by Hon. Ottichilo and seconded by Hon. Odhiambo.
- iii. The report on the Non-accreditation of Engineering students of Masinde Muliro University of Science and Technology and Kenyatta University were proposed by Hon. Ottichilo and seconded by Hon. Odhiambo.
- iv. The report on the cancellation of 2011 KCSE results in Mandera and Garissa County were proposed by Hon. Ottichilo and seconded by Hon. Odhiambo.

**MIN. NO.196/2012:**            **CONSIDERATION OF THE PROGRAMME OF  
ACTIVITIES (AUGUST-DECEMBER 2012)**

- i. The committee agreed to schedule a meeting to discuss the programme of activities for August – December 2012 at a later date. The Secretariat was directed to come up with a draft programme to be considered by the Committee.

**MIN. NO.197/2012:**            **ANY OTHER BUSINESS**

- i. The Committee raised the issue concerning proper vetting of students identification at the examination registration level by KNEC in order to ensure the refugee students were registered as refugees and not Kenyans.
- ii. The Committee also discussed the question raised by Hon. Odhiambo on the floor of the house concerning the quality of education that was being offered by institutions of higher learning in Kenya. The Committee resolved to carry

out an inquiry into the matter and visit Universities across the country and have meetings with the relevant stakeholders. It was noted that there was need to protect the interest of Kenyans on access to quality education in order to ensure the degrees offered by Kenyan Universities meet international standards. In this regard, the Committee agreed to invite the Minister for Higher Education, Science and Technology, the Members of Parliament,, CHE, University VC's, and other relevant stakeholders before embarking on the inspection tours of various Universities.

- iii. The issue of National Schools being inaccessible to poor students was raised. The Committee noted that some National Schools still required students to pay development fees that were highly inflated, yet the Committee and the Ministry of Education had approved a higher budgetary allocation to these institutions while reviewing the Education sector budget.

MIN.NO. 198/2012:      DATE OF THE NEXT MEETING

The next meeting was to be Tuesday, 28<sup>th</sup> August 2012 at 10.00am.

MIN. NO.199/2012:      ADJOURNMENT

There being no other business, the Committee adjourned the sitting at thirty minutes past twelve o'clock.

SIGNED..... 23/08/2012 .....

(CHAIRMAN)

DATE..... ..

MINUTES OF THE THIRTY SECOND SITTING OF THE DEPARTMENTAL COMMITTEE  
ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON SATURDAY, JUNE 23<sup>RD</sup>,  
2012 AT KIBOKO CONFERENCE HALL LAKE NAIVASHA SOPA LODGE AT 2.30 P.M.

PRESENT

Hon. David Koech, M.P. -Chairperson  
Hon. David Njuguna, M.P.  
Hon. B. Muturi Mwangi, M.P.  
Hon. Alfred Bwire Odhiambo, M.P.  
Hon. (Dr.) Wilbur Ottichilo, M.P.

ABSENT WITH APOLOGY

Hon. F. T. Nyammo, M. P. -Vice-chairperson  
Hon. Mohammed Sirat, M.P.  
Hon. Shakilla Abdalla, M.P.  
Hon. (Dr.) Joyce Laboso, M.P.  
Hon. John D. Pesa, M.P.

IN ATTENDANCE

KENYA NATIONAL ASSEMBLY

Mr. Derick Koli - Third Clerk Assistant  
Mr. Stephen Gikonyo - Personal Secretary  
Ms. Lynette Otieno - Parliamentary Intern

MIN.NO. 142/2012: PRELIMINARIES

The Chairman called the meeting to order at thirty minutes past two o'clock and started with a word of prayer.

MIN.NO. 143/2012: MEETING TO CONSIDER THE DRAFT REPORT ON THE  
TRANSFER OF MOI UNIVERSITY SCHOOL OF  
ENVIRONMENTAL STUDIES FROM THE MAIN CAMPUS  
TO CHEPKOILEL UNIVERSITY COLLEGE (A CONSTITUENT  
COLLEGE OF MOI UNIVERSITY)

The Committee after consideration of all the presentations and reports by the relevant stakeholders together with reports of its fact finding visit to Chepkoilel University College, made the following observations to be adopted in the report:

- i. The transfer of schools or faculties from main campuses to begin colleges elsewhere was a common practice in all institutions of higher learning.
- ii. The abolition/transfer of Moi University School of Environmental Studies from main campus to Chepkoilel University College (a constituent College of Moi University)



may not have been a new phenomenon in the institutions of higher learning. However, the manner in which the transfer was carried out leaves a lot to be desired. The transfer was unplanned, haphazard and resulted in unnecessary suffering and duress to students, lecturers and non teaching staff.

- iii. The decision to relocate the School of Environmental Studies was approved by the University Council in 2005 in line with the Strategic Plan 2005-2015 but this decision was never ratified by the University Senate which has a wider representation including student leaders. Needless to say that the strategic plan is only a guiding framework to achieve the stated goals and objectives and should be flexible and subject to continuous review and modification.
- iv. The leadership and students of the School of Environmental Studies were against the decision to transfer the school to Chepkoilel University College owing to fears of lack of adequate facilities including studios, laboratories and GIS software at Chepkoilel. These fears were confirmed by the Committee during its visit to Chepkoilel University College.
- v. The equipment moved from Moi University and a container of equipment donated by the Government of Netherlands was unutilized and locked up in stores at Chepkoilel University College. It was irresponsible for the university to move a school without ascertaining that there were adequate facilities at the new institution.
- vi. No official handing over of assets including land, fees and research funds had been done.
- vii. The school of business management was irregularly transferred to main campus Moi University from Chepkoilel University College which led to a shortfall of Kshs. 250 Million on revenue collection for Chepkoilel University College.
- viii. The students of the school of Environmental studies had difficulties accessing library facilities.
- ix. No staff had lost their job and no student had dropped out due to the move of the School to Chepkoilel University College and further, no staff member had been penalized for opposing the transfer of the school.
- x. There was an urgent need to find an immediate solution to the problems facing the school of environmental studies especially the need for laboratories, studios GIS software and a functional library;
- xi. The students and lecturers were unduly inconvenienced and worked under very strenuous conditions.
- xii. The Moi University Board of Management and Council were irresponsible and careless in the manner in which they managed the transfer of the School of environmental Studies to Chepkoilel University College.
- xiii. If the situation at the School of Environmental Studies is not immediately corrected the quality of education will be greatly affected.

The Committee made the following recommendations to be adopted in the report:

- i. The VC and the Board of Management of Moi University main campus should be held accountable for the irresponsible and careless transfer of the School of



Environmental studies from Moi University main campus to Chepkoilel University College. This transfer may have resulted in the compromised quality of education standards and unnecessary frustrations to students, lecturers and non teaching staff. The VC, Chief Academic Officer and the Chief administrative officer who form the top management should be investigated for abuse of office and appropriate action taken.

- ii. The Board of Management, Moi University should immediately institute remedial measures to safeguard the academic standards by allowing re-installation (at main campus) of laboratory and studio equipment lying unutilized at Chepkoilel University. They should immediately facilitate students to attend practical lessons until the required infrastructure is in place at Chepkoilel University College.
- iii. Proper handing over of all assets and money including research funds meant for the school of environmental studies should be expedited.
- iv. The ownership of field's stations in Malindi and Homa Hills should be transferred to Chepkoilel University College. In this regard, the title deeds of the two stations should be legally transferred to Chepkoilel University College.
- v. Owing to the wider representation of the Senate that includes students, faculty heads, UASU and non teaching staff among others, all decisions of the Board of management and Council must be ratified by the Senate.
- vi. Chepkoilel University College should prioritize construction of laboratories and GIS studios for students of the School of Environmental Studies.
- vii. The Certificates/ transcripts issued to all students at the Chepkoilel University College should bear the name and the logo of Moi University until Chepkoilel becomes a fully fledged University.
- viii. All institutions of higher learning must endeavor to ensure that all their graduates get relevant skills and are marketable nationally and internationally.
- ix. Chepkoilel with immediate effect should ensure students including those of environmental studies have access to the library services.
- x. The process of transferring a school to a campus or constituent College of the same University should be clearly stipulated in the University Act or any other relevant legislation. These processes must be all inclusive, consultative and based on mutual agreement amongst the relevant stakeholders.

MIN.NO. 144/2012:

DATE OF THE NEXT MEETING

The next meeting was to be held on the Sunday, 24<sup>th</sup> June 2012 at 9.00 a.m.

MIN.NO. 145/2012:

ADJOURNMENT

There being no other business, the Committee adjourned the sitting at five o'clock.

Signed:   
(Chairperson)

Date: 23/08/2012

MINUTES OF THE 20<sup>TH</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON MONDAY, 23<sup>RD</sup> APRIL, 2012 AT THE PRINCIPAL'S BOARD ROOM, CHEPKOILEL UNIVERSITY COLLEGE, ELDORET AT 10:00AM

PRESENT

The Hon. David Koech, MP - Chairman  
 The Hon. B. C. Muturi Mwangi, MP  
 The Hon. Shakilla Addallah, MP  
 The Hon. (Dr.) Wilbur Ottichillo, MP  
 The Hon. David Njuguna, MP

ABESNT WITH APOLOGIES

The Hon. F. T. Nyamu, MP - Vice Chairman  
 The Hon. John D. Pesa, MP  
 The Hon. (Dr.) Joyce Laboso, MP  
 The Hon. Muhamed Sirat, MP  
 The Hon. Alfred Bwire Odhiambo, MP

IN ATTENDANCE – MOI UNIVERSITY AND CHEPKOILEL UNIVERSITY COLLEGE

NAME	INSTITUTION	POSITION
Prof. R. Mibey	Moi University	Vice Chancellor
Prof. E.K. Biamah	Chepkoilel University College	Principal
Prof. K. Ole Karei	Moi University	Chief Academic Officer,
Prof. J. K. Bitok	Chepkoilel University College	Deputy Principal (AP&F)
Prof. John Simiyu	Chepkoilel University College	School of Education
Prof. Framas K. Sang	Chepkoilel University College	SNRM/Chaplain
Prof.D. Kimutai Some	Chepkoilel University College	
Dr. Kiptui Mark	Chepkoilel University College	Lecturer SES
Dr. E. K. Ucakuwun	Chepkoilel University College	Senior Lecturer EES(Rep.HOD)
Dr. M. Z. Mapehi	Chepkoilel University College	Ag. Director
Dr. Maurice Okoth	Chepkoilel University College	Quality Assurance
Dr. Maurice Ogeta	Chepkoilel University College	UASU Sec.Gen. Moi chapter
Dr. Paul O. Odwori	Chepkoilel University College	Rep.school of Business&MG
Dr. Vincent Sudoi	Chepkoilel University College	Dean school of Environment
Dr. Fred Degor	Chepkoilel University College	Rep. Dean School of Science
Dr. Emmanuel C. Kipkorir	Chepkoilel University College	School of Engineering
Dr. Odipo Osano	Chepkoilel University College	School of Environmental studies

Mr. B K. Rono	Chepkoilel University College	Ag. Registrar(Academics)
Mr. E. Korir	Chepkoilel University College	
Mr. Philip C. K. Barmasse	Moi University	PAO(HR)
Mrs. E. Masesi	Chepkoilel University College	Rep. Dean of Students
Captain(Rtd)Cherogony	Chepkoilel University College	Snr. Security Officer
Ms. LydiaJ.Lelon	Chepkoilel University College	Snr. Library Assistant
Mr. Hosea Sitienei	Chepkoilel University College	Finance Officer
Ms. J.J. Maina	Chepkoilel University College	Legal Officer
Ms. W. W. Were	Moi University	Legal Officer
Mrs. Florence Standa	Chepkoilel University College	Snr. Assistant Registrar
Mr. Omondi Kennedy Owuor	Chepkoilel University College	CUCSO Chairman
Several students from the school of environment attended		

#### IN ATTENDANCE - KENYA NATIONAL ASSEMBLY

Mr. Derick Epae Koli - Third Clerk Assistant  
Ms. Linet Otieno - Parliamentary Intern

#### MIN. NO.85/2011: PRELIMINARIES

The meeting was called to order at twenty minutes past ten o'clock and started with a word of prayer. Thereafter, the chairman opened the meeting for around of introductions and reiterated that the Committee was visiting to hear the views of the students, lecturers, Management, UASU, Non-teaching staff and Moi University on the relocation of the School of Environmental Studies from Moi University Main campus to Chepkoilel University College (a Constituent College of Moi University).

#### MIN.NO.86 /2011: MEETING MOI UNIVERSITY AND CHEPKOILEL UNIVERSITY COLLEGE (a constituent College of Moi University)

During the meeting the views collected were as follows:

##### (a)Students

The students who attended the meeting informed the Committee that:

- i. They were forced to relocate to Chepkoilel University College. This was against their plea to remain at Moi University where the facilities were good
- ii. The students were unable to borrow books from the library and when they borrowed their Kenya National Identity cards were held by the library authorities until they returned the books. This was unnecessary inconvenience since students could not access other services that required the use of Identity cards.
- iii. There were no laboratories for GIS and remote sensing students. This had lead to students being taught without practical classes which were crucial in the GIS and remote sensing specialization. The studio classes for students taking

- Environmental Planning and Management were also not available due to lack of space to install the equipment moved from Moi University.
- iv. A number of good and reliable lecturers had left the school since it was moved to Chepkoilel they include; Dr. Rachael and Dr. Kipkirui, a studio lecturer of Environmental Planning and Management.
  - v. The student's accounts not been reconciled since they moved and this had resulted in unnecessary delays in registration and attendance of classes.
  - vi. The existence of two sets of transcripts (one bearing the Moi Logo and the other bearing the Chepkoilel logo) was affecting the absorption of graduates in the job market be it internships, attachments or employment.
  - vii. There were no consultations prior to the relocations
  - viii. The laboratory and studio equipment moved from main campus was unutilized due to lack of space for installation

**Recommendations:**

- i. They should be allowed to borrow books from the library without their IDs being retained by the library authorities
- ii. They should be allowed to go back to Moi University main campus where they can access labs and studios
- iii. Harmonization of Transcripts. The transcripts should bear one logo

**(b) Non-teaching staff**

- i. The staff complained that their transfer to Chepkoilel had caused them a lot of sleepless nights. This was because at their levels (job groups 1- 4) what they earned could not help them rent houses in their new place of work. They had taken the job at Moi where they owned land.
- ii. Environmental labs were dismantled and the equipment was unutilized at Chepkoilel. This meant that the practical classes were never taken especially the studio and GIS and remote sensing classes.
- iii. The Staff previously enjoying facilities at the main campus were greatly disadvantaged in delivery of the services. For instance those who had established linkages with other universities outside Kenya lost the opportunities in the form of research funds.
- iv. The Staff had also to sign new contracts and their leaves affected
- v. The unused instruments risked becoming obsolete in due course
- vi. The standards had been compromised especially for students taking courses on GIS and remote sensing and Environmental Planning and Management
- vii. Some chemicals/reagents had expired
- viii. The transfer of the school was done without consultation, proper planning and in a hurry.

**Recommendations:**

Allocation of funds and space to construct studios and labs



### (c)Teaching staff

- i. The transfer/ relocation came as a rumour and was effected without proper preparation, consultation and planning; it was a unilateral decision by the Moi University Board of Management and Council.
- ii. There had been an embargo on staff recruitment and promotions in the school of environment
- iii. The linkage between the school of Environment and Amsterdam University in the Netherlands was in jeopardy because of the transfer. Laboratory equipment donated by Amsterdam University was lying unutilized in a container. Reagents and machines were also lying unused. The breaking of linkages with collaborators was disastrous to research and the quality of students graduating from the school.
- iv. The Lake Victoria Management programme funded by World Bank was interrupted because the leading implementer was the school of environmental studies. Another project, COCOON funded by the Netherlands government was interrupted and the project lost.
- v. The output through post graduate students had greatly been affected whereby in the academic year, 2011 only four (4) PhD students graduated compared to ten (10) in the previous academic year (2010).
- vi. The quality of teaching and graduates was compromised due to lack of laboratories and studios, GIS software among others.
- vii. The lecturers were unable to supervise the students due to lack of funds and this leads to delayed graduation for students on post graduate studies.
- viii. The research funds for the school of environmental studies had not been transferred from Moi University. The mother university had promised to transfer but was taking too long.
- ix. Controversy over the ownership of Malindi and Homa Hills field stations, 100 hectares each remained unresolved. These two field stations belonged to the School of Environmental studies but the titles were in the name of Moi University.
- x. The school was unable to promote and recruit more staff and lecturers due to lack of funds. This may lead to other universities poaching lecturers from the school.
- xi. The decision, planning and communication of the transfer of the school of environment from Moi University main campus to Chepkoilel University College was irregular, malicious and not consistent with prudent management practices.

### **Recommendation**

- i. Allocation of funds to construct laboratories and studios
- ii. Allocation of funds to purchase GIS software
- iii. Urgent transfer of research funds
- iv. Allocation of space to install the equipment lying in stores

**(d)UASU**

- i. There was no formal communication to students and lecturers about the transfer of school of Environmental studies to Chepkoilel University College
- ii. The students and lecturers were moved under duress. The lecturers had been threatened to move or risk not receiving their salaries
- iii. The relocation of the school was hurriedly done without adequate consultations. Therefore, the relocation of the school was a unilateral decision of Board of Management of Moi University and Council and the senate was not involved.
- iv. The labs and studios at Moi University main campus should be activated and where necessary, re-installation of equipment lying unused at Chepkoilel be done as a temporal measure until the Chepkoilel University College constructs its own labs. This would alleviate the students suffering and ensure quality standards are maintained.
- v. There was evidence to the effect that members of staff were threatened with sacking and salary suspension
- vi. There was need to acquire a software for the library for environmental resource centre
- vii. Students were frustrated in accessing the library and labs. This leads to low quality graduates.

