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GAZETTE NOTICE No. 3795

THE AGRICULTURAL FINANCE CORPORATION
ACT 1969

(No. 1 of 1969)

APPOINTMENT OF CHAIRMAN

IN EXERCISE of the powers conferred by section 4 (3) of the Agricultural Finance Corporation Act 1969, the Minister for Agriculture, after consultation with the Minister for Finance and Economic Planning, hereby appoints—

PHILIP NDEGWA

to be Chairman of the Corporation, and cancels the appointment* of John Njoroge Michuki.

Dated this 19th day of December 1970.

J. J. M. NYAGAH,
Minister for Agriculture.

*G.N. 938/69.

GAZETTE NOTICE No. 3796

THE NATIONAL PARKS OF KENYA ACT
(Cap. 377)

APPOINTMENT OF TRUSTEES

IN EXERCISE of the powers conferred by section 5 of the National Parks of Kenya Act (Cap. 377), the Minister for Tourism and Wildlife hereby—

(a) appoints—

Dr. Reuben J. Olemba; and

(b) reappoints—

Lucas Wose,
The Hon. John Keen, M.P.,
Emmanuel N. Nyambu,
Gideon G. Kago,
Abdi Rahaman Haji Abass,
The Hon. Aaron Nthenge Mutunga, M.P.,
Samson Nyamweya,
Dr. Mohamed Hyder, DIP.ED., B.SC., PH.D.,
Dr. John Kabiru,
The Hon. Othniel John Munene, M.P.,
Victor George Mathews, C.M.G., O.B.E., B.SC.,
Mrs. Eugene Dorothy Hughes, M.B.E., F.R.I.B.A.,

to be members of the said Board, with effect from 1st January 1971.

Dated this 28th day of December 1970.

J. L. M. SHAKO,
Minister for Tourism and Wildlife.

GAZETTE NOTICE No. 3797

THE SOCIETIES ACT 1968
(No. 4 of 1968)

IN EXERCISE of the powers conferred by section 2 (1) (j) of the Societies Act 1968, the Attorney-General hereby declares—

MAASAI RURAL TRAINING CENTRE

not to be a society for the purpose of the Societies Act 1968.

Dated this 18th day of December 1970.

C. NJONJO,
Attorney-General.

GAZETTE NOTICE No. 3798

THE DAIRY INDUSTRY ACT
(Cap. 336)THE DAIRY INDUSTRY (INSPECTORS) REGULATIONS
1964

APPOINTMENT

IN EXERCISE of the powers conferred by regulation 2 (1) of the Dairy Industry (Inspectors) Regulations, the Kenya Dairy Board hereby appoints—

MARTIN WANJALA NAMISI

as inspector under the said regulation, with effect from 1st January 1971.

By Order of the Board.

Dated this 21st day of December 1970.

L. M. JUMA,
Secretary.

GAZETTE NOTICE No. 3799

THE DAIRY INDUSTRY ACT
(Cap. 336)THE DAIRY INDUSTRY (INSPECTORS) REGULATIONS
1964

REVOCATION OF APPOINTMENT

IN EXERCISE of the powers conferred by regulation 2 (1) of the Dairy Industry (Inspectors) Regulations, the Kenya Dairy Board hereby revokes the appointment of—

DAVID C. MAKAU NDOLLO

as inspector under the said regulations with effect from 30th November 1970.

By Order of the Board.

Dated this 21st day of December 1970.

L. M. JUMA,
Secretary.

GAZETTE NOTICE No. 3800

THE AGRICULTURE ACT
(Cap. 318, section 27)

NOTICE is hereby given that persons named hereunder in the First Schedule hereto have been duly elected to represent respective areas shown in the Second Schedule hereto, to the Londiani Agricultural Subcommittee.

FIRST SCHEDULE

Names

Walter K. A. Ngetich

Joseph N. Kariuki

Solomon Kahura

Joseph Cheruiyot Koech

Joseph Ruto

SECOND SCHEDULE

Areas

Kedowa.

Lodiani East including Ma-
kutano Forest and areas
adjoining Nakuru District.

Londiani West including areas
adjoining Lumbwa A.S.C.

Londiani South and areas
adjoining Nakuru District.

Londiani North including
Tinderet Forest and areas
adjoining Lumbwa A.S.C.