**(e) Vice Chancellor Moi University, Prof. Richard Mibey**

- i. The decision to transfer the school of environment studies to Chepkoilel was informed by the University strategic plan 2008-2018
- ii. Moi University had not and has no plans to establish another school of Environment at Main campus
- iii. Facilities previously used by the school of Environment were being utilized by the school of Biological and Physical Sciences
- iv. The facilities at main campus can be used by all students and the school of environment was welcome back to use the labs and studios until the labs were constructed at the Chepkoilel University College
- v. He was previously not aware that the equipment of school of environment previously uprooted/removed from the main campus of Moi University was lying unutilized at Chepkoilel University College and was sorry about it.
- vi. Undertook to do everything possible to help the school of environment to function optimally.
- vii. Re-installment of equipment at main campus was possible
- viii. All funds owed to Chepkoilel by Moi University will be paid soonest possible as planned in the handover of the assets
- ix. The field stations in Malindi and Homa Hills will be handed over to Chepkoilel University College once the legal huddle of transferring the title deed was overcome.

**(f) The Dean of the School of Environmental studies**

The Dean informed the Committee that:



- i. The School lacked adequate space to house the teaching and non-teaching staff as well as laboratories and studios for practical lessons
- ii. The school had written several letters to the principal on the need to construct temporary labs and studios
- iii. The school was studying temporal structures constructed by Chinese constructor in Burnt forest area and was considering using a similar technology in the construction of labs and studios
- iv. The transfer of the school from main campus to Chepkoilel was a unilateral decision of the Moi University Council and Board of Management and the school of environmental studies was against it from the onset.
- v. The staff and the students were forced to relocate to Chepkoilel University College despite persistent requests to be allowed to remain in main campus.

**(g) The Principal Chepkoilel University College**

The Principal informed the Committee that:

- i. The University College lacked resources to construct the labs and studios and housing for the school of environmental studies
- ii. The University College was exploring several options on providing the required housing to the school of environmental studies
- iii. The transfer of the school of Business Management which was the cash cow for the University College to main campus was a real drawback in the school's financial stability
- iv. The transfer of the School of Business from Chepkoilel University College to Moi University main campus was suspect. This transfer negatively affected the revenue collection of Chepkoilel University College. The shortfall on revenue collection was estimated to be Kshs. 250 Million
- v. The Mother University (Moi University) had not transferred various funds meant for the School of Environmental studies to Chepkoilel University College including research funds and school fees collections.

- vi. The transfer of the School of Environmental Studies from main campus to Chepkoilel was done in a hurry and without the required planning and preparation.
- vii. The financial challenges faced by the University College had lead to borrowing a bank loan to support expenditure obligations.
- viii. The transfer of assets and liabilities had not been finalized

### Committee's Observations

The Committee made the following observations:

- i. The decision to transfer the School of Environment from Moi University main campus to Chepkoilel was unilateral, malicious, unplanned, haphazard and irresponsible. This had resulted in untold suffering to lecturers, students and staff of the school and compromised education standards.
- ii. The powers to transfer a school to a constituent college or a different campus of the same University were susceptible to abuse and malice. It is therefore necessary that matters relating to a transfer of a school be enshrined in the University Act or other relevant legislation.
- iii. There was an urgent need to find a temporal solution to the problems facing the school of environment especially the need for laboratories, studios, GIS software and a functional library.
- iv. The students and lecturers were unduly inconvenienced and worked under very strenuous conditions.
- v. The equipment moved from Moi University was unutilized at Chepkoilel University College. It was irresponsible for the university to move a school without ascertaining that there were adequate facilities at the new place.
- vi. The University Board of Management and Council were irresponsible, careless and driven by selfish interests in the decision to transfer the School of Environment to Chepkoilel University College.
- vii. The Moi University Senate was not involved in the decision to transfer the school
- viii. Quality of education standards was greatly compromised in the process of transferring the school to Chepkoilel University College
- ix. The transfer of the School of Business from Chepkoilel University College to Moi University main campus was suspect. This transfer negatively affected the revenue collection of Chepkoilel University College. The shortfall on revenue collection was estimated to be Kshs. 250 Million
- x. The Mother University (Moi University) had not transferred various funds meant for the School of Environmental studies to Chepkoilel University College including research funds and school fees collections.

MIN.NO. 87/2011: ANY OTHER BUSINESS

The Chairman thanked the VC Moi University, the Principal Chepkoilel University College for the warm welcome and the fruitful deliberations and wished them well.

MIN.NO.88/2011: DATE OF THE NEXT MEETING

The next meeting was to be called by notice

MIN.NO. 89/2011: ADJOURNEMENT

There being no other business, the Committee adjourned the sitting at twenty five minutes past four o'clock.

Signed: .....  
(Chairperson)

Date: 23/08/2012.....

MINUTES OF THE FIFTEENTH SITTING OF THE DEPARTMENTAL COMMITTEE ON  
EDUCATION, RESEARCH AND TECHNOLOGY HELD ON TUESDAY, 17<sup>TH</sup> APRIL, 2012  
AT COMMITTEE ROOM 9, MAIN PARLIAMENT BUILDING AT 3:30 PM.

PRESENT

The Hon. David Koech, MP - Chairperson  
The Hon. F.T. Nyammo, MP - Vice Chairperson  
The Hon. John Dache Pesa, MP  
The Hon. David Njuguna, MP  
The Hon. B.C. Muturi Mwangi, MP  
The Hon. (Dr.) Wilbur Ottichilo, MP  
The Hon. Muhamed Sirat, MP  
The Hon. Shakila Abdalla, MP

ABSENT WITH APOLOGY

The Hon. (Dr.) Joyce Laboso, MP  
The Hon. Alfred B. Odhiambo, MP

IN ATTENDANCE

- KENYA NATIONAL ASSEMBLY

Ms. Mary Chesire - First Clerk Assistant  
Mrs. Rebecca Tonkei - Research Officer 1

MIN.NO. 57/2012

- PRELIMINARIES

The Chairperson called the meeting to order at 3.30pm and opened with a word of prayer.

MIN.NO.58/2012

- CONFIRMATION OF PREVIOUS MINUTES

Minutes of the following sittings were confirmed by the Members present and signed by the Chairperson

- i) Minutes of the Second Sitting held 21<sup>st</sup> February 2012 were proposed by the Hon. Pesa and seconded by Hon. Shakila.
- ii) Minutes of the Third Sitting held 23<sup>rd</sup> February 2012 were proposed by the Hon. Shakila and seconded by Hon. Ottichilo.
- iii) Minutes of the Fourth Sitting held 1<sup>st</sup> March 2012 were proposed by the Hon. Ottichilo and seconded by Hon. Pesa.
- iv) Minutes of the Fifth Sitting held 7<sup>th</sup> March 2012 were proposed by the Hon. Ottichilo and seconded by Hon. Pesa.

- v) Minutes of the Sixth Sitting held 15<sup>th</sup> March 2012 were proposed by the Hon. Nyammo and seconded by Hon. Pesa.
- vi) Minutes of the Seventh Sitting held 21<sup>st</sup> March 2012 were proposed by the Hon. Nyammo and seconded by Hon. Pesa.
- vii) Minutes of the Eighth Sitting held 22<sup>nd</sup> March 2012 were proposed by the Hon. Pesa and seconded by Hon. Nyammo.
- viii) Minutes of the Ninth Sitting held 28<sup>th</sup> March 2012 were proposed by the Hon. Nyammo and seconded by Hon. Njuguna.
- ix) Minutes of the Tenth Sitting held 29<sup>th</sup> March 2012 were proposed by the Hon. Nyammo and seconded by Hon. Njuguna.
- x) Minutes of the Eleventh Sitting held 10<sup>th</sup> April 2012 at 10.00am were proposed by the Hon. Njuguna and seconded by Hon. Nyammo.
- xi) Minutes of the Twelfth Sitting held 10<sup>th</sup> March 2012 at 2.30pm were proposed by the Hon. Njuguna and seconded by Hon. Nyammo.

MIN.NO. 59/2012

- MATTERS ARISING

- i) The issue of foreign trips was revisited and the Committee was concerned that all its proposals to undertake any foreign have not been successful for the last three years. The Chairperson undertook to see the Clerk of the National Assembly on the way forward on the same and report back to the Committee in the next meeting.
- ii) The Committee also discussed the issue regarding its proposed visit to Chepkoilel University College which had been deferred in 2011 and agreed to visit the institution on Monday, 23<sup>rd</sup> April 2012 before tabling its report in the House.

MIN.NO. 60/2011

- ADJOURNMENT

There being no other business, the meeting was adjourned at 4.30pm.

SIGNED:  .....

(CHAIRPERSON)

DATE: 23/04/2012 .....

(12)

**CHEPKOILEL UNIVERSITY COLLEGE**  
**(A Constituent College of Moi University)**  
**(Principal's Office)**

Fax: +0202141257  
Telephone: +254 053-8003475

P.O. Box 1125 - 30100  
ELDORET, KENYA

Our ref: CHEP/FIN/DF/03

Date: 30<sup>th</sup> September 2011

---

The Vice Chancellor  
Moi University  
P O Box 3900 - 30100  
Eldoret

Dear

*Prof Mibey,*

RE: FEES COLLECTIONS OWED BY MOI UNIVERSITY  
KSHS.149,057,622.00

---

The above matter refers.

As you are aware, Moi University still owes Chepkoilel University College a sum of KShs.149.0 million, this amount being unremitted fees collections as at 30<sup>th</sup> June 2011. This amount is part of the students fees deposited in various bank accounts of Moi University by our students between July 2010 and 30<sup>th</sup> June 2011. It also includes fees paid on behalf of the students by sponsors and in particular HELB and CDF's among others.

The University College requires these funds urgently for the purposes of facilitating the students' extra curricula activities, academic field trips, payment of service providers and provision of health services among other day to day operations of the College. It is our request that the said sum of Kshs.149,057,622/= be remitted to Chepkoilel University College.

Enclosed herewith is a detailed breakdown of this amount to facilitate your consideration and approval of our request.

With kindest regards,

Yours

*Sincerely,*

*Prof. Elijah K. Biamah*

PRINCIPAL

PRINCIPAL  
Chepkoilel University  
College

cc Deputy Principal (APF)  
Deputy Principal (ASA)  
Finance Officer (Chepkoilel University College)

**CHEPKOILEL UNIVERSITY COLLEGE**  
(A Constituent College of Moi University)

*(Principal's Office)*

INTERNAL MEMO

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FROM: D/Principal (A &SA)

DATE: 25<sup>th</sup> October 2011

TO: HOD- EMP&M

REF: CHEP/ADM/ 214

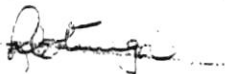
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RE: PURCHASE OF GIS SOFT WARE

This is to inform you that College Management Board met on Tuesday, 18<sup>th</sup> October 2011 considered your request to purchase GIS soft ware.

It was noted that while at MU-Main Campus, programmes on geographic information technologies (GITS) were facilitated by Geography Department and shared GIS soft ware via MU intranet.

It was therefore recommended that such facility will be set up at Chepuc when funds would be available in future. It was also recommended that SES – Department of EMP&M should be taking students to MU-Main Campus to continue sharing GIS software via the University's intranet until such a facility will become available at Chepuc.



Prof. R. Otunga  
DEPUTY PRINCIPAL (A&SA)  
Cc. Ag. Dean - SES



K3

**CHEPKOILEL UNIVERSITY COLLEGE**  
(A Constituent College of Moi University)

(Principal's Office)

Fax: +0202141257  
Telephone: 053-8003475



P.O. Box 1125 - 30100  
ELDORET, KENYA

Our ref: CHEP/FIN/DF/03

Date: 4<sup>th</sup> October, 2011

Prof. Richard K. Mibey  
Vice Chancellor,  
Moi University  
P.O. Box 3900-30100  
Eldoret

Dear

*Prof Mibey,*

**SUBJECT: REFUND OF RESEARCH FUNDS - KSHS 20.0 MILLION**

As you are now aware, a sum of Kshs 20.0 million being research funds was transferred from Chepkoilel Research Account without a clear explanation by Moi University Management on 4<sup>th</sup> January, 2010. These funds had been raised from local and external donor sources for specific projects by our Academic staff and the main donors being Bill and Melinda Gates foundation, McKnight, Ford Foundation, East Africa Breweries Ltd. among others. The funds, as indicated were for particular projects which required to be accomplished within specific time frames.

In the absence of these funds, critical activities related to these projects have not been undertaken as planned. Obviously this is an undesirable situation in the sense that it is likely to have adverse impact not only on our future donor funding for research programmes but also on the reputation of our Academic staff involved and the College Management Board. Already this matter has been raised as an audit issue successively in the last two years by the Kenya National Audit Office in our Systems Audit Reports i.e. in the financial years 2009/ 2010 and 2010/2011 respectively.

The purpose of this letter is therefore to request for a refund of the said sum of Kshs. 20 million as soon as possible for use by our staff as intended

Enclosed herewith is a copy of the bank statement showing the details of this transaction.

I will appreciate your prompt attention to this request.

Yours

*Sucuelif*

*Prof. Elijah K. Biamah*

PRINCIPAL

PRINCIPAL  
Chepkoilel University  
College

# **CHEPKOILEL UNIVERSITY COLLEGE**

## **SCHOOL OF ENVIRONMENTAL STUDIES**

### **DEPARTMENT OF ENVIRONMENTAL MONITORING, PLANNING & MANAGEMENT**

#### **INTERNAL MEMO**

**FROM:** Head, EMPM

**DATE:** Tuesday, 11 October 2011

**TO:** Dean, School of Environmental Studies

**REF:** CUC/SES/EMPM/OA\20

**SUBJECT: TUTORIAL ROOMS**

The above subject matter refers. Please note that we have only 4 rooms in the house we are occupying. The rooms are used as follows:

- |                       |   |        |
|-----------------------|---|--------|
| 1. Head of Department | - | 1 Room |
| 2. Secretary          | - | 1 Room |
| 3. 4 Lecturers        | - | 1 Room |
| 4. 2 Lecturers        | - | 1 Room |
| 5. 2 Technicians      | - | 1 Room |

I am therefore unable to honour your request as I find it hard to put all the 6 Lecturers in one room. Further we have agreed as a Department, for both security (property and exams) as well as privacy and order, the rooms being used by the lecturers should not be used for teaching.

Thank you,



*Dr. B. N. Mwangi*

**Head, Environmental Monitoring Planning & Management**

**CHEPKOILEL UNIVERSITY COLLEGE**  
**SCHOOL OF ENVIRONMENTAL STUDIES**  
DEPARTMENT OF ENVIRONMENTAL MONITORING, PLANNING AND MANAGEMENT

**INTERNAL MEMO**

**FROM:** Head, ENV. Monitoring, Planning & Management

**DATE:** Tuesday, 04 October 2011

**TO:** The Principal, Chepkoilel University College

**REF:** MU/SES/EMPM/LABS/49

**Through:**

Dean, School of Environmental Studies

**SUBJECT: PURCHASE OF GIS SOFTWARE**

The Department of Environmental Monitoring, Planning and Management (EMPM) has a division of Environmental Information Systems (EIS) which runs various programmes on geographic information technologies (GITs) both at undergraduate and postgraduate levels.

While at the Main Campus, the running of these courses was facilitated by Geography Department, whom we shared GIS software via the university intranet.

At the moment we are unable to run these courses. I am therefore requesting you to facilitate for us purchase some key software for both GIS and digital image processing. We propose to purchase the educational kits for ArcGIS and ERDAS Image software.

ArcGIS 25 Licenses	-	500,000.00	
ERDAS 30 Licenses	-	2,500,000.00	
APCPAD	-	<u>500,000.00</u>	

**3,500,000.00**

In addition to these, we need also to increase our hardware capacity by purchasing additional computers, GPS and mobile GIS units.

Computers	10 units	-	100,000.00	=	1,000,000.00
GPS	5 units	-	50,000.00	=	250,000.00
Mobile GIS	5 units	-	100,000.00	=	<u>500,000.00</u>

**Total = 1,750,000.00**

With this facilitation, the Department will be able to set up a GIT Lab that will not only serve the School but the College at large, since the technology is applicable to Agriculture, Engineering, Natural Resources Management among others.

We are therefore requesting your office to kindly facilitate these purchases through the Laboratory and Equipment vote of the College

With regard to software purchases, the ArcGIS package is the most critical and widely used for instruction.



*Dr. B. N. Mwasi*  
**HEAD, DEPARTMENT OF ENVIRONMENTAL MONITORING,  
PLANNING AND MANAGEMENT**

:mmk

REPORT ON VERIFICATION OF  
ASSETS AND LIABILITIES  
TO BE HANDED OVER BY MOI UNIVERSITY  
TO CHEPKOILEL UNIVERSITY COLLEGE

ADDENDUM ON KILIFI / MALINDI LAND PARCEL LR NO.  
8000 AND HOMA HILLS L.R. NO. 22712  
AS AT 13<sup>TH</sup> AUGUST 2010

PREPARED BY  
MINISTRY'S SELECT TEAM

DATE OF ACTIVITY  
1<sup>ST</sup> - 7<sup>TH</sup> MARCH 2012

## TEAM MEMBERS

1. Mr. David Watene - MOHEST
2. Mr. Jeremiah Oruko - MOHEST
3. Mr. Hosea Sitiene - Finance Officer, Chepkoilel University College
4. Mr. Samwel Biwott
5. Simeon Lubira

## INTRODUCTION

Following the verification visit to Malindi and Homa Hills, the team established the following Assets and Liabilities to be handed over by Moi University to Chepkoilel University College, in line with the recommendations made during the earlier visit to both Moi University and Chepkoilel University College. Listed below are the Assets and Liabilities to be handed over at Malindi Coast environmental research station:

### 1. HUMAN RESOURCE

The committee established that there were three (3) permanent employees and two (2) casuals as listed below:

- a) Mrs. Margaret Mlewa - Secretary-Permanent
- b) Safari Sadique - Driver-Permanent
- c) Samuel Mweni - Security Guard-Permanent
- d) Johavon Siya Ngala - Security Guard
- e) Zawadi Charo

The last two employees in the list were engaged on casual basis.

### 2. OFFICE

Moi University had rented an office in Malindi town for use as centre for the coast environmental research station.

The office was located on the 1<sup>st</sup> Floor of Malindi Complex. The Quarterly rental fee was Kshs60,134.40 inclusive of VAT.

It was noted that there was no rent arrears for the period July-December 2011 since Chepkoilel University College had cleared. However, they were yet to clear the rent for the quarter beginning Jan-April 2012. It was noted that electricity supply had been disconnected due to non-payment of the bill of Kshs.3114. A copy of the receipt is attached.

### 3. INVENTORIES

Office inventory was as attached in appendix 20. However, it was noted that majority of the equipment were non functional e.g. computer, printer, fax



machine. The office required the basic items and refurbishment to reflect the image of a university.

#### 4. VEHICLES

It was noted that the office had no vehicle assigned to it. This made it difficult for the staff to move from the office to the proposed campus site. The team recommends that at least one vehicle be stationed in Malindi, preferably a 4-wheel drive.

#### 5. LAND

The team noted that the land at Malindi was 35 Hectares situated along Malindi-Lamu Highway, a distance of 6km from Malindi town. The land was adjacent to the Indian Ocean and Sabaki river.

On the land was a building which was meant to house the following facilities:

- i) offices
- ii) laboratory
- iii) store
- iv) washrooms

the structure was approximately 100ft by 36ft. the building was dilapidated with the ceiling boards falling off, incomplete toilet basins, bathroom, incomplete laboratory.

It was further noted that the building was not handed over officially by the contractor. However, with some refurbishment the building can be used for the intended purpose.

#### Recommendations for the use of land

1. Create a site for hippo viewing by tourists
2. Create a bird sanctuary
3. Plant thousands of casualins trees along the boundaries.
4. Pump water from the river and use it for irrigation.
5. Dairy cattle project can be started on the land.
6. Build a tourist Hotel where students will do their attachment

#### Other Recommendations

1. A road should be constructed round the land for easy access or supervision.
2. Source services of the Municipal Council to grade the access road from tarmac to the land site.
3. the university should rent classrooms and houses in Malindi town and start the following courses:
  - a) Business studies



- b) Hospitality
- c) Environmental studies
- d) Agriculture

These courses should be conducted in Malindi town as the land is being developed for future relocation.

- 4. Chepkoilel University should embark on aggressive marketing in the region.

The following Assets and Liabilities at Hama Hills were to be handed over by Moi University to Chepkoilel University College:

a) LAND

- i) Land parcel L.R No.22712 measuring approx.18.72 Hectares and
- ii) Land Parcel measuring 1.4 acres whose title had not been acquired by Moi University (see appendix 21)

b) BUILDING

There was an incomplete building housing eight (8) rooms and three (3) washrooms. The building had been vandalized and had no doors, shutters, window panes and ceiling boards.

c) HUMAN RESOURCE

There was one (1) local casual labourer who had been deployed by Moi University to take care of the facility on the site.

Recommendations

- i) Chepkoilel University College should deploy at least two (2) staff to be stationed at the Research Station to take care for the facility.
- ii) The building should be refurbished and put into use.
- iii) The perimeter fence that had been vandalized should be put back in place.
- iv) Chepkoilel University College should start some short courses to benefit the locals.

Endorsement

1. David N. Watene - MOHEST

Date: 7.3.2012

2. Jeremiah Oruko - MOHEST

Date: 7.3.2012

Confirmed

1. Samwel Biwott - Chepkoilel University College

Date: 7.3.2012



MOI UNIVERSITY

SCHOOL OF ENVIRONMENTAL STUDIES

**FROM:** DEAN (SES)

**DATE:** 24<sup>TH</sup> NOVEMBER 2008

**TO:** JOSEPH OLALA

**REF:** MU/SES/HH/24

---

**SUBJECT: HOMA HILLS FIELD RESEARCH STATION – PURCHASE OF 1.4 HA. LAND**

Following your visit to Homa hills and obtaining the cost of valuation from the Rachuonyo District Land Registrar, this office would like you to proceed with facilitation of the payment of the said services vide the Architect's memo Ref: MU/BD/6/1/63. Thereafter, assemble SES team working on the same and the University Architect and execute the job as soon as possible. Ensure that a requisition is raised to enable them to be in the field.

  
Prof. W.K Yabann  
DEAN, SCHOOL OF ENVIRONMENTAL STUDIES

# MOI UNIVERSITY

## INTERNAL MEMO

FROM: UNIVERSITY ARCHITECT

DATE: 20<sup>TH</sup> MAY, 2008

TO: DEAN SCHOOL OF ENVIRONMENTAL STUDIES REF: MU/BD/6/1/63

RE: HOMA HILLS RESEARCH STATION  
PURCHASE OF NEW PIECE OF LAND

Deputy Vice-Chancellor (R&E) has received an offer to sell a piece of land next to the one where our building is built.

The offer is from Mr. John Menya Mbago, who sold the earlier plot.

I enclose a copy of the letter for your consideration and advice.



**S. M. MAINA**  
**UNIVERSITY ARCHITECT**



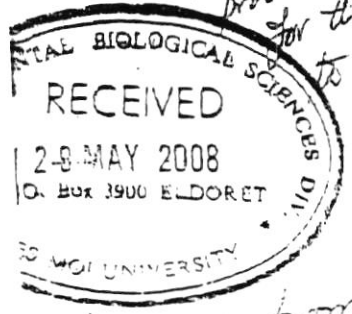
c.c. Deputy Vice-Chancellor (P&D)  
Deputy Vice-Chancellor (R&E)

*For purposes of purchase, it should be better if the question of "valuation" of the plot is referred to the 20 MAY 2008 of Land's Rachuonyo District Kasele. They would be able to measure the plot and value it.*

*They-Donor, 16/07/08*

*kw*  
*2*

*SMM/ejk*  
*Are find out procedures req'd for the purchase of land anywhere? Prop-OT-DP on this issue.*



*He give you comments*

*find out from the ... 2) To wait for ... 30/05*



File in Environment Dept.  
S. J. G. 23/05/08  
Messrs. primary school,  
P.O. Box 2,  
Roma-Bay.  
6th May. 2008.

Deputy Vice Chancellor,  
(Research and Extension)  
Moi University,  
P.O. Box 3900,  
Eldoret.

Dear Sir

REQUEST OF A PIECE OF LAND FOR SALE.

Having sold to the University my piece of land for the construction of a field Research Laboratory, I wish to further offer a small piece which commits to the already sold one. Kindly approve this so we can quote or negotiate the price.

Thank you  
Yours faithfully

John Mwangi Mbuga

Block Contact:  
072408499718 or  
07289188403

Dr. Mwangi  
Dean SES to advise  
23/05/08

Pse handle this matter with Dean SES

## SCHOOL OF ENVIRONMENTAL STUDIES

### PRE-PROPOSAL FOR RESEARCH IN THE HOMA HILLS REGION, HOMA DISTRICT

#### 1. INTRODUCTION

During the familiarisation visit to the Homa Hills area by the staff of the School and other members of staff of the University associated with the School, on 21-11-94, the following were noticed as some of the problems or issues that are interrelated, affecting the area, that would merit investigation into:

- landscape and vegetation.
- geology and the utilisation of geologic resources.
- soils, soil erosion and sediment deposition.
- hydrology (surface- and ground water resources).
- population and landuse.
- physical infrastructure.

Although only the physical aspects of the environments of the area outlined above are dealt with here, it is hoped that the socio-economic aspects will be covered in other proposals, which can then be integrated with this later.

##### 1.1. Landscape and vegetation

The Homa Hills range stands out as the most prominent landscape feature in the area. The landscape is controlled or influenced strongly by the geology and the climatic factors. The Homa Hills comprises several peaks on a range which is a remnant of erosion of rocks of volcanic origin. From the peaks to the bottom of the hills are quite steep. The surrounding land to the north is dissected pediment-like land with drainage valleys which appear to be dry for most of the year. Due to the nature of the soils combined with the landuse, problems of gully erosion seems to be severe. Soil erosion in the area is being enhanced by human activities such as cultivation, animal grazing and quarrying.

Natural vegetation occurs as forest and is found on the hills and to some extent on the valley slopes. Due to population pressure most of the natural vegetation is under threat from human encroachment. The vegetation type suggests a close to semi-arid climate. In such areas rainfall is scarce and whenever it falls, it sometimes does so in torrents, leading to the severe type of gully erosion seen in this area.

## 1.2. Geology and the utilisation of geologic resources

### 1.2.1. Lithology, structure and geophysics

The Homa Hills is underlain by tertiary volcanics. Quaternary sediments cover the footslopes which to the southwest, west and north are bordered by Lake Victoria but to the East and southeast forms a contact against granites and granodiorites. The area seems to have been a centre of intense volcanic activity, with multiple flows or explosion centres within short distances of each other. Previous geological mapping of the area indicate part of the hill to contain a carbonatite centre. The temporal and compositional differences of the eruptions has given rise to a complex sequence of compositionally and structurally different units. Very detailed and careful mapping will be necessary to understand the geology better.

Residents of the area have reported occasional earth tremors of low but varied intensities, which from their descriptions do not probably exceed 2 on the Richter scale.

### 1.2.2. Erosion and sedimentation

Different terraces can be distinguished on the shores of the lake to the north of the Hills. The terraces could have been created as a result of periodic but distinct phases in the changes in the levels of the lake as well periodic but anomalous deposition of sediments. The sources of the sediment appear to be two fold, i.e. sediments derived from the slopes of the Homa hills and those brought in from the hinterland by rivers such as Sondu Miriu, Nyando, etc. Once deposited in the lake, the sediments are redistributed by wave action and lake currents. It is evident that over time the shoreline configuration changes as a result of deposition or erosion of the sediments, i.e. the change will depend on the sediment budget involved. The nature of the shore material will depend on the source of the sediment, for example the northern shore we visited was muddy and in places vegetated whereas, we were told by the local people there that, it used to be sandy a few years ago. The nature of the shoreline in terms of the sediment material and in terms of its configuration has implications for landing sites for the fishermen and for the spawning/breeding sites for the fish. As already mentioned, these will depend on the characteristics of the provenance of the sediments, and the quantity of the sediments.



### 1.2.2. Geologic resources

The diversity of rock types has given rise to also diverse geologic resources some of which are currently being exploited. These include iron ore (hematite) which is mined in a quarry on the eastern footslopes of the hills. According to workers found at the quarry site, the hematite is transported to the Athi River Portland cement factory and used as an ingredient in the cement manufacture. Farther, a few kilometres to the east of this site some yet to be identified rocks of volcanic origin are quarried and shaped into blocks for building purposes. Limestone of carbonatitic origin, known to occur on the hill, have been quarried and used to produce lime (Nyambok and Owayo, 1979). Alluvial sediments evidently derived from the Homa hills and deposited on the lower slopes on the northern side were found to contain very high proportions of a magnetic mineral type, possibly titaniferous magnetite.

The Homa Hills area is located within the Kavirondo Gulf trough which is an East-West trending rift valley with similar geophysical and geological characteristics as the Gregory Rift. One of the notable of these characteristics is the occurrence of geothermal springs. These occur at three sites within an area of about 1.5 km x 9 km, at the foothills of the Homa hills. Some study has already been conducted on these geothermal springs by Tole (1988, 1990) and suggestions made for the utilization of the geothermal energy.

### 1.3. Soils and soil erosion

Black cotton soil predominates in the area, especially on the lower slopes of the hills and on the pediment. In some places it is mixed with what appears to be calciferous or siliceous globules of various sizes but on the average pea- to pebble size. The thickness of the soil profile varies with the topography, being up to two metres thick or more on the lower slopes.

The soils of the area derive most of their characteristics from the geology. They are believed to be products of weathering of volcanic material (probably ash) over a long period of time. The soils are rich in clay minerals which seem to be the expansive types. The thickness of the soil profiles combined with their physical characteristics have posed a major challenge to civil engineers concerned with road and building (house) construction in this area. In some places the soils are silty and loose, rendering them easily erodible. As a result, the roads in the



area are in many places bounded or cut across by deep gullies. Besides, the roads become very slippery or sticky when wet. Houses constructed on this type of soil without adequate measures to reinforce or protect the foundation, very quickly develop cracks in the walls or in the floor.

#### 1.4. Hydrology (Surface- and ground water resources)

Apart from River Sondu Miriu, Nyando and some others, which are perennial and originate from sources outside Homa Bay district, there are no permanent ones which flow into Lake Victoria through the area or which originate from the Homa Hills area. All the valleys crossed in the area seem to carry only runoffs during the wet season. Surface water is therefore very scarce in the area.

Ground water seems to be available in fair quantities according to the information from the local people. A number of boreholes have been sunk in the past within the area, although the yields were satisfactory, the water quality has not been good. Firstly, the boreholes yielded water which has been described by the local people as being saline and secondly, people who drink the water develop fluorosis of the teeth. Data on the analysis of the water for its quality was not immediately available.

Surface water flow in streams or rivers in the dry season is directly dependent on ground water reservoirs which release the water through springs. The ground water reservoir, on the other hand, depends on the presence of aquifers and the climatic factors. The fact that ground water, though of poor quality, is available but surface water in the dry season is scarce here suggests that aquifers have no connection to outlet points (springs). The quality of the ground water is directly related to the chemistry of the aquifer rocks. Therefore, it will be necessary to investigate the chemistry of the ground water at various locations, with a view to relating them to the chemistry of the enclosing aquifer rocks.

As a result of the scarcity of both surface and good quality ground water in the area, it was noticed that attempts have been made to supply the residents of the area with piped water. The source of the piped water (from lake Victoria?) and how efficiently the service works could not be determined in the course of the visit.

### 1.5. Population and landuse

Based on the visual counts during the visit it was not possible to estimate the numbers of persons or house holds per square unit of land. However, the area seems to be only moderately populated compared to some of the most populated districts in Kenya such as Vihiga or parts of Nyeri. Most of the settlements seem originally to have been in the area within about two kilometres from the lake shores. This was probably because the local people are traditionally fishermen with very little interest in farming. However, at the time of the visit, it was evident that the settlements were spreading farther away from the shores of the lake to the higher slopes of the hills, probably as a result of population pressure. Besides fishing which has become less lucrative because of diminishing catches from the lake, more and more are having to practice agriculture to supplement their livelihood. The agriculture being practised is subsistence with the sizes of the plots averaging about an acre, but in most cases smaller. Areas being cultivated include marginal lands on the steep slopes. The crops grown are mostly sorghum, maize and millet which are the traditional food crops of the local people here. Cotton is grown as a cash crop. The local people also keep cows and goats. Grazing area is very limited because of competition for the land for cultivation. Strips of land between cultivations and part of the steep slopes are used for grazing the animals. Overgrazing and the frequency of trampling these areas, combined with the steep slopes result in the severe erosion.

### 1.6. Physical infrastructure

The challenge that the soils of this area present to the civil engineers has already been mentioned before. The roads within the area are all loose surface roads and are in a very poor state. It is believed that the roads were difficult to maintain because of the nature of the soils - the roads impassable during the wet season because of deeply incised gulleys on silty soils and sticky or slippery surfaces on black cotton soils. The rugged topography also contributes to the difficulty of maintenance especially when wet. The status of the roads has implications for social infrastructure. Therefore, it is important as a part of this project to investigate into the nature of the soils with a view to making appropriate recommendations to concerned engineers in order to devise appropriate technology to improve on the road construction and maintenance.

## 2. RESEARCH QUESTIONS

### 2.1 Inventory of environmental data

For research and planning purposes the availability of basic data on the environmental parameters is essential. Many of these data are needed in the form of maps. These data concern:

- geology (lithology and structure)
- geomorphology
- surface hydrology and groundwater
- vegetation
- soils
- landuse and landuse changes
- erosion and erosion history.

Most of these data are missing for the Homa Hill area.

In addition to the above, a palaeo-ecological analysis of the Homa Hill area with emphasis on changes that took place over the last 100 years, would be of great help to basic understanding of the area. Palaeo-ecological research should focus on the different sediments (colluvial materials, lake sediments and their pollen content). Though some of the results of the proposed research are relevant to understanding the palaeo-ecology, it will be a full multi-disciplinary research proposal by itself.

### 2.2 Soil erosion

Soil erosion is a large problem in the area and the main reason for the silting up of the Victoria Lake. The research includes:

2.2.1 identifying the areas affected by soil erosion such as:

- hillslope erosion caused by deforestation
- hillslope erosion caused by cultivation
- erosion caused by roads and paths
- gully erosion of valley walls
- channel erosion
- (- beach erosion by surf and longshore currents in the lake)

2.2.2 identifying the different factors contributing to the erosion

2.2.3 determining the susceptibility to erosion of the various soil types (erodibility)

2.2.4 studying the processes of soil erosion (splash, sheet, rill, gully and channel erosion)

2.2.5 studying the conservation measures taken by the local population to combat soil erosion (e.g. throwing bushes in the gullies)

2.2.6 experimenting with local and cheap measures that can be applied by the local population to prevent soil erosion

2.2.7 studying the effect of land use and land tenure changes on erosion

2.2.8 monitoring soil erosion in the course of years

Required data:

- geomorphological and soil maps for the identification and quantification of the areas that have different types of erosion
- climatic data to determine the erosivity of the rain (factor R of the Universal Soil Loss Equation)
- data on grainsize and organic matter to determine the factor K of the USLE
- data on landuse and cover to determine the other parameters of the USLE
- data on clay minerals, aggregate stability and dispersion to determine the erodibility of the soil
- data on sensitivity of the soil materials to rainfall
- data on changes in landuse and land tenure and their effect on soil erosion
- data on indigenous knowledge of land evaluation and soil erosion

Methods:

- air photo analysis
- computation of the Universal Soil Loss Equation
- soil chemical and physical analysis (grainsize, organic matter, clay minerals, aggregate stability, dispersion)
- rainfall simulation
- interviewing farmers
- experimental plots for monitoring the effect of environmental factors, socio-economic changes, etc.