S. G. KAMAU,
Executive Officer.
District Agricultural Committee.

GAZETTE NOTICE No. 3801

AGRICULTURAL FINANCE CORPORATION
THE AGRICULTURAL FINANCE CORPORATION ACT
(No. 1 of 1969)

NOTICE

IN PURSUANCE of the powers conferred upon the Board of the Corporation by section 33 (1) of the Agricultural Finance Corporation Act (No. 1 of 1969 of the Laws of Kenya) notice is hereby given that the undermentioned farm will be offered for sale by K.F.A. Auctioneers Limited on Tuesday the 2nd day of February 1971, at their offices at Nakuru.

Description

All that piece of land situate North-East of Molo Township in the Nakuru District of the Republic of Kenya containing by measurement two hundred and seventy (270) acres or thereabouts that is to say Land Reference No. 5298 of Meridional

South A 36

District ——— 7 being the piece of land comprised in a

F 11 b

grant dated the 9th day of October 1964, registered in the Registry of Titles at Nairobi as No. I.R. 20352/1 which said piece of land with the dimensions, abutments and boundaries thereof is delineated on Land Survey Plan No. 82293 deposited in the Survey Records Office at Nairobi and is held by Dinores Mwangani and Gitonye Kangete as tenants as lessees in common in equal shares for a term of 928 years from the 1st day of August 1964.

Conditions

1. The highest bidder shall be the purchaser.
2. The purchaser shall immediately after the sale pay to the Auctioneers a deposit of at least 25 per cent of the amount of the purchase money and sign an agreement to complete the purchase and pay the balance against registration of the transfer of the title into his or her name.

3. The Title Deeds relating to the farm referred to herein above may be inspected at any time at the K.F.A. Offices at Nakuru and also at the time of the sale and the purchaser shall be deemed to have full notice of each and every condition therein contained.
4. The description of the farm in the particulars and Plan is believed to be correct and no claims shall be valid if any error of description should be found.
5. The purchaser shall be solely responsible for ensuring that all beacons are properly situated and for replacing such beacons as may be missing.
6. The Agricultural Finance Corporation through its authorized representative has the right to bid.
7. Subject and in addition to the foregoing the conditions of sale usually prescribed by the Auctioneers in the district shall apply.

BY ORDER OF THE BOARD,

Nairobi, *The Agricultural Finance Corporation.*
18th December 1970.

GAZETTE NOTICE No. 3802

THE MINING ACT

(Cap. 306)

EXCLUSION OF LAND FROM PROSPECTING AND MINING

IN EXERCISE of the powers conferred by section 7 (1) (j) of the Mining Act, the Commissioner of Mines and Geology hereby declares the land described in the Schedule hereto to be excluded from prospecting and mining with effect from 1st December 1970, provided that such exclusion shall not apply to any part of the said land in respect of which prospecting or mining rights have been granted before 1st December 1970, during such time as the rights continue to subsist, whether by renewal or otherwise.

SCHEDULE

An area of approximately 260 square kilometres situated in Rift Valley Province, partly in Elgeyo-Marakwet District and partly in Baringo District and more particularly described as follows:—

Commencing at the junction of the Tambach and Kabarnet roads at Biretwo (map reference 0° 33' N., 35° 33' E.);

thence on a true bearing of 173° for a distance of approximately 31 kilometres to the highest point on Tingwa Hill (map reference 0° 16' N., 35° 35' E.);

thence on a true bearing of 98° 30' for a distance of approximately 19.5 kilometres to a point (map reference 0° 14' N., 35° 46' E.);

thence on a true bearing of 178° for a distance of approximately 6.2 kilometres to Sirwa (map reference 0° 10' N., 35° 47' E.);

thence on a true bearing of 270° for a distance of approximately 8.1 kilometres to trigonometrical point Kapkut (map reference 0° 10' N., 35° 41' E.) and continuing approximately 9.5 kilometres to Metkei (map reference 0° 10' N., 35° 37' E.);

thence following a track first in a westerly direction and then in a generally northerly direction for a distance of approximately 20 kilometres through Kamwosor and Kapchebelei to trigonometrical point SKP 102 at Nyeru (map reference 0° 20' N., 35° 34' E.);

thence on a true bearing of 354° for a distance of approximately 24.6 kilometres to an unnamed hill (map reference 0° 32' 30" N., 35° 31' E.);

thence on a true bearing of 87° for a distance of approximately 4.4 kilometres to the point of commencement.

Dated this 28th day of December 1970.

L. D. SANDERS,
Commissioner of Mines and Geology.

GAZETTE NOTICE No. 3803

MINISTRY OF DEFENCE

LOSS OF LOCAL PURCHASE ORDER LEAF No. C431480

IT IS hereby notified that Local Purchase Order No. C431480 has been lost.