Materials:

- existing aerial photographs
- photo-flight for aerial photographs scale 1:15000

- 2 sets of satellite images preferably with 10 years interval (SPOT)
- stereoscopes and simple photogrammetric equipment
- laboratory equipment and materials for soil analysis
- rainfall simulator

### 2.3 Road erosion

The area has a high percentage of black cotton soils. Though these soils do not seem to favour erosion during the wet season they are a big problem for all traffic. Some sections of the roads can hardly be passed by motorized vehicles after rain. Once the roads are in a bad state they are easily eroded and an important source of sediment in the lake. Finding a solution for this problem should be a combined effort of earth scientists and civil engineers. To solve the problem similar steps have to be taken as are necessary for the investigation of road erosion as included under 2.2.

2.3.1 Identifying areas prone to road erosion (soil mapping)

2.3.2 Identifying measures to reduce erosion from a geomorphological point of view

2.3.3 Studying the relationship between erosion and the various forms of road construction proposed by engineers.

Required data

-

Methods

-

Material

-

### 2.4 Silting-up of Lake Victoria

The silting-up of Lake Victoria causes some major problems e.g. it reduces fish breeding, causes algae bloom, and gives landing problems for boats and ships. In some respects the research is an extension of 2.2. The subjects mentioned under that heading are not repeated here. The research should comprise:

2.1.1 identifying and budgetting the sources of the silts entering the lake:

- multi-stage remote sensing data analysis for the



identification of the different sources and the time of the year the process are occurring

- field check for the identification of the different sources of the siltation

2.1.2 distribution and thickness of the silts in the lake

2.1.3 the character of the chemical and biological pollution

2.1.4 identifying the consequences of the silting to the population

#### Required data

- data on the distribution and thickness of the sediments
- data on the sedimentological properties of the sediments
- data on the chemical and biological pollutants in the water and binded by the silts
- data on the social and financial consequences of the pollution to the population

#### Methods

- remote sensing
- Geographical Information Systems
- geochemical analysis of sediments
- biochemical analysis of water and sediments
- socio-economic interviews

#### Material

- satellite images of the necessary scale and frequency (Meteosat, NOAA)
- GIS hardware and software
- boat and sampling equipment
- laboratory equipment and materials for geochemical analysis
- laboratory equipment and materials for biochemical analysis

(For further data and methods: see social aspect in section ...? and biological aspect in section ...?)

## 2.4 Description of groundwaters

The amount and quality of the water sources in the area is wanting. The geothermal activity in the area causes high salinity and e.g. a high F-content gives rise to (dental) health problems.



Breakdown of research subjects:

- 2.4.1 identification of the different aquifers on the basis geological, geo-structural and soil maps and the related field studies
- 2.4.2 analysis of the rainfall and evaporation data available and extrapolating these over the area
- 2.4.3 groundwater-level monitoring during (several) years
- 2.4.4 interviewing about the perceived waterquality and levels
- 2.4.5 sampling of the different aquifers/groundwaters
- 2.4.6 simple pumping tests and field measurements for determining soil and reservoir characteristics

Required data:

-

Methods:

-

Materials:

-

2.5 Description of surface waters

There are no measurements on the surface waters of the area. The National Water Plan uses .. The following subjects deserve attention:

- 2.5.1 description of different rivers catchments
- 2.5.2 analysis of rainfall and evaporation
- 2.5.3 river-discharge characteristics, flood response, stage-discharge relationships, suspended and bedload. As continuous during field campaigns
- 2.5.4 sampling surface waters
- 2.5.5 flood and low flow prediction
- 2.5.6 sediment prediction
- 2.5.7 indigenous perception of water quality and problems

Required data:

- meteorological data
- hydrological data

-

Methods:

-

Materials:

-

## 2.6 Description of farming systems

Nutrient cycling,  
Fire wood problems,  
See social section..

## 2.7 Land-suitability maps

For planning purposes on the basis of the geological and soil maps and the insight in the processes acquired during the field-study different land suitability maps can be constructed. The SES has mapping and GIS-facilities to construct these maps.

## 2.8 Description of market and industrial activities

## 2.9 Description of other problems

# 3. DATA AND MATERIALS FOR GEO-PHYSICAL ASPECTS OF HOMA HILL

## 3.1 Aerial photographs

Aerial photographs are available for this area at scale 1: 50,000 from before 1967.

Costs = \$            =            Ksh a piece

Recent aerial photographs can be obtained by an airphoto-flight to be made by .. in Nairobi.

The photographs can be used for mapping and acquiring data on a great number of environmental parameters: geology, geomorphology, hydrology, vegetation, soils, landuse and landuse changes, erosion and erosion history. The photographs can be taken during the dry season (december-february)

Costs = \$            = 300.000 Ksh

## 3.2 Mirror-stereoscopes

To interpret the aerial photographs mirror stereoscopes are needed. For teaching purposes the School of Environmental Studies possesses about seven mirror stereoscopes.

## 3.3 Remote sensing materials

The multi-temporal remote sensing images can serve to identify the major areas and times of the year in which the silting-up of

Lake Victoria occurs (Meteosat and NOAA images).  
The SES has computer-facilities for RS and GIS-image processing.

#### 3.4 Relevant topographic, geologic and soil maps

Topographic maps have to be ordered at the National Survey of Kenya for 300 Ksh a piece;

Geological map and report at the Geological Survey;

Soil maps of bordering districts have to be acquired at 400 Ksh a piece. Cooperation with the Kenya Soil Survey is required to acquire the soil data of the district;

Rainfall and evaporation data to be acquired from the Meteorological Department;

Data from the National Waterplan to be acquired by visit to the Ministry of Water Development.

#### 3.5 Augers, theodolites and other field materials

Most of these materials can be borrowed from different MOI University Institutions and the Kenya Soil Survey. Some of the materials however have to be acquired specially for this project.

#### 3.6 Microscopes

Petro-chemical microscope for laboratory

Stereo field microscope for a structural description of the soils

#### 3.7 Laboratory analysis

Laboratory analysis have to be done in the following fields:

- Petro'slides';
- Grainsize distribution (facilities at MU-Soil Lab);
- Clay analysis (cooperation with Kenyan Soil Survey and the Dept. of Physical Geography and Soils of the University of Amsterdam);
- Chemical description of the soil materials (Kenyan Soil Survey);
- Biological description of the soil materials (in combination with the Kenyan Soil Survey);
- Describing the bio-chemical quality of the ground and surface waters (twinning with DZH laboratory in the Netherlands);
- Describing the pollutants binded by the silts;

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Tole, M.P. (1988): Low enthalpy Geothermal Systems in Kenya. Geothermics, 17, p. 777-783.

Tole, M.P. (1990): Stable isotope studies of some low enthalpy geothermal systems in Kenya. Journal of African Earth Sciences, vol. 11, No. 1/2, p. 33-37.

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MU/CERS Inventory

November 23, 2000



Moi University  
Coast Environment Research Station  
Handing-Over

INVENTORY  
22.11.2000  
(5 pages, including top page)

.....  
22.11.2000  
Maj. (Rtd) C. K. Chesire

.....  
22.11.2000  
Erick M. Okoth

.....  
22.11.2000  
Prof. J. Hoorweg

MOI UNIVERSITY  
COAST ENVIRONMENT RESEARCH STATION  
SCHOOL OF ENVIRONMENTAL STUDIES  
Handwritten notes and stamps at the bottom right.





ITEM	QTY.	SER. NO.	REMARKS
EQUIPMENT IN MALINDI COMPLEX OFFICE S/NO.			
Answering machine (Panasonic)	1	6DCTA 019250	CERS
Baskets, paper (plastic)	4		CERS ✓
Bicycle (Phoenix model)	✓ 1	UX 88196	CERS ✓ - sold
Cabinets, filing	✓ 2	CERS/UvA/029	CERS/UvA/030 CERS ✓
Calculator casio (1.5v x 4)	× 1	HR-8B	CERS
Chair executive	✓ 1	CERS/UvA/013	CERS ✓
Chairs, plastic	✓ 10	CERS/UvA/001-0	CERS ✓
Chairs, typist	✓ 2		CERS ✓
Chairs, wooden	✓ 2	CERS/UvA/011 & 012	CERS ✓
Computer Auto Link	✓ 1		CERS
Desk, large (3 drawers)	✓ 1		CERS ✓
Desk, small	✓ 1	CERS/UvA/019	CERS ✓
Extension cables	✓ 2		CERS - If faulty
Hard disk (CPU)	✓ 1	6796/4567	MUSES - Faulty
Hard disk (Compaq)	✓ 1	C 400/4.3 ARA	Mouse - 48624011 NIRP/FWR - "
Keyboard	✓ 1	088137 E51	MUSES - "
Keyboard	✓ 1	B13BCOR39HX019	12786948 NIRP/FWR - "
Life jackets (BESTO)	✓ 2		MUSES ✓
Monitor, colour	✓ 1	H431698P 2	MU/LIB/Comp/07 MUSES ✓
Monitor, colour (Compaq)	✓ 1	920AB11CJ542	NIRP/FWR × - died
Plants (live) office	5		CERS
Printer HP 5L	1	CNVMS12783	MUSES ✓
Pump, bicycle	1		CERS ✓
Punch, paper (big)	1	CERS/UvA/090	not working CERS - Faulty
Punch, paper (small)	1	CERS/UvA/092	CERS ✓
Keyboard (Faulty)	1	930704572	MU/LIB/COMP/06 MUSES ✓

*Handwritten notes:*  
 - If faulty  
 - Faulty  
 - "  
 - "  
 - "

*Signature:*  
 .....  
 22.11.2000  
 Maj. (Rtd) C. K. Chesire  
*Signature:*  
 .....  
 22.11.2000  
 Prof. J. Hoorweg

*Signature:*  
 .....  
 22.11.2000  
 Erick Okoth



EQUIPMENT IN MALINDI COMPLEX OFFICE. continued				
Shelves, book	6	CERS/UvA/023/024/028 /026/025		CERS
Stamp pad	1			CERS ✓
Stamps, rubber	5			CERS ✓
Stapler, giant	1			CERS - Faulty
Staplers, medium size Kangaroo	2			CERS ✓
Suzuki (Samurai)	1	KAC 283 W	needs repairs body works, wiring, break replacement	CERS - Sold
Table, coffee	1			CERS ✓
Tables, wooden	7			CERS ✓
Tank, fuel	1	(outboard engine)	KX-1517mx-N	MUSES ✓ - Rust
Telephone set, Panasonic portable-Sanyo	1	CLT-K10 GIATA039216		CERS ✓ - Faulty
Telephone set, table Panasonic	1	5 BBVA 24913	Faulty	CERS ✓
Trays, paper	4			CERS ✓
UPS 500 (APC)	1	NB9826025172		CERS } Faulty
UPS 500 (APC)	1	PB9922121943		NIRP/FWR }
Automatic Voltage switcher	1	91318423		MUSES
Cash boxes	3			✓
Presidential photo	1			✓
Vehicle log book	1			✓ - Sold
Wall clock	1			✓
Telephone set table	1	GIATA039216	KX-TS17M x W	X

*[Signature]*  
 .....  
 22.11.2000  
 Maj. (Rtd) C. K. Chesire

*[Signature]*  
 .....  
 22.11.2000  
 Prof. J. Hoorweg

*[Signature]*  
 .....  
 22.11.2000  
 Erick Okoth



EQUIPMENT IN SABAKI MULTI-PURPOSE BUILDING			
Axe	1	Not present (with askari)	CERS ✓
Boat, inflatable dinghy	1	Poor condition/Needs Repair	CERS ✓
Bucket, aluminum	1		CERS ✓ <i>Faulty</i>
Files	1		CERS ✓
Generator	1	No accessories	CERS ✓
Hammer	1	Broken	CERS ✓
Jembes	2	Only 1 present; 1 broken and discarded	CERS ✓
Jerrican	4 +1		CERS ✓
Oars	2		MUSES ✗
Outboard engine (Serial 648S044026)	1	Not in working condition	MUSES ✓
Pangas	2		CERS ✓
Pliers	1	Not present (with askari)	CERS ✓
Pump, handspray	1		CERS ✓
Saw	1		CERS ✓
Shears, garden	1		CERS ✓
Slasher	1		CERS ✓

Contractor's property

Wooden office table	2	Made from reject wood	✓
Wooden chairs	3	Made from reject wood	✓
(20 ltr. jerrican	1		✓
Torch of 3 cells	1		Faulty
Wheelbarrow	1		broken

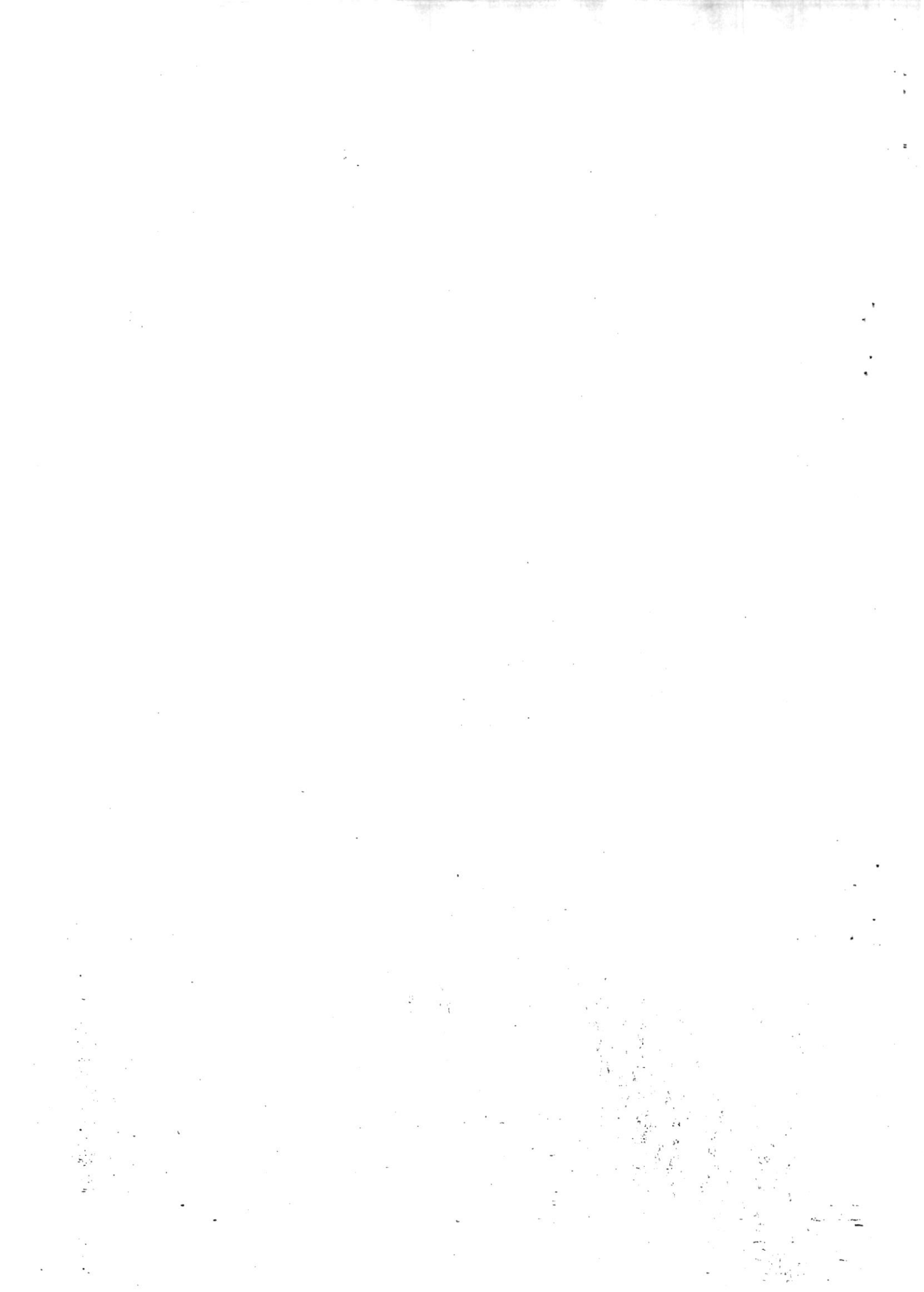
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22.11.2000  
Maj. (Rtd) C. K. Chesire

*[Signature]*

22.11.2000  
Erick Okoth

22.11.2000  
Prof. J. Hoorweg





PUBLICATIONS / FILES			
Copies CERS returns	'96-'00	1996/1997/1998/1999/2000	✓
CERS correspondence	'96-'00	1996/1997/1998/1999/2000	✓
File: Construction MP-building			✓
File: Dean Correspondence			✓
Books/Reports/Articles (with catalogue)	302		✓
Newspaper Cuttings DN (with index)	'96-'00	1996/1997/1998/1999/2000	✓
Coastal Ecology Series: Front Covers	950	Isend 75	Bar 875
Coastal Ecology Series: Rear Covers	950	4	Bar 875
CES.1	26		
CES.4	88		
Dictionary (big) (Collins)	1		✓
Dictionary (small)	1		✓
Doormat	1		Used up
Extension cables	3		1 working

# 31/01/00  
800 y Art  
800 J Wangui



22.11.2000  
Maj. (Rtd) C. K. Chesire



22.11.2000  
Erick Okoth



22.11.2000  
Prof. J. Hoorweg

MU UNIVERSITY  
COAST ENVIRONMENT RESEARCH STATION  
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MOI UNIVERSITY  
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COAST ENVIRONMENT RESEARCH STATION

Tel: 254-123-30093

e.mail: cers@africaonline.co.ke


Fax: 254-123-30173


22nd November, 2000

TRANSFER OF EQUIPMENT

The following equipment has been handed to Moi University (CERS) by the African Studies Centre, Leiden, for use at the Coast Environment Research Station and has been added to the CERS inventory by copy of this form.

- ✓ 1 photocopier, Sharp, serial no. 65601851 — Faulty
- ✓ 1 fax machine, Panasonic, serial no. 5CBHE 147507 — Faulty
- ✓ 1 spiral binder CERS/ASC/041
- ✓ 1 table & chairs 1 seen
- ✓ 2 office chairs (1 for Co-ordinator, 1 for Secretary)
- ✓ 1 book/ordner cabinet
- ✓ 1 book/ordner cabinet
- ✓ 1 airconditioner
- ✓ 1 No. Portrait (H: Excellency)
- ✓ 1 No. Wall clock

  
.....  
22.11.00  
Maj. (Rtd) C. K. Chesire

  
.....  
22.11.00  
Prof. Jan Hoorweg





SABAKI SITE MATERIALS FS LT 2/11/09

14



ITEM	QUANTITY
1. RUBBER BOAT - faulty	1
2. GENERATOR - faulty	1
3. STOOL ✓	24
* 4. BIKE (SOLG)	2
5. PAJKA (2 pcs broken)	5
6. SLASHER (1 pc broken)	5
7. JEMBE (1 broken)	5
8. WATER CANE (3 broken)	8
9. METAL TANK (faulty)	1
10. FOOTING PUMP ✓	2 + 1
11. TORCH (faulty)	6
12. PLANE (1 faulty)	2
13. WATER PIPE BIG ✓	3
14. CHARCOAL BIG (ants infested)	2
15. WATER PIPE SMALL ✓	4
16. LASSER (wooded)	1
17. PEACES OF TIMBER	1
18. CARBON SMALL ✓	12
19. CARBON WASTE (wood cut)	1
20. SWIMMING JACKETS ✓	2
21. METAL BOX (rust)	1
22. OIL TANK FOR BOAT (RUG)	1
23. BOAT SPARES (KATA (RUG))	2
24. MOTOR (KATA)	2
25. CAR WASTE (wood cut)	1
26. LAVA (1 pc)	1
27. KAW (1 pc)	3
28. BROOKING SCISSERS ✓	
29. AXE ✓	
30. SPRAJ pump small ✓	







Flourescent tubes

~~Flourescent tubes~~ →

22 ✓

AIR CONDITIONER MACHINE - MILB OFFICE

1 ✓

BOAT ENGINE (MACHINE) MILB OFFICE

1 ✓

EAR BATTERY USES (Holen & de la Coudes)

1 ✓

Bloom

6 ✓

BULB (Security lights)

6 ✓

Saw

1 ✓

DEF UNIVERSITY  
COAST ENVIRONMENT RESEARCH STATION  
SCHOOL OF ENVIRONMENTAL SCIENCE  
(C/O THE UNIVERSITY)  
MILB OFFICE





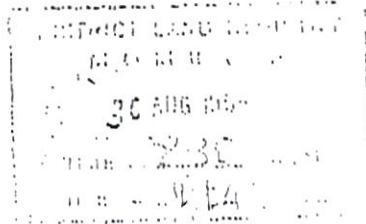
*Construction  
FEE*



(T)



REPUBLIC OF KENYA



THE REGISTRATION OF TITLES ACT  
(Chapter 281)

GRANT: NUMBER CR. 26131

ANNUAL RENT: Shs. 72/- (REVISABLE)

TERM: 99 YEARS FROM 1.11.1991

*SO 1  
23 8/94*

KNOW ALL MEN BY THESE PRESENTS that THE PRESIDENT OF THE REPUBLIC OF KENYA hereby GRANTS unto MOI UNIVERSITY a body duly incorporated The Moi University Act Chapter 210A of the Laws of Kenya of ELDORET (Post Office Box Number 3900)

*Land after called 'the Grantee'* All that piece of land in Malindi Municipality in Kilifi District containing by measurement thirty five decimal nought nought (35.00)

hectares/acre or thereabouts that is to say L.R. No. Portion No. 8000

which said piece of land with the dimensions abutments and boundaries thereof is delineated on the plan annexed

hereto and more particularly on Land Survey Plan Number 175221 deposited in the Survey Records Office at Nairobi

TO HOLD

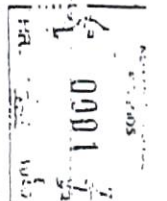
for the term of Ninety nine (99) years from the

First day of November One thousand nine hundred and

Ninety one SUBJECT to (a) the payment in advance on the first day of January in

each year of the annual rent of Shillings seventy two (Shs. 72/-) (REVISABLE)

(b) the provisions of the Government Lands Act (Chapter 280) and (c) the following Special Conditions (namely):—







SPECIAL CONDITIONS

1. No buildings shall be erected on the land nor shall additions or external alterations be made to any buildings otherwise than in conformity with plans and specifications previously approved in writing by the Commissioner of Lands and the Local Authority. The Commissioner shall not give his approval unless he is satisfied that the proposals are such as to develop the land adequately and satisfactorily.
2. The Grantee shall within six calendar months of the actual registration of the Grant submit in triplicate to the Local Authority and the Commissioner of Lands plans (including block plans showing the positions of the buildings and a system of drainage for disposing of sewage surface and sullage water) drawings elevations and specifications of the buildings the Grantee proposes to erect on the land and shall within 24 months of the actual registration of the Grant complete the erection of such buildings and the construction of the drainage system in conformity with such plans drawings elevations and specifications as amended (if such be the case) by the Commissioner PROVIDED that notwithstanding anything to the contrary contained in or implied by the Government Lands Act if default shall be made in the performance or observance of any of the requirements of this condition it shall be lawful for the Commissioner of Lands or any person authorized by him on behalf of the President to re-enter into and upon the land or any part thereof in the name of the whole and thereupon the term hereby created shall cease but without prejudice to any right of action or remedy of the President or the Commissioner of Lands in respect of any antecedent breach of any condition herein contained.
3. The Grantee shall maintain in good and substantial repair and condition all buildings at any time erected on the land.
4. The Grantee give notice in writing to the Commissioner of Lands that it is unable to complete the buildings within the period aforesaid the Commissioner of Lands shall (at the Grantee's expense) accept a surrender of the land comprised herein.
  - (i) Provided further that if such notice as aforesaid shall be given within 12 months of the actual registration of the Grant the Commissioner of Lands shall refund to the Grantee 50 per centum of the stand premium paid in respect of the land, or
  - (ii) At any subsequent time prior to the expiration of the said building period the Commissioner of Lands shall refund to the Grantee 25 per centum of the said stand premium. In the event of notice being given after the expiration of the said building period no refund shall be made.
5. The land and the buildings shall only be used for educational purposes (Research)
6. The buildings shall not cover a greater area of the land than that prescribed by the Local Authority in its by-laws.
7. The land shall not be used for any purpose which the Commissioner of Lands considers to be dangerous or offensive.
8. The Grantee shall not subdivide the land.
9. The Grantee shall not sell transfer sublet charge or part with the possession of the land or any part thereof or any buildings thereon except with the prior consent in writing of the Commissioner of Lands. No application for such consent (except in respect of a loan required for building purposes) will be considered until special condition No. 2 has been performed.
10. The Grantee shall pay to the Commissioner of Lands on demand such sum as the Commissioner of Lands may estimate to be the proportionate cost of constructing all roads and drains and sewers serving or adjoining the land and the proportionate cost for the supply of both the water and the electric power to the land and shall on completion of such construction and the ascertainment of the actual proportionate cost either pay (within 30 days of demand) or be refunded the amount by which the actual proportionate cost exceeds or falls short of the amount paid as aforesaid.
11. The Grantee shall from time to time pay to the Commissioner of Lands on demand such proportion of the cost of maintaining all roads and drains serving or adjoining the land as the Commissioner may assess.
12. Should the Commissioner of Lands at any time require the said roads to be constructed to a higher standard the Grantee shall pay to the Commissioner on demand such proportion of such construction as the Commissioner may assess.
13. The Grantee shall pay such rates taxes charges duties assessments or outgoings of whatever description as may be imposed charged or assessed by any Government or Local Authority upon the land or the buildings erected thereon including any contribution or other sum paid by the President in lieu thereof.
14. The President or such person or authority as may be appointed for the purpose shall have the right to enter upon the land and lay and have access to water mains service pipes and drains telephone or telegraph wires and electric mains of all descriptions whether overhead or underground and the Grantee shall not erect any buildings in such a way as to cover or interfere with any existing alignments of main or service pipes or telephone or telegraph wires and electric mains.
15. The Commissioner of Lands reserves the right to revise the annual ground rental payable hereunder after the expiration of the third and sixty sixth year of the term hereby granted. Such rental shall be at the rate of per cent of the unimproved freehold value of land as assessed by the Commissioner of Lands.
16. The Grantee shall construct at his own expense all internal infrastructure to the standard approved by the Local Authority and the Commissioner of Lands.

Notwithstanding anything to the contrary contained herein or implied by the said Government Lands Act (Cap. 280) the Grantee shall on receipt of six months' notice in writing in that behalf surrendered all or any part of the land required for public purposes or for the purposes of the said Act and shall in respect of such of the approved buildings as may have to be surrendered or demolished no compensation shall be payable in respect of the surrender of part of the land or reason of such surrender.

The Commissioner of Lands reserves the right to revise the annual ground rental payable hereunder on 31st December, 1998 and thereafter at the expiration of every year.





IN WITNESS WHEREOF I, WILSON GACANJA  
the Commissioner of Lands have by order  
of the President hereunto set my hand  
this 23<sup>rd</sup> day of AUGUST  
One thousand nine hundred and ninety four  
in the presence of:-

*Wilson Gacanja*

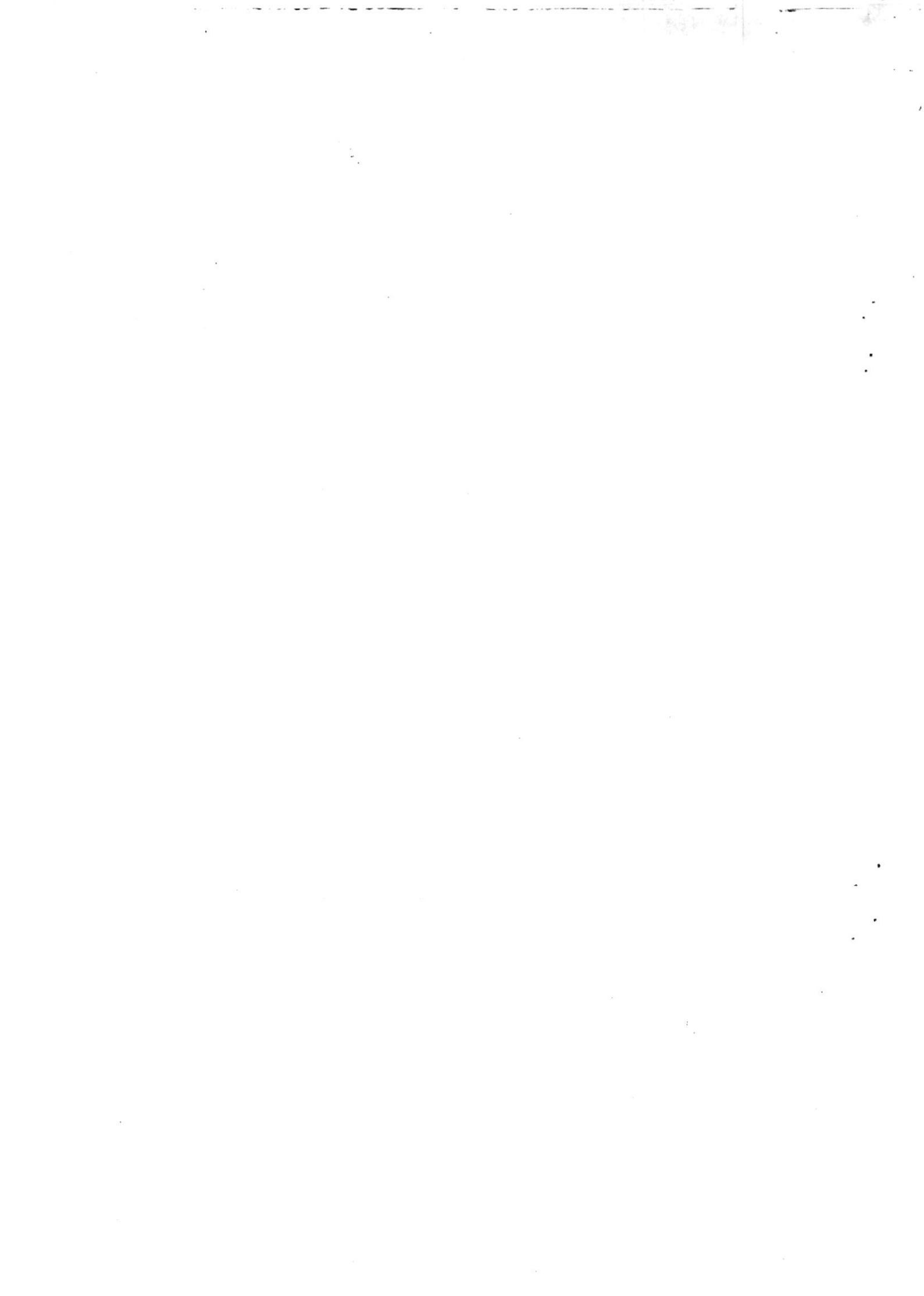
*[Signature]*

REGISTRAR OF TITLES

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30<sup>th</sup> August 1994  
2:30 PM







UNIVERSITIES ACADEMIC STAFF UNION

(UASU)

New Muya Hse  
P.O. Box 8238, Eldoret



Education Liberates

Tel.: 020-2380219  
E-mail: uasumoi@yahoo.com

MOI UNIVERSITY CHAPTER

MEMORANDUM TO THE PARLIAMENTARY COMMITTEE ON  
EDUCATION, RESEARCH AND TECHNOLOGY

ON

MATTER OF THE MOI UNIVERSITY SCHOOL OF ENVIRONMENTAL STUDIES

The National Assembly, during its sitting of 7<sup>th</sup> September 2011, discussed a question by private notice by the MP for Emuhaya, Dr. Otichillo, on the abolition of the Moi University School of Environmental Studies (MUSES).

The question, as moved by the said MP, was for the Minister for Higher Education, Science and Technology (MHEST) to answer to the following three interrelated concerns:

- (a) Why the Management of Moi University unilaterally initiated a move abolishing the institution's School of Environmental Studies;
- (b) Why the Management of Moi University was forcing the staff (academic and non-academic) and students of MUSES to move/relocate to Chepkoilel University College without the sanction of MUSES Board, Senate, and Council; and
- (c) Whether the Legal Notice No. 125 of 2010, which established Chepkoilel University College, provided for the transfer of MUSES to the college and, if not, whether the move could be rescinded by the Minister.

According to the official report (i.e., Hanzard) of the National Assembly for the stated date, the House Chair, after more than 30 minutes of debate, observed that the answers provided to the above concerns were not adequate and, consequently, directed that the question be deferred by at least two weeks to allow the Minister to get more information, and the Departmental Committee on Education, Research and Technology (DCERT) to undertake further investigations.

It is noteworthy that effective 2003 to date, all academic staff in the Kenyan public universities serve under terms and conditions of service negotiated between the Universities Academic Staff Union (UASU) and the Councils of respective universities. The details of this changed environment are contained in the Recognition Agreement signed between UASU and the Inter-University Councils' Consultative Forum (IPUCCF). IPUCCF is an amalgamation of all public university councils and it is a body corporate affiliated to the Federation of Kenya Employers (FKE).



Arising from the aforesaid and the fact that the concerns raised by the MP fall, to a large extent, in the domain of industrial and labour relations (ILR) issues covered by the said recognition agreement, we resolved to share with the DCERT our views on the matter it was directed to investigate.

From the onset, we wish to state that we also did NOT find the answers provided by the Minister satisfactory; the dissatisfaction being both, in regard, to the answers to the three primary questions and the subsequent ones, which came from the floor of the house. Below is the summary of our position, arrived at after a detailed scrutiny of the Hanzard and the information we have as a principal internal stakeholder group.

#### QUESTION (A)

Observation: The overall thrust of the Minister's answer to this question was that the decision by the Moi University Management to "abolish" (transfer or relocate) MUSES was not "unilateral"; rather, it (the decision) was a consequence of the implementation of the institution's 2005 - 2015 Strategic Plan; a document whose development process is claimed to have been participatory.