This Local Purchase Order has been cancelled and no liability will be accepted by the Ministry of Defence in respect of goods supplied or services rendered against the said Local Purchase Order number.

E. P. AHENDA,
*for Permanent Secretary,
Ministry of Defence.*

GAZETTE NOTICE No. 3804

THE WATER ACT

(Cap. 372)

APPLICATIONS

APPLICATIONS for diversion of water, plans of which may be seen at the Water Development Division, Nairobi, or the office of the Local Water Bailiff concerned, have been submitted by the following:—

Thego River, L.R. Nos. 258 and 257/2; Nyeri Diocese, Nyeri; 2,800 gallons per day domestic, 4,000 gallons per day irrigation, 70,000 gallons per day power.

Karura River, L.R. Nos. 10688 and 18/6; The Savani Coffee Plantation Ltd., Nairobi; Dam 15 ft. high, 390,000 gallons per day irrigation.

Ragia River; Forest Department, Kiambu; Dam 9 ft. high, 4,500 gallons per day domestic, 45,000 gallons per day power.

Isiukhu River, L.R. No. 26; S. Imbuye, Kakamega; 1,000 gallons per day domestic, 2,000 gallons per day industrial, 7,000 gallons per day power, 4,000 gallons per day irrigation.

Ruabura River; Ritho Water Project, Kiambu; 35,000 gallons per day domestic.

Edzava River; T. Lusasi, Kakamega; 1,080,900 gallons per day power.

Saba Saba River; Njora Coffee Growers Co-op. Society Ltd., Murang'a; 100,000 gallons per day industrial (80 per cent returnable).

Ikuma River, L.R. No. 875; R. Mukundi, Kiambu; 700 gallons per day domestic, 6,000 gallons per day irrigation.

Kirigu River, L.R. No. 963; Mathira Farmers Co-operative Society Ltd., Nyeri; 60,000 gallons per day industrial (80 per cent returnable).

Makindi River, L.R. Nos. 10735 and 10733; Kenya Cannery Ltd., Murang'a; 2,200,000 gallons per day irrigation.

Karimenu River; Kiamuhu Water Project, Kiambu; 192,200 gallons per day domestic.

Gathwariga River, L.R. No. 345; W. M. Kamau, Fort Hall; 200 gallons per day domestic, 8,000 gallons per day irrigation.

Mikoikoni River; J. M. Muvya, Machakos; 200 gallons per day domestic, 10,000 gallons per day irrigation.

Fururu Stream, L.R. No. 487; J. H. Johane, Taita Taveta; Weir 3 ft. high, 500 gallons per day domestic, 2,000 gallons per day irrigation, 2,000 fish feeding.

Lake Victoria; East African Railways Corporation, Kisumu; 180,000 gallons per day public (30 per cent returnable).

Ngaa River; M. Kasyoki, Machaas; Furrow 2,000 ft. long, 700 gallons per day domestic, 24,000 gallons per day irrigation.

Muinga River; Ukia Girls High School, Machakos; 3,600 gallons per day public, 500 gallons per day irrigation.

Thembebe Tributary, L.R. No. 266; G. Kamau, Kiambu; Weir 3 ft. high, 400 gallons per day domestic, 4,000 gallons per day irrigation.

Kanyariri Tributary, L.R. Nos. 519, 446 and 286; E. K. Kinuthia, Kiambu; 200 gallons per day domestic, 2,000 gallons per day irrigation.

Giathi River, L.R. No. 4726/16; G. Ngugi, Kiambu; 800 gallons per day domestic, 20,000 gallons per day irrigation.

Davidson Stream, L.R. Nos. 303 and 613; Chief Ezekiel Wanyonyi, Trans Nzoia; Weir 4 ft. high, 2,700 gallons per day domestic, 5,000 gallons per day industrial (80 per cent returnable), 1,000 gallons per day irrigation, 87,000 gallons per day power.

Ikonden River; Muputi Coffee Growers, Machakos; 500 gallons per day irrigation.

Thika River, L.R. No. 4953/26/11; Bulley's Ltd., Thika; 60,000 gallons per day industrial.

Therrika River, L.R. No. 70; Kaguku Gachoka "B", Kiambu; 1,100 gallons per day domestic, 4,000 gallons per day irrigation.

Nzoweni River; M. Withithi, Machakos; 5,000 gallons per day irrigation.

Mukuyu River, L.R. Nos. 1062 and 861; G. Njuhi, Kiambu; 220 gallons per day domestic, 2,000 gallons per day irrigation.

Raai River, L.R. No. 55; M. M'Ciru, Meru; Catchment Box 3 ft. x 3 ft. x 2 ft., furrow 50 ft. long, 300 gallons per day domestic, 4,500 gallons per day irrigation.

Ngare Narok River, L.R. No. 790; J. Karuki, Meru; Catchment Box 3 ft. x 3 ft. x 2 ft., 700 gallons per day domestic.

Ngare Narok River, L.R. No. 233; J. I. Iberi, Meru; 600 gallons per day domestic.

Gachangaga Stream, L.R. Nos. 159 and 348; S. Mbaba and Partners, Meru; Catchment Box 4 ft. x 4 ft. x 3 ft., 300 gallons per day domestic, 4,500 gallons per day irrigation.

Tharau Spring, L.R. Nos. 100 and 711; B. K. Tharau, Kiambu; 500 gallons per day domestic, 45,100 gallons per day power, 4,000 gallons per day irrigation.

Gitathuru River, L.R. No. 577; J. W. Kariuki and S. Mwaniki, Kiambu; 400 gallons per day domestic, 2,000 gallons per day irrigation.

Athi River; J. D. Musilu, Machakos; 700 gallons per day domestic, 8,000 gallons per day irrigation.

Muhuhi River; N. Kinyua, Nyeri; 300 gallons per day domestic, 4,000 gallons per day irrigation, 40,000 gallons per day fish pond.

Kuywa River, L.R. No. 647; Nakoyonjo Coffee Growers Co-operative Society Ltd., Bungoma; 300 gallons per day domestic, 20,000 gallons per day industrial (80 per cent returnable).

Kibisi Tributary; Kibisi Farmers Co-operative Society Ltd., Bungoma; 300 gallons per day domestic, 20,000 gallons per day industrial (80 per cent returnable).

Objections stating specific grounds therefor should be filed in triplicate with the Water Apportionment Board, P.O. Box 30521, Nairobi, within 30 days from the publication of this notice.

GAZETTE NOTICE No. 3805

THE EAST AFRICAN LICENSING OF AIR SERVICES REGULATIONS 1965

NOTICE OF APPLICATION FOR A LICENCE TO OPERATE AN AIR SERVICE

PURSUANT to the provisions of regulations 6 and 7 of the East African Licensing of Air Services Regulations 1965, notice is hereby given that North Eastern Airlines Limited, P.O. Box 6696, Nairobi, Kenya, has applied to the East African Civil Aviation Board for a licence to operate the following air services:—

Coach Charter Service including the right to sell individual seats from Nairobi (Wilson) to other places of East Africa (Kenya, Uganda and Tanzania) and vice versa, with a total seating capacity not exceeding twenty (20) passenger seats,

for a period of seven (7) years.

It is further notified that any representations or objections with regard to this application must be made to the East African Civil Aviation Board at the office of the East African Community, P.O. Box 1002, Arusha, Tanzania, not later than 17th January 1971. Every such representation or objection shall state the specific grounds on which it is based, and shall specify any conditions which it may be desired should be attached to the licence if granted. A copy of every such representation or objection shall be sent by the person making the same to the applicant of the licence at the same time as it is sent to the East African Civil Aviation Board.

Dated at Arusha this 17th day of December 1970.

D. M. WAIRINDI,
for Secretary,
East African Civil Aviation Board.

GAZETTE NOTICE No. 3806

THE TRANSPORT LICENSING BOARD

(Cap. 404)

AMENDMENT

THE undermentioned Road Service Licence which was refused by the Transport Licensing Board meeting held at the Town Hall, Nakuru, on 1st December 1970, and appearing in Kenya Gazette Notice No. 3705 of 18th December 1970 as approved is amended and should read as below:—

M. M. MULWEYE,
Executive Officer,
Transport Licensing Board.

ROAD SERVICE LICENCE

The undermentioned application was refused:—

TLB. 11541—Muyu General Transport Service, P.O. Box 431, Nyeri.

GAZETTE NOTICE No. 3807

THE INDUSTRIAL COURT

CAUSE No. 30 OF 1970

Parties:—

Kenya Petroleum Oil Workers' Union
and
Esso Standard Kenya Limited

Issue in dispute:—

Summary dismissal of Mr. Andrew N. Lihumi.

1. The Kenya Petroleum Oil Workers' Union shall hereinafter be referred to as the Claimants and the Esso Standard Kenya Limited shall hereinafter be referred to as the Respondents.