Our Position/View: This answer is totally inadequate on the following grounds:

- (i) The Moi University Strategic plan 2005 - 2015 never said that the School of Environmental Studies is to be moved to Chepkoilel Campus. In addition plans/strategies in approved strategic plans always need to be synthesised into workable action plans which normally have to be approved by relevant organizational organs. The decision to implement the non existent provision of the strategic plan was never communicated to the relevant organs of the university (The school Board, Senate, or Council) before the onset of the legal order that formed Chepkoilel University College (August 13, 2010).
- (ii) There was a cited strategic plan 2009 - 2015 in the Newspapers of July 03, 2011 and an additional document that informed a relocation of School of Environmental Studies to Chepkoilel University College. This strategic plan 2009 -2015 is either non existent or a secret document shared only between some members of Moi University Management. It has never been presented to the Senate or Moi University Council
- (iii) Moi University cannot apply its 2005 - 2015 Strategic Plan on Chepkoilel University College after August 13, 2010 when the latter was established as a body corporate with its own Council and legal instrument.
- (iv) The communication to the Dean School of Environmental Studied on August 25, 2010 (Twelve days after the Legal Order No. 125 of August 13, 2010) stated that the Legal Order, not any other ground, was the reason for requesting him to move his school to Chepkoilel University College immediately. The minister has clearly stated in the Parliament. *'I also wish to confirm that Legal Notice No.125 of 2010 which established Chepkoilel University College does not provide for the transfer of the School of Environmental*

*Studies to the College. The mandate to transfer the School of Environmental Studies and any other school for that matter is provided for in the university statutes and the Strategic Plan. Min of Higher Education, Science and Technology in Hansard Wed September 7, 2011.*

- (v) It is true that the mandate to transfer School of Environmental Studies is provided for in the Moi University Statute as stated by the Minister in Parliament. However, the exercise of such mandate could only have been legitimate if it was done before August 13, 2010 and carried out through the official organs of the University the School Board, Senate and the Council. Moi University Statute XIV 6(h) of Legal Notice 134 October 27, 2008 states that. *'Subject to these Statutes and the regulations, Senate shall have the following powers: (h) to formulate, modify or revise, subject to the control of Council, schemes for the organization of the faculties, schools, institutes, departments, divisions, centres, or other units of learning and research of the University, and to assign to them their respective subjects, and also to report to Council as to the expediency of the establishment at any time for other faculties, schools, institutes, departments, divisions, centres or other units of learning and research or as to the expediency of the learning and research or as to the expediency of the abolition, combination or sub-division of any of them;* Truly this very important reorganisation is not captured in any minutes of the Senate and the Chairman of the Senate would not allow any discussions in Senate about this.

#### QUESTION (B)

Observation: The Minister's answer to this question was that, consequent to the answer in (a), the Management of the University did not force any staff or student to move to Chepkoiilel University College following its upgrade from being a Campus of Moi University.

Our Position/View: This answer is totally inadequate on the following grounds:

- (i) The Minutes of the School of Environmental Studies Board say otherwise. Following a resolution in a School Board meeting, the School wrote to UASU Moi University Chapter and requested the Chapter to seek, on their behalf, a legal interpretation of the Legal Notice no. 125 of August 15, 2010. This was in view of the fact that members of the board are members of UASU.
- (ii) The undergraduate students of the School of Environmental Studies wrote a memorandum to which they all appended their signatures complaining about the events at MUSES. They listed their complains and grievances as: exclusion from events at the university, exclusion from sports activities, inaccessibility of university resources including the library, exclusion from participation in elections of their students' union, unfair and contemptuous treatment at the University, and they complained about the fact that the issue of relocation had not been discussed in the Senate and Council where they are represented
- (iii) The Graduate Students at MUSES wrote to the Dean of MUSES expressing surprise and pains they felt about the events at Moi University. They felt psychologically tortured and

are concerned that they had never been consulted on the issue of the relocation of MUSES. They said that they sought to see the Vice Chancellor on the issue but their efforts proved futile

- (iv) The non-teaching staff of MUSES wrote to the Chapter Secretary of their Union (Union of Non-Teaching Staff Union, UNTESU) with a copy to the Dean MUSES expressing dismay at an insidious attempt to subvert legal contract they have with the University
- (v) The Moi University Management sent Dr Grace Cheserek, a member of the School of Environmental studies, to communicate threat which have so far been made good. Some members of the School have not been paid salary of July, August and September. This is cruelty is very absurd and appears like abuse of public office. In addition a lot of other verbal threats have been given. We have a CD-rom which captured the content of the Cheserek meeting.

#### QUESTION (C)

Observation: In response to this particular question, the Minister confirmed that the Legal Notice No. 125 of 2010, which established Chepkoilel University College, did not provide for the "transfer" of MUSES to the College. This, notwithstanding, the Minister maintained that the decision inferred in Question (a) could not be rescinded.

Our Position/View: This answer is too convoluted. Consequently, we hold the view that:

- (i) The letter ordering the School to move to Chepkoilel University College originated from Chief Academic Officer (CACO) who is the Secretary to Senate and a member of Moi University Management. CACO is, however, not a member of Council and could only have been communicating a decision of either the Senate or the Moi University Management. The Senate has never ever discussed the movement or reorganization of School of Environmental Studies.
- (ii) The full council has never discussed the reorganization or relocation of School of environmental Studies. However two committees of Council discussed the issues with the following outcome:
  - a. On February 3, 2010 Finance, resource mobilization, and general purposes committee of Council held at Moi University Nairobi Office, the members of the committee agreed on the item of transitions arrangements for Chepkoilel Campus thus:
    - MIN17/02/10. It was noted that Chepkoilel Campus was in the process of being elevated to a University College possibly by June 2010. It was agreed that it was important to indicate specifically in the Gazette Notice elevating the College that:
      - i) the college will take over staff of Chepkoilel Campus ii) the schools that are to be taken over are the current Schools at Chepkoilel Campus namely:- Schools of Science, Natural Resource management, Agriculture and Biotechnology and School of Education Departments in Chepkoilel Campus. It was agreed that this will take care of the



unique situation where such a large number of students (700+ are likely to move out of the University

- School of Environment Studies was not included in the schools to be transferred. No attempt was made to correct this scenario prior to August 13, 2010 the date the legal order of Chepkoilel University College took effect.
- b. On August 18, 2010 a special meeting of Executive Committee of Council held at Margaret Thatcher Library resolved to immediately transfer the academic and administrative staff of School of Environmental Studies and the Department of Agricultural Engineering to Chepkoilel University College.
  - This resolution was made 3 days after the legal order took effect.
  - No staff of the School of Environmental Studies was issued with any letter of transfer to Chepkoilel University College. Instead, the University Administration exacted upon School of Environmental Studies staff and student untold torture and embargo on all programs at the School. Also there was mass transfer of favoured administrative members of staff to other sections of the University (meaning that the resolution made by the committee of Council on Aug 18, 2010 was also breached)
- (iii) The decisions of the various organs or committees of Council have never been approved by or communicated to the Moi Council members; thus making such decisions invalid in spite of great disruption they have cost the University.

#### CONCLUSION:

It is common practice that answers provided by Ministers to questions raised in the National Assembly are informed by the briefs given by the relevant Departments and/or agencies in or within the ministries. In this particular case, the Minister's answer must have been guided by the brief she got from the administration of Moi University. Thus, the adjudgement of the Minister's answers as inadequate meant that the informing brief was in itself inadequate. As a key internal stakeholder on this matter, we can vouch that the brief was indeed inadequate as demonstrated in the preceding sections. This inadequacy we attribute to the following factors:

- (i) Current breakdown in synergy and/or coordinated operation expected between the key decision-making organs of Moi University (i.e., Council, Senate, and School Board);
- (ii) Unique and dysfunctional management system or structure at Moi University, which has created lots of conflicts in the roles of senior management staff and high incidences of back-passing;
- (iii) Reliance on a strategic plan that has never been synthesised to be able to provide the necessary guide and direction to the activities/operations of the institution in a comprehensible manner;

- (iv) Institutionalised culture of "scratch-my-back-I-scratch-yours" where no single member of management wants to act on anything, however valid, if he/she thinks that it may affect on his/her colleague; and
- (v) The negative personal traits and management style of the Chief Executive, which are totally incongruous with the established good practices now pervasive in other public sector organisations.

We, therefore, believe that the Committee, in undertaking the said investigation, will pay due attention the listed factors, which are the root cause of the problem under consideration. Failure to consider these underlying factors will make the current problem a recurrent feature of Moi University operations.

Thank you and we would highly appreciate it if you could grant us an opportunity to expound, with evidence, on the views expressed herein, if that could add value to the ongoing investigation. It is our conviction that universities should espouse the spirit of the new Constitution. As institutions which are entrusted with the mentoring of our future leaders, universities must be stopped by the law makers from perpetuating the culture of impunity.

*Dated this 12<sup>th</sup> Day of October, 2011.*



DR. OSUMBA M. OGETA

SECRETARY GENERAL, UASU (MOI UNIVERSITY CHAPTER)

Email: [osumbamo@gmail.com](mailto:osumbamo@gmail.com)



APPENDIX VIII



# MOI UNIVERSITY

OFFICE OF THE VICE CHANCELLOR

Tel: (053) 43620  
Fax: (053) 43047  
Email: vcmu@mu.ac.ke

P.O. Box 3900  
Eldoret - 30100  
Kenya



MU/CSE/318

6<sup>th</sup> October 2011

The Clerk to the National Assembly  
Parliament Buildings  
Parliament Road  
P.O. Box 41842-00100  
NAIROBI

*CC/Committee  
pls handle  
20/10/11*

Dear Sir,

RE: PARLIAMENTARY QUESTIONS ON THE SCHOOL OF ENVIRONMENTAL STUDIES

On 27<sup>th</sup> September 2011 a team from Moi University and Chepkoilel University College accompanied the Minister for Higher Education Science and Technology while appearing before the Departmental Committee on Education, Research and Technology to respond to Parliamentary questions touching on the School of Environmental Studies.

During the meeting, the committee requested the University to provide documents, which we hereby do, as follows;

- a) Copies of duly confirmed minutes of the Executive Committee of Council meetings held on 19<sup>th</sup> August 2010 and 18<sup>th</sup> November 2010.
- b) A letter from the Principal of Chepkoilel University College confirming that no staff of the School of Environmental Studies will be victimised or terminated.

Secondly, as requested by the Departmental Committee, we hereby confirm that the University will immediately release the following vehicles which had been allocated for use by the School of Environmental Studies and which now form part of the assets of Chepkoilel University College as provided by law;

*Ms Mary Chisira  
Pls act accordingly. 11*



- i) KYF 699 Land Rover
- ii) KAE 802F Suzuki Vitara
- iii) KAL 227U Isuzu Mini bus
- iv) GKA 667C Mitsubishi Pajero
- v) GKA 531L Toyota Prado

We also confirm that the University will hand over to Chepkoilel University College the following parcels of land which had been donated to Moi University for use by the School of Environmental Studies and which also now form part of the assets of Chepkoilel University College;

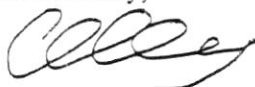
- i) Kilifi Field Research Station LR. No. Portion No. 8000
- ii) Homa Hills Field Research Station LR. No. 22712

Copies of the title deeds are attached. Baringo County Council had in 1991 approved to give Moi University two parcels of land which were Kambi ya Samaki Field Research Station and Marigat (Toronto) Land. The County Council later wrote to the University on 25/7/2002 indicating that the local community had declined to offer the land to Moi University. We are therefore unable to hand over that which does not belong to us.

The two parcels of land for which we have title deeds will be handed over to Chepkoilel University College alongside other assets and liabilities during the official handing over which shall be arranged between the Managements and Councils of the two institutions.

We finally wish to confirm that Moi University, through the Senate, is committed to ensuring that all academic programs taken over by Chepkoilel University College shall continue to thrive and that quality education will continue to be offered to all students.

Yours sincerely,



**PROF. RICHARD K. MIBEY, EBS, FWIF**  
**VICE CHANCELLOR**

cc. The Permanent Secretary

Ministry of Higher Education Science and Technology  
Jogoo House B  
10<sup>th</sup> Floor  
NAIROBI.

The Principal  
Chepkoilel University College  
P.O. Box 1125  
ELDORET.

JAM/



**SPECIAL MEETING OF EXECUTIVE COMMITTEE OF COUNCIL HELD ON  
AUGUST 2010 AT 10.00 AM IN THE MARGARET THATCHER LIBRARY**

- [Redacted]** - Chairman
- [Redacted]** - Vice Chairman
- [Redacted]** - Honorary Treasurer
- [Redacted]** - Rep. P/S Ministry of Higher Education,  
Science and Technology
- [Redacted]** - Rep. P/S Treasury
- [Redacted]** - Member
  
- [Redacted]** - Vice Chancellor
- [Redacted]** - Chief Academic Officer
- [Redacted]** - Chief Administrative Officer, Secretary
- [Redacted]** - Finance Officer
- [Redacted]** - Principal Administrative Officer, Council Secretariat
  
- [Redacted]** - Rep. Inspector General, State Corporations

**[Redacted] WELCOME**

**[Redacted]** The Chairman welcomed the members to the meeting after an opening prayer from  
**[Redacted]** r. F.K. Nyamu.

**MIN. 1/08/10**

**[Redacted] CHEPKOILEL UNIVERSITY COLLEGE, 2010**

**[Redacted]** That the Moi University Management Board at its meeting held on 17<sup>th</sup> August 2010  
discussed the following with regard to the establishment of Chepkoilel University College.

**[Redacted] a) Gazettement**

That Chepkoilel University College was gazetted on 13<sup>th</sup> August 2010 vide legal notice  
number 125 (**Annexure I**).







# MOI UNIVERSITY

OFFICE OF THE VICE CHANCELLOR

Tel: (053) 43620  
Fax: (053) 43047  
Email: vcmu@mu.ac.ke

P.O. Box 3900  
Eldoret - 30100  
Kenya



MU/CSE/318

6<sup>th</sup> October 2011

The Clerk to the National Assembly  
Parliament Buildings  
Parliament Road  
P.O. Box 41842-00100  
NAIROBI.

*Dr. Comptroller*  
*pls handle*  
*[Signature]*  
*10/10/11*

Dear Sir,

RE: PARLIAMENTARY QUESTIONS ON THE SCHOOL OF ENVIRONMENTAL STUDIES

On 27<sup>th</sup> September 2011 a team from Moi University and Chepkoilel University College accompanied the Minister for Higher Education Science and Technology while appearing before the Departmental Committee on Education, Research and Technology to respond to Parliamentary questions touching on the School of Environmental Studies.

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- a) Copies of duly confirmed minutes of the Executive Committee of Council meetings held on 19<sup>th</sup> August 2010 and 18<sup>th</sup> November 2010.
- b) A letter from the Principal of Chepkoilel University College confirming that no staff of the School of Environmental Studies will be victimised or terminated.

Secondly, as requested by the Departmental Committee, we hereby confirm that the University will immediately release the following vehicles which had been allocated for use by the School of Environmental Studies and which now form part of the assets of Chepkoilel University College as provided by law;

*Ms Mary Chesire*  
*[Signature]*



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- ii) KAE 802F Suzuki Vitara
- iii) KAL 227U Isuzu Mini bus
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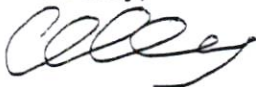
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We finally wish to confirm that Moi University, through the Senate, is committed to ensuring that all academic programs taken over by Chepkoilel University College shall continue to thrive and that quality education will continue to be offered to all students.

Yours sincerely,



**PROF. RICHARD K. MIBEY, EBS, FWIF**

**VICE CHANCELLOR**

cc. The Permanent Secretary

Ministry of Higher Education Science and Technology  
Jogoo House B  
10<sup>th</sup> Floor  
NAIROBI.

The Principal  
Chepkoilel University College  
P.O. Box 1125  
ELDORET.

JAM/





MINUTES OF A SPECIAL MEETING OF EXECUTIVE COMMITTEE OF COUNCIL HELD ON THURSDAY, 19<sup>TH</sup> AUGUST 2010 AT 10.00 AM IN THE MARGARET THATCHER LIBRARY

PRESENT

- |                               |   |  |
|-------------------------------|---|--|
| 1. Mr. Evan Mwai              | - | Chairman   |
| 2. Dr. James K. Murgor        | - | Vice Chairman  |
| 3. Dr. Dulacha Galgalo Barako | - | Honorary Treasurer   |
| 4. Mr. Bernard Malenya        | - | Rep. P/S Ministry of Higher Education,<br>Science and Technology |
| 5. Ms. Lucy Gitundu           | - | Rep. P/S Treasury  |
| 6. Dr. F.K. Nyamu             | - | Member   |

IN ATTENDANCE

- |                       |   |   |
|-----------------------|---|---|
| 7. Prof. R.K. Mibey   | - | Vice Chancellor                                       |
| 8. Prof. K. Ole Karei | - | Chief Academic Officer                                |
| 9. Dr. J.K. Sang      | - | Chief Administrative Officer, Secretary               |
| 10. Ms. M Mutwol      | - | Finance Officer                                       |
| 11. M.K. Sing'oei     | - | Principal Administrative Officer, Council Secretariat |

APOLOGIES

- |                    |   |  |
|--------------------|---|--|
| 1. Mr. C.O. Mosoti | - | Rep. Inspector General, State Corporations |
|--------------------|---|--|

1. WELCOME

The Chairman welcomed the members to the meeting after an opening prayer from Dr. F.K. Nyamu.

MIN. 1/08/10

2. CHEPKOILEL UNIVERSITY COLLEGE, 2010

NOTED: That the Moi University Management Board at its meeting held on 17<sup>th</sup> August 2010 discussed the following with regard to the establishment of Chepkoilel University College.

a) Gazettement

That Chepkoilel University College was gazetted on 13<sup>th</sup> August 2010 vide legal notice number 125 (Annexure I).



This means that Chepkoilel University College is now an independent legal entity and it is now connected to Moi University through:-

- i) The Chancellor
- ii) The Senate
- iii) Graduation/Moi University Degrees/Postgraduate Diplomas

MIN. 2/08/10

b) **The Chancellor**

That the Chancellor of Moi University shall be the Chancellor of Chepkoilel University College.

MIN. 3/08/10

c) **The University College Council**

That the Chepkoilel University College Order (the Order) makes provision for an independent College Council. The Council shall be appointed as provided in the Order. In the meantime, the University College will have to be supported by Moi University with technical advice and financial support. The Moi University Council will not however make any decisions regarding the University College except for the appointment of the first Principal.

MIN. 4/08/10

d) **Moi University Council Membership**

The Moi University Act provides that Principals of constituent colleges are members of the Moi University Council. No other member of a constituent college is entitled to membership of the Moi University Council. In the current Council there are two (2) staff members from Chepkoilel Campus namely:-

- Prof. E. Kiprop - representing Senate
- Prof. K. Senelwa - representing Non-senate Academic Staff.

With the creation of the University College the two members automatically lose their membership to the Council and a fresh nomination/election needs to be carried out to fill the two vacancies.

MIN. 5/08/10

APPROVED:

The election to fill the two vacancies.

MIN. 6/08/10

e) **The First Principal**

The Order make provision for the Moi University Council to appoint the first Principal of the College provided that at the time of appointment the University College Council will not have been set up.



RESOLVED:

To appoint Prof. B.M. Khaemba the current Principal of the Campus as the acting Principal of Chepkoilel University College (Grade 17) as per Section 8 (4) of the Kenya Gazette Order until a substantive appointment for the position is made.

That in fixing the salary for the Acting Principal, use the following guidelines:-

i) If the candidate is qualified for the post he gets the difference between his salary and that of the higher grade.

or

ii) If not qualified for the post he gets 15% of the difference between his salary and that of the higher grade.

The minimum qualification for the post of Principal of a University College is Associate Professor.

MIN. 7/08/10

AGREED:

That informal information be made to Minister for Higher Education, Science and Technology and the Chancellor today, before formal communication follows.

MIN. 8/08/10

f) **Assets and Liabilities**

The Order provides that all rights, assets and liabilities of Chepkoilel Campus existing at the time of commencement of the Order shall be automatically and fully transferred to the University College. The Moi University Management Board needs to determine the said rights, assets and liabilities of Chepkoilel Campus as at the commencement of the Order (13<sup>th</sup> August 2010) to enable a smooth transition. MIN. 9/08/10

g) **Academic Programs**

As discussed and agreed by the Moi University Council, the academic programs existing at Chepkoilel Campus prior to commencement of the Order shall remain at Chepkoilel Campus and shall continue to be offered by the College. In addition and agreed by the Moi University Council, the School of Environmental Studies and the Department of Agricultural Engineering shall be transferred to the College.

MIN. 10/08/10

APPROVED:

The immediate transfer of the Academic and Administrative staff of the School of Environmental Studies and the Department of Agricultural Engineering.

MIN. 11/08/10





**h) Financial Matters**

**NOTED:**

That in the budget for Financial Year 2010/2011 the University had prepared and requested for a separate budget allocation for Chepkoilel Campus in anticipation of its conversion into a Constituent College.

That the government allocation of funds for this financial year did not factor in the Chepkoilel request.

That over the years the University been making requests to the parent Ministry for enhanced capitation considering the per unit cost of running the University. This request has over the years not been quite successful.

That it is the view of Moi University Management Board that the allocation given to the University this financial year was based on the proposed budget which did not include Chepkoilel University College.

That the Moi University Management Board has made a decision to present this issue with the Ministry to enable the Ministry immediately consider the creation of Chepkoilel University College and allocate funds to the College.

That salaries/arrears for Chepkoilel University College staff have been paid up to July 2010.

**AGREED:**

- i) That Moi University Council to continue to pay salaries until Chepkoilel University Council is appointed.
- ii) That tuition fees will be transferred to Chepkoilel University College to cover the normal recurrent expenditure necessary to run the College.
- iii) That Moi University Council should not take responsibility for new appointments.
- iv) That it should be made clear that whatever assistance is extended to Chepkoilel University College, the understanding is that reimbursement of the disbursed funds will be made.

That the issues/facts should be made in writing.

**MIN. 12/08/10**



3. PROPOSED REVISION OF PSSP PERCENTAGE DISTRIBUTION RATES

RECEIVED &  
CONSIDERED: The proposed revision of PSSP percentage distribution rates (Annexure II).

NOTED: That teaching materials will come from the 30%.

NOTED  
FURTHER: That it is now a requirement that Treasury sends along to the Parliament during Expenditure and Budget rationalization process, an Annex of the funds raised by Universities through PSSP programs.

This is coming from the top in the spirit of accountability, transparency and sustainability.

- AGREED:
- i) In Principle, with the proposed revision of PSSP percentage distribution rates, subject to the discussion with stakeholders and for it to be brought back for approval.
  - ii) That a small committee of Deans to look at the issue and make proposals in view of the position from the government.
  - iii) That a request be made to Treasury through the parent Ministry that per unit cost be a basis for rationalizing of budgets to Universities.

MIN..13/08/10

4. ADJOURNMENT


There being no other business the meeting adjourned at 12.35 p.m.

APPROVED FOR CIRCULATION

  
.....  
(CHAIRMAN)

3/09/2010  
.....  
(DATE)

CONFIRMED AT THE NEXT MEETING

  
.....  
(CHAIRMAN)

6/10/2011  
.....  
(DATE)

MINUTES OF A SPECIAL EXECUTIVE COMMITTEE MEETING HELD ON THURSDAY  
18<sup>TH</sup> NOVEMBER, 2010 AT 4.45 P.M IN THE BOARDROOM, MAIN CAMPUS

**PRESENT**

1. Mr. E. Mwai - Chairman
2. Dr. J. K. Murgor - Vice Chairman
3. Dr. D. G. Barako - Honorary Treasurer
4. Prof. R. K. Mibey - Vice Chancellor
5. Mrs. Lucy Gitundu - Rep. P/S Treasury
6. Mr. Bernard Malenya - Rep. P/S Ministry of Higher Education, Science & Technology
7. Dr. J.K. Sang - Chief Administrative Officer (Secretary)

**IN ATTENDANCE**

8. Mr. C. O. Mosoti - Rep. Inspector General, State Corporations
9. Mr. M. K. Sing'oei - Principal Administrative Officer, Council Secretariat ( taking minutes)

1. **WELCOME**

The Chairman welcomed the members after an opening prayer from Mrs. L. Gitundu.

MIN. 1/11/10

2. **ADOPTION OF THE AGENDA**

The Committee adopted the following items of agenda for discussion:-

- i) The appeals by the School of Environmental Studies and the Department of Agricultural & Biosystems Engineering, regarding their transfer to Chepkoilel University College.
- ii) Renewal of contract for Prof. S. Gudu, the Deputy Vice Chancellor (Planning & Development).

MIN. 2/11/10

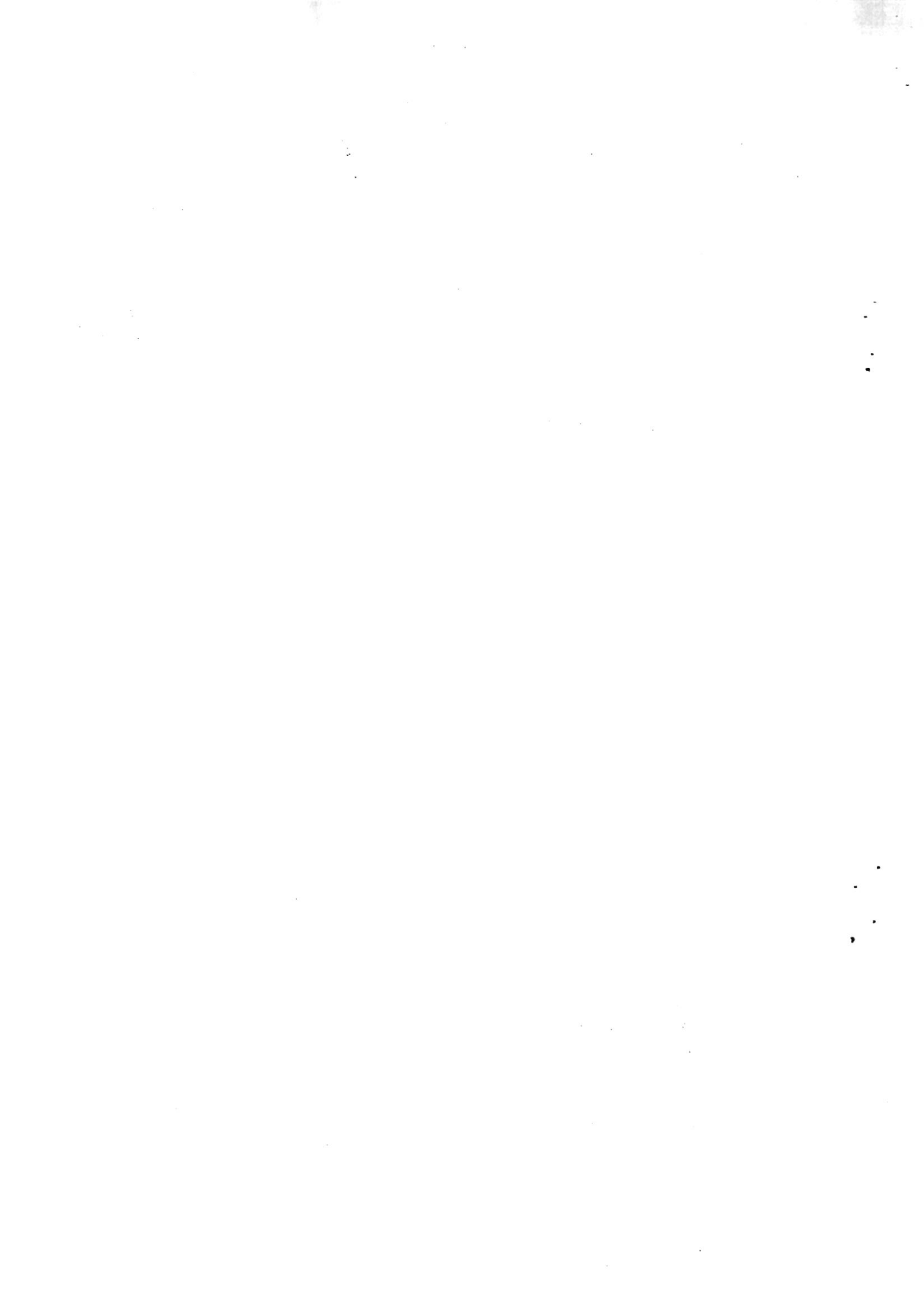
3. **APPEAL FROM THE SCHOOL OF ENVIRONMENTAL STUDIES**

Prior to the establishment of Chepkoilel University College and in response to the Governments request to align the Institutional Strategic Plans to conform with Vision 2030, Moi University Strategic Plan (2005 – 2015) was done by grouping different Colleges within common subject areas.

The following Schools were grouped under the College of Natural Resources and Applied Sciences and are to be physically located at Chepkoilel :-

1. School of Physical Sciences
2. School of Natural Resources and Management
3. School of Biological Sciences
4. School of Agriculture and Biotechnology





## 5. School of Environmental Studies

When the Gazettement of Chepkoilel University College came on 13<sup>th</sup> August 2010, the Strategic Plan (2009 – 2015) document had already been submitted to the Ministry of Higher Education Science and Technology. School of Environmental Studies was in the College of Natural and Applied Sciences. School of Environmental Studies will be able to teach using resources available in Chepkoilel University College.

Consequently, communication was made on 26<sup>th</sup> August 2010 to the Dean, School of Environmental Studies and the Department of Agricultural and Engineering requiring them to move to Chepkoilel University College following the Gazettement of the College.

The Vice Chancellor received an appeal from the Dean, School of Environmental Studies (SES) to reconsider the decision to transfer it to Chepkoilel University College, and that it was their wish to remain at the Main Campus. The Dean, School of Engineering also requested that 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> year students in the Department of Agriculture and Biosystems Engineering be integrated with the Mechanical and Production Engineering students at the Main Campus.

The MUMB at its meeting held on 6<sup>th</sup> September considered the appeal from the School of Environmental Studies and the School of Engineering.

While considering the request, the Board noted that some of the programmes in the School of Environmental Studies were run in liaison with other Schools, e.g. School of Engineering.

However, the Board further noted that the intended movement of the School had been captured in the Moi University Strategic Plan (2005- 2015) and that at the time the request was made to the Ministry of Higher Education, Science and Technology to convert Chepkoilel Campus into a University College, the School of Environmental Studies was included as one of the Schools that would form part of the Chepkoilel University College.

After carefully considering the appeal, the Board directed that teaching and learning activities shall continue in the School meanwhile as the University Management consults with the University Council over the said matter.

**DISCUSSED &  
AGREED:**

**MIN. 3/11/10**

- (i) That the School of Environmental Studies (SES) be given a grace period to move, while the facilities are being put in place in Chepkoilel University College.
- (ii) That the School of Environmental Studies will continue to use the field stations and land until the same is transferred to Chepkoilel University College.
- (iii) That they are given grace period, to move, up to 1<sup>st</sup> May, 2011.



(iv) That the Department of Agricultural and Biosystems Engineering is part of School of Agriculture and Biotechnology.

(v) That the Department of Agricultural and Biosystems Engineering is also given a grace period, to move, up to 1<sup>st</sup> May, 2011. MIN. 4/11/10

4. **RENEWAL OF CONTRACT FOR PROF. S. GUDU, DEPUTY VICE CHANCELLOR – PLANNING AND DEVELOPMENT**

**NOTED:** Prof. S. Gudu was first appointed for 3 years from 17<sup>th</sup> December 2002 to 16<sup>th</sup> December 2005.

He was subsequently re-appointed on 18<sup>th</sup> December 2005 to 17<sup>th</sup> December 2008.

At the end of the contract he was given a further extension of two years from 19<sup>th</sup> December 2008 to 18<sup>th</sup> December 2010.

**NOTED**

**FURTHER:** That the Terms of Office for the Deputy Vice Chancellors were amended from the initial three to five years renewable for a further period of five years, in August 2008.

**OBSERVED:** That Prof. S. Gudu had done a commendable job as Deputy Vice Chancellor (Planning & Development) during his tenure of office.

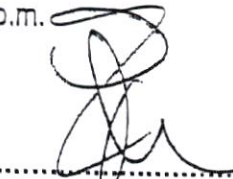
He had been a hardworking and resourceful person. MIN. 5/11/10

**AGREED:** That his contract be renewed for a further one year from 19<sup>th</sup> December 2010 to 18<sup>th</sup> December 2011. MIN. 6/11/10

5. **ADJOURNMENT**

The meeting adjourned at 5.40 p.m.

**APPROVED FOR CIRCULATION**

  
.....  
(CHAIRMAN)

9/12/2010  
.....  
(DATE)

**CONFIRMED AT THE NEXT MEETING**

  
.....  
(CHAIRMAN)

6/10/2011  
.....  
(DATE)





# CHEPKOILEL UNIVERSITY COLLEGE

(A Constituent College of Moi University)

Principal's Office

P.O. Box 1125-30100  
Eldoret-Kenya  
Tel: +254 53 206 3111  
Fax: +254 53 206 3257  
Email: princchep@mu.ac.ke  
Website: www.cu.ac.ke

Our Ref:.....CHEPNC/PRINC/01/01

Your Ref:.....

October 3, 2011

The Minister,  
Ministry of Higher Education, Science & Technology  
P.O Box 9583-0020  
NAIROBI

Dear Madam Minister,

RE: STAFF OF THE SCHOOL OF ENVIRONMENTAL STUDIES AT  
CHEPKOILEL UNIVERSITY COLLEGE

I am writing to confirm that the above staff who moved from Moi University to this University College as per the Moi University Strategic Plan have settled down well and teaching/learning is going on smoothly in the School.

May I also confirm that no staff of the above mentioned school will be victimized for whatever reasons.

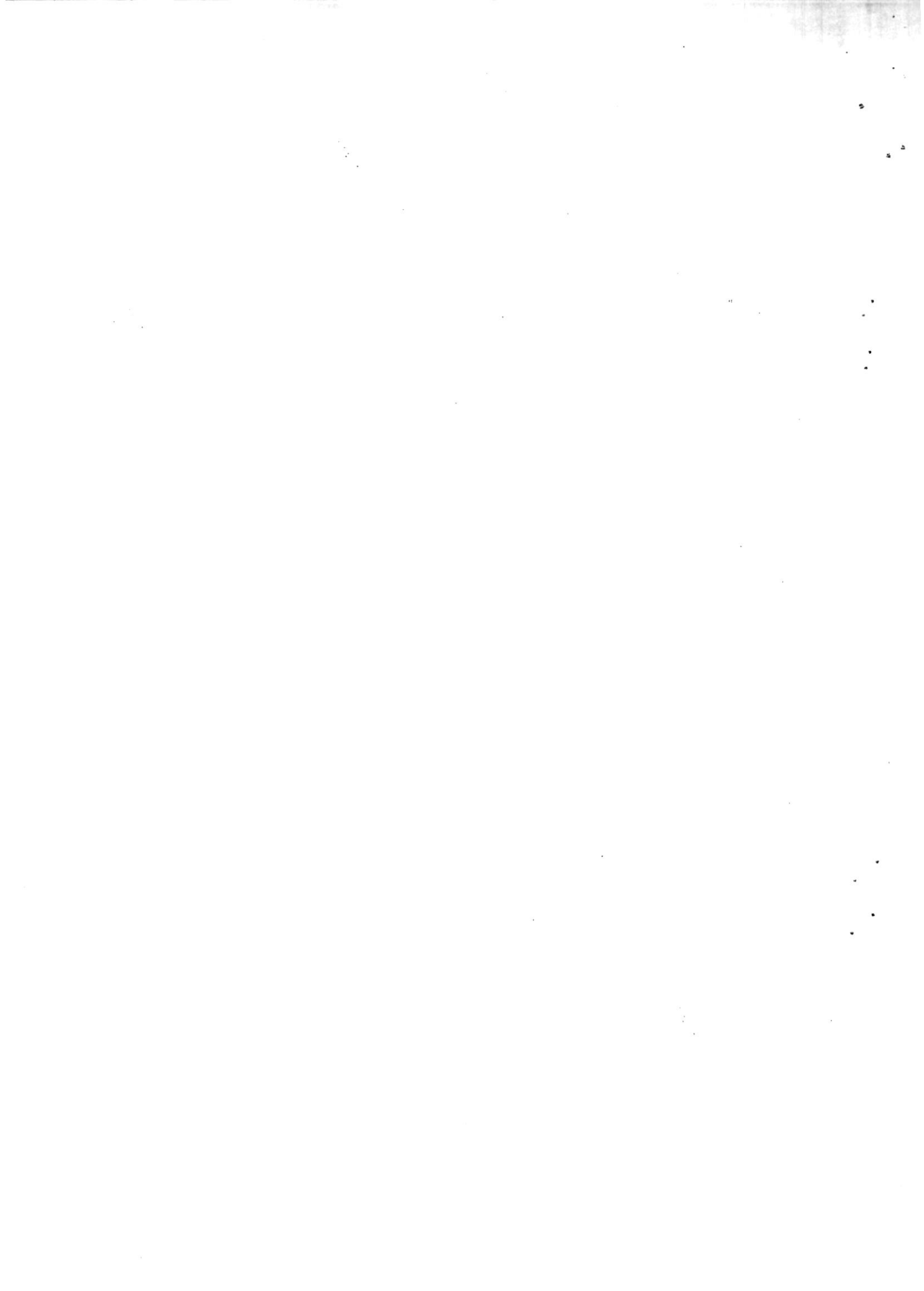
Thank you.