2. The parties were heard in Nairobi on the 17th day of November 1970, and relied on their written and verbal submissions. In addition, the Claimants called one witness, Mr. Dominic Mwangi, and the Respondents called two witnesses, Mr. Hardial Singh Syan and Mr. John M. Mutunga.

AWARD

3. The employee concerned in this dispute, Mr. N. Lihumi had worked for the Respondents for some 12 years during which his service record was unblemished. No evidence was produced to the contrary during the hearing.

On 12th June 1970, Mr. Lihumi was summarily dismissed and in his letter of dismissal the relevant paragraph is as follows:—

"Your action in deliberately short delivering product to E.A. Airways and disposing of this privately, to another customer without any official company instructions or covering document is sufficient to warrant your summary dismissal for gross misconduct."

The Respondents admitted that this letter contained two factual errors regarding the registration number of the vehicle and the date of the incident. The Claimants argued that because of these two errors the Court should find that the allegations made against Mr. Lihumi were not proved. The Court, however, has come to the conclusion that these errors were typographical and that in fact the vehicle involved bore the Registration No. KMR 181 and that the incident leading to Mr. Lihumi's dismissal took place on 12th June 1970, and not 1st June.

On 12th June 1970, Mr. Lihumi had to attend the Traffic Court to answer a charge and therefore did not report for duty at the depot until 11.30 a.m. when he was instructed to deliver certain products to E.A. Airways (E.A.A.) at Embakasi. He filled vehicle No. KMR 181 with 2,700 litres of Esso Diesel and 5,400 litres of Esso Extra—this being the order of the E.A.A. He made the trip report entries and left the depot at about 12.10 p.m. for Embakasi.

On that day the Respondents had decided to tail their delivery vehicles and at that particular time the Respondents' Maintenance Engineer and the Depot Manager kept Mr. Lihumi's vehicle under observation after it left the depot and saw it crossing the Nairobi-Mombasa railway bridge on its way to Embakasi. On its return trip, however, the vehicle after crossing the railway bridge, at about 1.35 p.m. did not turn into the Enterprise Road but proceeded straight down the Uhuru Highway. The two officers decided to follow it and eventually found it at Matumaini Petrol Station at Race Course Road. Both the Depot Manager and the Maintenance Engineer gave evidence on oath during the hearing and the Court has no reason to disbelieve their evidence. Both of them confirmed that vehicle No. KMR 181 was parked at the product off-loading points and the hose from the vehicle was connected to the white filler point which is of Esso Extra petrol tank. The Maintenance Engineer stopped the flow of the product by removing the faucet valve key and disconnecting the delivery hose. On a check being made it was found that three compartments Nos. 1, 2 and 4 were empty, and compartment No. 3 was about 75 per cent full with Esso Extra. The time when these two officers arrived at Matumaini Petrol Station was 1.55 p.m. and on their arrival they had seen Mr. Lihumi there.

From Matumaini Petrol Station, Mr. Lihumi, the Depot Manager and the Maintenance Engineer proceeded to the Respondents' depot. The Court notes that no attempt was made to call the police at Matumaini Petrol Station. After Mr. Lihumi was interrogated, he was summarily dismissed.

After the parties had exhausted their own machinery for settling the dispute, as the Claimants were challenging Mr. Lihumi's dismissal, the matter was referred to the Ministry of Labour as a trade dispute.

An investigator was appointed on whose investigation the Ministry based its "Findings and Recommendations" which are as follows:—

"After a careful study of the submissions from both sides I find that the charges of misuse of the employers' vehicle

without permission and the accusation about short delivery of the fuel ordered by the customer (E.A.A. Corporation) were proved beyond reasonable doubt.

However, taking into consideration the undisputed clean record of the employee for a period of 12 years continuous service with the company, and, more so the management's demonstrated intention not to take court action against Mr. Lihumi, I recommend that his dismissal be reduced to normal termination of service which should include terminal benefits."

During the hearing the Claimants maintained that Mr. Lihumi was dismissed without lawful cause. Their story was that Mr. Lihumi was required to pay an amount for traffic fine to his lawyer before 2 p.m. on that date, therefore acting in accordance with standing instructions he parked his vehicle at an Esso Service Station and proceeded to his advocate's office to pay the money. When he came back to Matumaini Petrol Station he found the Depot Manager and the Maintenance Engineer there. The Claimants strongly submitted that Mr. Lihumi's dismissal was unjustified in that—

- (i) the owner of the Petrol Station denied that Mr. Lihumi was discharging petrol;
- (ii) if it was true that the Depot Superintendent and Engineer found him discharging or stealing petrol they should have called the police to arrest him;
- (iii) the management took no action against the owner of the Petrol Station either by taking him to Court or recovering the product that had been discharged into his tanks;
- (iv) Mr. Lihumi's service with the Company for 12 years was clean and the Claimants saw no reason why the management was holding him responsible for what he had never done.

The Respondents submitted as follows—

- (a) that on June 12th 1970, Mr. Lihumi employed as a driver deliberately and without authority short delivered product to the Company's customer E.A. Airways when there was sufficient space in the customer's tanks to accommodate the produce;
- (b) that having short delivered this product Mr. Lihumi deliberately and without authority took this product to Matumaini Service Station instead of returning it direct to the Company's Nairobi Depot;
- (c) that Mr. Lihumi was, without proper authority found in the process of delivering the short delivered product into storage tanks of Matumaini Service Station;
- (d) that, in any case, Mr. Lihumi in going directly to Matumaini Service Station from E.A. Airways at Nairobi Airport was using a Company vehicle for personal and private reasons without any authority.

The Court finds certain features of this dispute very disturbing. These are that the person receiving the product on behalf of the E.A.A. signed the delivery note and certified that the merchandise ordered had been received in good condition to the value of Sh. 6,420/15, whereas the facts as proved show the contrary. On that day the E.A.A. had ample storage capacity to receive in full their order and there was no need for them to accept only a part of the order. The whole incident suggests that there is an organized racket going on whereby the products ordered by E.A.A. are being stolen.

In fact there was evidence to show that Mr. Lihumi took the remaining product from E.A.A. to Matumaini Petrol Station on the instructions of an employee of the E.A.A. Further, that this was not the first time it was done as once before he had delivered a compartment of Esso Diesel to Kiambu Town on 2nd June 1970. This being so, and the fact that the Respondents had decided to tail their delivery vehicles, clearly shows that the Respondents were aware that certain illegal activities were going on. It is surprising therefore, that the police was not involved in this exercise. There is no satisfactory explanation as to why police was not called at Matumaini Petrol Station if, as it is alleged, the Depot Manager and the Maintenance Engineer found vehicle No. KMR 181 discharging unauthorized product into the storage tanks of the said petrol station. The Court must criticize the Respondents for not having invoked the due process of the law at the proper time. By their failure to do so perhaps the persons behind this well-organized racket will not now be apprehended. The Court is satisfied that Mr. Lihumi is not the main culprit in this whole affair.

In view of the aforesaid circumstances, the Court finds that strictly there are only two allegations against Mr. Lihumi. These are that he made a short delivery to a customer and that he used the Respondent's vehicle on unauthorized business. As far as the first is concerned the documentary evidence shows that the E.A.A. received their order in full and the Respondents conceded during the hearing that they had not lost a single cent as a result of this transaction. In fact they have credited the E.A.A. with the amount in respect of the remaining product found in the vehicle. This they need not have done.

The second allegation standing alone is not serious enough to warrant Mr. Lihumi's summary dismissal and he could properly have been issued with a letter of warning under clauses 1-15 of the current agreement.

The Court, however, after a careful consideration of all the facts and the evidence produced before it, has come to the conclusion that although the Respondents have not suffered any loss as a result of Mr. Lihumi's activities on 12th June 1970, the fact remains that Mr. Lihumi appears to have engaged himself in some very suspicious activity. The Court cannot go beyond this on the evidence before it. It is possible that if the police had been called at the proper time then the matter might have followed an entirely different course.

The Court has come to the conclusion that because Mr. Lihumi used the Respondents' vehicle on unauthorized business under the aforesaid circumstances, he does not merit reinstatement.

The Court, however, finds in view of Mr. Lihumi's clean service of nearly 12 years and all the circumstances surrounding this case that his dismissal should not only be reduced to normal termination with one month's salary in lieu of notice (which the Respondents were prepared to do) but that he should also be paid two-thirds of the amount which would have been due to him as at July 1969 if he had opted for the "alternative optional termination benefit" under the Retirement Scheme and the Court accordingly strongly recommends that the Respondents should settle this matter on the lines indicated above.

Dated this 19th day of December 1970.

SAEED COCKAR,
President.

J. G. GRIFFIN,
J. B. ABUOGA,
Members.

GAZETTE NOTICE No. 3808

THE INDUSTRIAL COURT CAUSE No. 31 OF 1970

Parties:

Kenya Chemical Workers' Union
and
Baby Soap Factory Limited

Issues in Dispute:

1. Minimum rates of pay and wage increases.
2. Job gradings and classifications.
3. Annual paid leave.
4. Leave allowance.
5. Acting capacity.
6. Retirement or service benefits.
7. Normal working hours.
8. Effective date and duration of the Agreement.