Yours Sincerely,

  
PRINCIPAL  
Chepkoilel University  
College

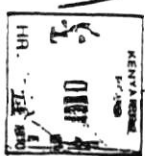
PROF. ELIJAH K. BIAMAH  
PRINCIPAL





MALINDI  
L.R. No. 8000

DISTRICT LAND REGISTRY  
M-O-M-B-A-S-A  
30 AUG 1994  
TIME 8:30 AM/PM  
D. B. No. 0643



REPUBLIC OF KENYA

THE REGISTRATION OF TITLES ACT  
(Chapter 281)

GRANT NUMBER ER 06135  
ANNUAL RENT: SHS. 72/- (REVISABLE)  
TERM: 99 YEARS FROM 1.11.1991

SD 1  
23/8/94

Cancelled

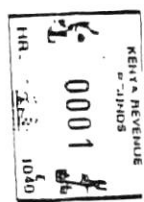
Term: 99 years from 1-11-1991

KNOW ALL MEN BY THESE PRESENTS that THE PRESIDENT OF THE REPUBLIC OF KENYA hereby GRANTS unto MOI UNIVERSITY a body duly incorporated The Moi University Act Chapter 210A of the Laws of Kenya of ELDORET (Post Office Box Number 3900)

(hereinafter called "the Grantee") All that piece of land situate in Malindi Municipality in Kilifi District containing by measurement thirty five decimal nought nought (35.00)

hectares/acre or thereabouts that is to say L.R. No. Portion No. 8000 which said piece of land with the dimensions abutments and boundaries thereof is delineated on the plan annexed hereto and more particularly on Land Survey Plan Number 179221 deposited in the Survey Records Office at Nairobi

TO HOLD for the term of Ninety nine (99) years from the First day of November One thousand nine hundred and Ninety one, SUBJECT to (a) the payment in advance on the first day of January in each year of the annual rent of Shillings seventy two (Shs. 72/-) (REVISABLE) (b) the provisions of the Government Lands Act (Chapter 280) and (c) the following Special Conditions (namely):—





## SPECIAL CONDITIONS

1. No buildings shall be erected on the land nor shall additions or external alterations be made to any buildings otherwise than in conformity with plans and specifications previously approved in writing by the Commissioner of Lands and the Local Authority. The Commissioner shall not give his approval unless he is satisfied that the proposals are such as to develop the land adequately and satisfactorily.
2. The Grantee shall within six calendar months of the actual registration of the Grant submit in triplicate to the Local Authority and the Commissioner of Lands plans (including block plans showing the positions of the buildings and a system of drainage for disposing of sewage surface and sullage water) drawings elevations and specifications of the buildings the Grantee proposes to erect on the land and shall within 24 months of the actual registration of the Grant complete the erection of such buildings and the construction of the drainage system in conformity with such plans drawings elevations and specifications as amended (if such be the case) by the Commissioner PROVIDED that notwithstanding anything to the contrary contained in or implied by the Government Lands Act if default shall be made in the performance or observance of any of the requirements of this condition it shall be lawful for the Commissioner of lands or any person authorized by him on behalf of the President to re-enter into and upon the land or any part thereof in the name of the whole and thereupon the term hereby created shall cease but without prejudice to any right of action or remedy of the President or the Commissioner of Lands in respect of any antecedent breach of any condition herein contained.
3. The Grantee shall maintain in good and substantial repair and condition all buildings at any time erected on land.
  - (i) Should the Grantee give notice in writing to the Commissioner of Lands that it is unable to complete the buildings within the period aforesaid the Commissioner of Lands shall (at the Grantee's expense) accept surrender of the land comprised herein.
    - (i) Provided further that if such notice as aforesaid shall be given within 12 months of the actual registration of the Grant the Commissioner of Lands shall refund to the Grantee 50 per centum of the stand premium paid in respect of the land, or
    - (ii) At any subsequent time prior to the expiration of the said building period the Commissioner of Lands shall refund to the Grantee 25 per centum of the said stand premium. In the event of notice being given after the expiration of the said building period no refund shall be made.
5. The land and the buildings shall only be used for educational purposes (Research)
6. The buildings shall not cover a greater area of the land than that prescribed by the Local Authority in its by-laws.
7. The land shall not be used for any purpose which the Commissioner of Lands considers to be dangerous or offensive.
8. The Grantee shall not subdivide the land.
9. The Grantee shall not sell transfer sublet charge or part with the possession of the land or any part thereof or any buildings thereon except with the prior consent in writing of the Commissioner of Lands. No application for such consent (except in respect of a loan required for building purposes) will be considered until special condition No. 2 has been performed.
10. The Grantee shall pay to the Commissioner of Lands on demand such sum as the Commissioner of Lands may estimate to be the proportionate cost of constructing all roads and drains and sewers serving or adjoining the land and the proportionate cost for the supply of both the water and the electric power to the land and shall on completion of such construction and the ascertainment of the actual proportionate cost either pay (within 30 days of demand) or be refunded the amount by which the actual proportionate cost exceeds or falls short of the amount paid as aforesaid.
11. The Grantee shall from time to time pay to the Commissioner of Lands on demand such proportion of the cost of maintaining all roads and drains serving or adjoining the land as the Commissioner may assess.
  - (2) Should the Commissioner of Lands at any time require the said roads to be constructed to a higher standard the Grantee shall pay to the Commissioner on demand such proportion of such construction as the Commissioner may assess.
13. The Grantee shall pay such rates taxes charges duties assessments or outgoings of whatever description as may be imposed charged or assessed by any Government or Local Authority upon the land or the buildings erected thereon including any contribution or other sum paid by the President in lieu thereof.
14. The President or such person or authority as may be appointed for the purpose shall have the right to enter upon the land and lay and have access to water mains service pipes and drains telephone or telegraph wires and electric mains of all descriptions whether overhead or underground and the Grantee shall not erect any buildings in such a way as to cover or interfere with any existing alignments of main or service pipes or telephone or telegraph wires and electric mains.
15. The Commissioner of Lands reserves the right to revise the annual ground rental payable hereunder after the expiration of the thirty third and sixty sixth year of the term hereby granted. Such rental will be at the rate of per cent of the unimproved freehold value of land as assessed by the Commissioner of Lands.
16. The Grantee shall construct at his own expense all internal infrastructure to the standard approved by the Local Authority and the Commissioner of Lands.

DPK 6139-3m-4/95

Notwithstanding anything to the contrary contained herein or implied by the said Government Lands Act (Cap.280) the Grantee shall on receipt of six months' notice in writing in that behalf surrender all or any part of the land required for public purposes without payment of compensation save in respect of such of the approved buildings as may have to be evacuated or demolished. No compensation shall be payable in respect of surrender of part of the land by reason of such surrender.

The Commissioner of Lands reserves the right to revise the annual ground rent payable hereunder on 31st December, 1998 and thereafter at the expiration of every ten years of the term.





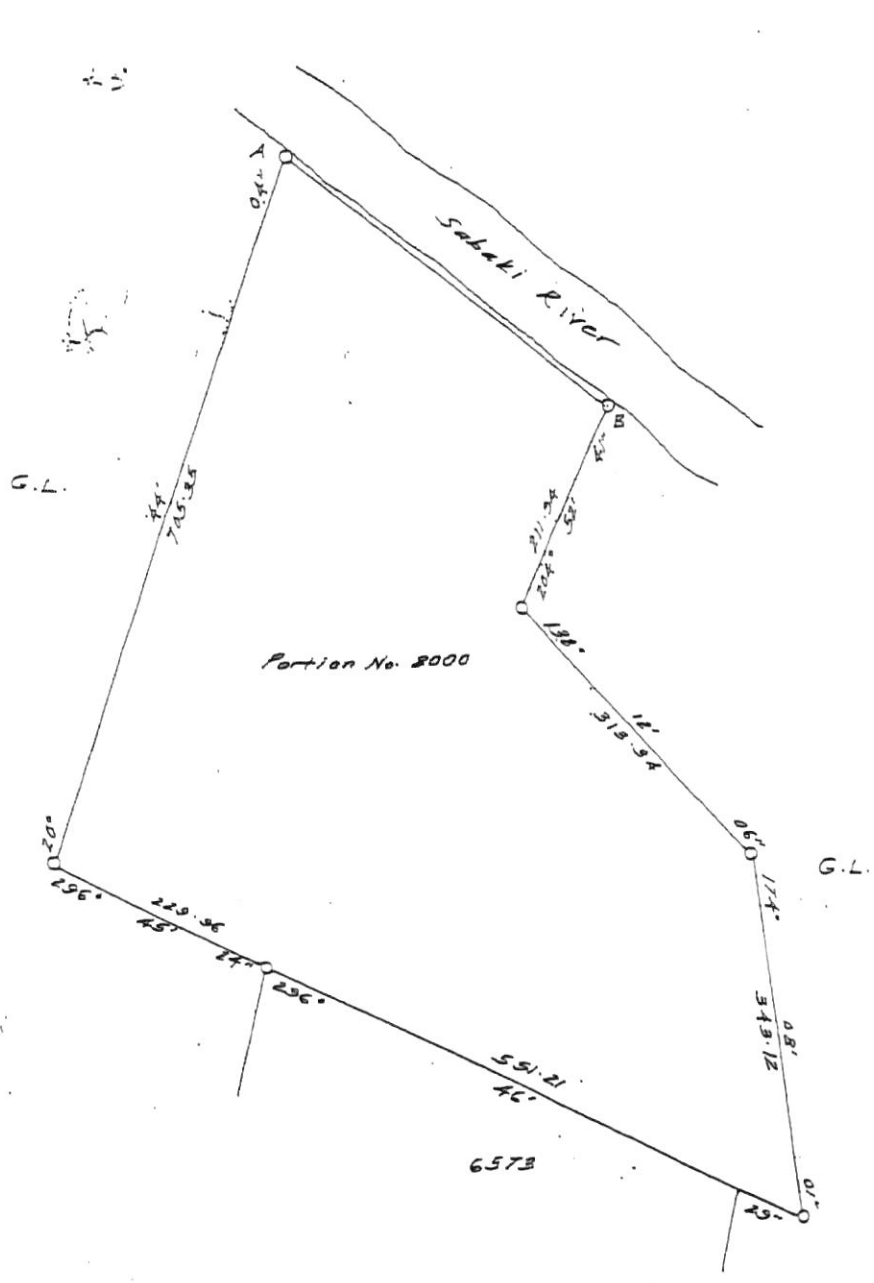
New Grant

# REPUBLIC OF KENYA

DISTRICT OF KILIFI  
Locality Malindi Municipality  
Reference Map South. A. 57.8  
W. 1. a

Land Reference No.  
(Orig No.)  
Sub division No. (Orig No.)  
of Section No.  
Portion No. 8000  
Area = 35.00 Ha. (Approx.)

	Semi			Distance
	Metres			Metres
A-B	129	48	44	381.62



*[Signature]*  
for Director of Surveys  
Nairobi / 2<sup>nd</sup> MAY 1994

Scale 1:5000







L.R. No. 22712  
Area = 18.72 Hectares  
46 Acres  
HOMA HILLS



REPUBLIC OF KENYA

C. 2. Mchangi 090  
27-11-2005

THE REGISTRATION OF TITLES ACT  
(Chapter 281)

GRANT: NUMBER L.R.

ANNUAL RENT: Kshs. 72/- (REVISABLE)

TERM: 99 YEARS FROM 1.3.1995

Term of Lease = 99 years from 1-3-1995

KNOW ALL MEN BY THESE PRESENTS that THE PRESIDENT OF THE REPUBLIC OF KENYA Hereby Grants Unto  
MOL UNIVERSITY A body corporate duly established under The Provisions of Mol University Act (Chapter 210 A)  
of the Laws of Kenya of ELDORET (Post Office Box Number 3900)

(hereinafter called "the Grantee") All that piece of land situate North East of Homa Bay Township in HOMA BAY  
District containing by measurement eighteen decimal seven two (18.72)

hectares more or less (hereabouts that is to say L.R. No. 22712

which said land with the dimensions abutments and boundaries thereof is delineated on the plan annexed  
hereto particularly on Land Survey Plan Number 243493 deposited in the Survey Records Office  
at Nairobi

TO HOLD

for the term of Ninety nine (99) years from the

First day of March One thousand nine hundred and

ninety five SUBJECT to (a) the payment in advance on the first day of January in

each year of the annual rent of shillings seventy two (Kshs. 72/-) (Revisable) w.e.f. 1.3.1995.

(b) the provisions of the Government Lands Act (Chapter 280) and (c) the following Special Conditions (namely):-

[P.T.O.]

Received from Mr. Dr.  
via memo





### SPECIAL CONDITIONS

1. No buildings shall be erected on the land nor shall additions or external alterations be made to any buildings otherwise than in conformity with plans and specifications previously approved in writing by the Commissioner of Lands and the Local Authority. The Commissioner shall not give his approval unless he is satisfied that the proposals are such as to develop the land adequately and satisfactorily.
2. The Grantee shall within three months of the actual registration of the Grant submit in triplicate to the Local Authority and the Commissioner of Lands plans (including block plans showing the positions of the buildings and a system of drainage for disposing of sewage surface and sullage water) drawings elevations and specifications of the buildings the Grantee proposes to erect on the land and shall within 24 months of the actual registration of the Grant complete the erection of such buildings and the construction of the drainage system in conformity with such plans drawings elevations and specifications as amended (if such be the case) by the Commissioner PROVIDED that notwithstanding anything to the contrary contained in or implied by the Government Lands Act if default shall be made in the performance or observance of any of the requirements of this condition it shall be lawful for the Commissioner of Lands or any person authorized by him on behalf of the President to re-enter into and upon the land or any part thereof in the name of the whole and thereupon the term hereby created shall cease but without prejudice to any right of action or remedy of the President or the Commissioner of Lands in respect of any antecedent breach of any condition herein contained.
3. The Grantee shall maintain in good and substantial repair and condition all buildings at any time erected on the land.
4. Should the Grantee give notice in writing to the Commissioner of Lands that it is unable to complete the buildings within the period aforesaid the Commissioner of Lands shall (at the Grantee's expense) accept a surrender of the land comprised herein.
  - (i) Provided further that if such notice as aforesaid shall be given within 12 months of the actual registration of the Grant the Commissioner of Lands shall refund to the Grantee 50 per centum of the stand premium paid in respect of the land, or
  - (ii) At any subsequent time prior to the expiration of the said building period the Commissioner of Lands shall refund to the Grantee 25 per centum of the said stand premium. In the event of notice being given after the expiration of the said building period no refund shall be made.
5. The land and the buildings shall only be used for Research Station
6. The buildings shall not cover a greater area of the land than that prescribed by the Local Authority in its by-laws.
7. The land shall not be used for any purpose which the Commissioner of Lands considers to be dangerous or offensive.
8. The Grantee shall not subdivide the land without the prior consent in writing of the Commissioner of Lands.
9. The Grantee shall not sell transfer sublet charge or part with the possession of the land or any part thereof or any buildings thereon except with the prior consent in writing of the Commissioner of Lands. No application for such consent (except in respect of a loan required for building purposes) will be considered until special condition No. 2 has been performed.
10. The Grantee shall pay to the Commissioner of Lands on demand such sum as the Commissioner of Lands may estimate to be the proportionate cost of constructing all roads and drains and sewers serving or adjoining the land and the proportionate cost for the supply of both the water and the electric power to the land and shall on completion of such construction and the ascertainment of the actual proportionate cost either pay or (if demanded) shall be refunded the amount by which the actual proportionate cost exceeds or falls short of the sum paid as aforesaid.
11. The Grantee shall from time to time pay to the Commissioner of Lands on demand such proportion of the cost of maintaining all roads and drains serving or adjoining the land as the Commissioner may assess.
12. Should the Commissioner of Lands at any time require the said roads to be constructed to a higher standard the Grantee shall pay to the Commissioner on demand such proportion of such construction as the Commissioner may assess.
13. The Grantee shall pay such rates taxes charges duties assessments or outgoings of whatever description as may be imposed charged or assessed by any Government or Local Authority upon the land or the buildings erected thereon including any contribution or other sum paid by the President in lieu thereof.
14. The President or such person or authority as may be appointed for the purpose shall have the right to enter upon the land and lay and have access to water mains service pipes and drains telephone or telegraph wires and electric mains of all descriptions whether overhead or underground and the Grantee shall not erect any building in such a way as to cover or interfere with any existing alignments of main or service pipes or telephone or telegraph wires and electric mains.
15. The Commissioner of Lands reserves the right to revise the annual ground rental payable hereunder after the expiration of the thirty-third and thirty-sixth year of the term hereby granted. Such rental will be at the rate of per cent of the unimproved freehold value of land as assessed by the Commissioner of Lands.
15. The Grantee shall construct at his own expense all internal infrastructure to the standard approved by the Local Authority and the Commissioner of Lands.