1. The Kenya Chemical Workers' Union shall hereinafter be referred to as the Claimants and Baby Soap Factory Limited shall hereinafter be referred to as the Respondents.

2. The parties were heard in Kisumu on the 24th and 25th of November 1970, and relied on their written and verbal submissions. On the morning of the 25th November, the President of the Court and the members visited the Respondents' factory and saw the various employees at work. The Respondents' manager explained the functions of the various machines that had been installed in the factory. The Claimants' general secretary and their other representatives were also present throughout the visit.

AWARD

3. The parties have been involved in collective bargaining agreements since 1962 when the Claimants were recognized by the Respondents through the Kisumu Soap and Silicate Manufacturers Group of which organization the Respondents were members. The first agreement was signed on 26th September 1962, and laid down a consolidated monthly wage of Sh. 145. In addition the parties accepted that discussions would take place, after a job grading had been finalized, on the wages in respect of machine operators, drivers, clerks, artisans, etc. However, despite several agreements since then, no grading has been introduced and the monthly wage was raised to Sh. 230 per month consolidated with effect from 1st March 1969. This was as a result of an agreement effective from 1st March 1968 for a period of two years.

The other relevant provisions in this agreement which would be referred to in this Award are on normal working hours, which the parties agreed to be 44 per week and the annual

paid leave was agreed at 18 working days. The clause relating to the Gratuity Scheme is as follows:—

"On completion of 4 years' service and over an employee of the Company shall be paid a gratuity of 7 days pay for each completed year of service at existing rate of Sh. 160 per month. The gratuity will cease as from the date the National Social Security Fund starts operating."

This agreement expired at the end of February 1970, and on 3rd March the Claimants forwarded their demands to the Respondents for revising it. The parties then exchanged several letters and eventually a Joint Negotiating Committee Meeting was held on 9th June 1970, after which the Claimants reported a dispute to the Ministry of Labour on 9th July on 12 items which remained unresolved. The dispute was accepted by the Ministry and a conciliator was appointed on 6th August. The conciliator acted promptly and tried to arrange a meeting. He succeeded in getting the parties together on 14th and 15 September. During conciliation 4 further items were settled leaving the 8 which are before the Court now. The parties signed the Notification of Dispute Form "A" to the Industrial Court on 29th September 1970.

The Claimants' demands on the various issue are as follows.—

Wages and Grading

Grades	I	...	...	...	Sh. 700 per month.
	II	...	...	...	Sh. 500 per month.
	III	...	...	...	Sh. 450 per month.
	IV	...	...	...	Sh. 380 per month.

Annual Paid Leave

For employees with one to three years service—21 working days.

For employees with more than three years service—28 working days.

Leave Allowance

Employees proceeding on annual leave should be paid the following allowances:—

- (a) From Grade I to II ... Sh. 100.
- (b) From Grade III to IV ... Sh. 90.

Acting Capacity

Employees appointed temporarily in a higher grade in an acting capacity should get the rate for the higher grade during their appointment.

Retirement or Service Benefits

- (a) Those employees not covered by the National Social Security Fund should benefit from a gratuity scheme.
- (b) The gratuity entitlement of those employees which has been frozen since the commencement of the National Social Security Fund should be calculated at the employee's rate of pay when he leaves employment and not at the monthly wage of Sh. 160.

Normal Working Hours

42 hours per week.

Effective date and Duration of the Agreement

From 1st March 1970, for a period of ten months.

The Claimants' main submission in support of their demands was that the Respondents ranked No. 3 among the soap manufacturers in the country, the other two above them being E.A. Industries Limited and the Colgate Palmolive (E.A.) Ltd. The relevant agreements between these firms and the Claimants were produced to the Court. The Claimants submitted that this was in accordance with the list of soap manufacturers which the chief Assistant Executive Officer of the F.K.E. had produced to the Court in an earlier dispute between the Claimants and another soap manufacturer in Nairobi. The Claimants criticized the F.K.E. for adopting an inconsistent policy as far as soap manufacturers were concerned. They recalled the severe criticism which had been made against them by the F.K.E. representative, in the other dispute, for having agreed to a monthly consolidated wage of Sh. 230 per month with the Respondents. The Claimants accepted that they had made a mistake in agreeing with the Respondents to a monthly wage of Sh. 230 per month and asked the Court to award now a minimum wage of at least Sh. 350 per month consolidated. They argued that this would be in line with the Respondents' representatives arguments in other disputes between them and the Nairobi soap manufacturers.

In addition to the above arguments the Claimants submitted that the cost of living in Kisumu was very high and that the present wage of Sh. 230 per month did not enable a worker to meet his basic requirements. They further argued that the Respondents actively competed with the other soap manufacturers in the country and should not be allowed to pay a wage which was much lower than that paid by the others.

The Claimants referred the Court to its awards in Cause Nos. 4/67, 48/68 and 3/69, and also produced a Kisumu price list

of the various commodities in support of their claims. The Claimants also referred to several other agreements which they had secured in their industry and strongly submitted that their demands on the other issues before the Court were not unreasonable at all.

The Claimants indicated their willingness to accepting a directive from the Court on the question of grading requiring the parties to carry out a job grading exercise provided that a reasonable time limit was placed within which to finalize it. On the question of duration, they stated that they would not be opposed to a longer period provided the workers were awarded a fairly big annual increase.

The Respondents strongly submitted, that in view of the big increases in the prices of the raw materials required by them and the loss of market for their products in Tanzania and Uganda, their offer that the wages and other items should be considered at the end of the Tripartite Agreement, should be accepted by the Court.

The Respondents submitted their Balance Sheets for the years 1966 to 1969 to substantiate their claims that their returns had diminished over these years due to factors beyond their control.

The trend for 1970 suggested that the decline would continue and they were contemplating discontinuing the production of one brand of soap for which there was no market.

The Respondents rejected the argument that their spokesman had adopted an inconsistent approach and accused the Claimants of having put forward unrealistic wage demands. They maintained that in 1968 the Claimants had freely and voluntarily negotiated a wage increase which had brought the minimum wage in their firm to Sh. 230 per month consolidated. There could, therefore, be no logic in bringing this wage up to Sh. 350 per month as demanded by the Claimants.

Finally the Respondents referred to the cost of living figures which showed a rise of only 2 per cent. For these reasons they asked the Court, keeping in mind that the Tripartite Agreement imposed a year's "wage standstill", to refrain from making any award just now.

The Court has carefully considered the Respondents plea that no award should be made just now in this dispute but is unable to accept it.

The Tripartite Agreement makes it quite clear in clause 10 (iv) that disputes, with financial implications, arising before the 31st May 1970, which are at present being processed at the parties' own level or through the offices of the Ministry of Labour and such disputes which have been accepted by Industrial Court shall be concluded in accordance with the established procedures, but any improved terms, shall be frozen for 12 months from the effective date of the Award.

The Court has no alternative but to conclude this dispute by making an award on the issues in dispute. Were the Court not to do so, then it would be going contrary to the expressly stated wishes of the Government, the workers and the employers.

Wages and Job Grading

Now coming to the issues in dispute, the Court is of the view that there are a sufficient number of different jobs in the Respondents' undertaking to warrant the introduction of job grading. The Court would like to draw the parties attention to the 1962 agreement where the introduction of grading had been accepted in principle. The Court directs that the parties should embark on a job grading exercise so that it may be ready before the next wage revision takes place in accordance with the terms of the award made hereinafter. The question of grading having been disposed of the Court awards after a careful consideration of all the submissions, that all the employees should get a wage increase of Sh. 30 per month with effect from 1st June 1970.

Annual Paid Leave

The Court awards that all the existing provisions should continue except that those workers who have more than 10 years of service should get an annual leave of 21 working days.

Leave Allowance

Nil award.

Acting Capacity

As this demand is closely linked with the job grading, no award is made at present. The parties may raise this issue during the next revision of the agreement.

Retirement or Service Benefits

The parties have already concluded an agreement on the matter and the relevant clause has been reproduced hereinbefore. The Court can see no reason to vary it as no exceptional circumstances have arisen since then. The gratuity scheme in respect of those workers who contribute to the National Social Security Fund has been frozen and it would not be proper to vary it now.

The Court, however, awards that female employees should be entitled to a gratuity benefit which should be the same as already agreed in respect of other workers but it should be worked out at the rate of wages being paid to a female worker when she leaves the employment. This award should continue until such time as the female workers start contributing to the National Social Security Fund when the gratuity earned up to that time would be frozen.

Normal Working Hours

Nil award.

Effective Date and Duration of the Agreement

The Agreement should be effective from 1st June 1970, and it should remain in force for 18 months from that date.

Dated at Nairobi this 22nd day of December 1970.

SAEED R. COCKAR,
President.

R. M. MWILU,
Vice-President.

J. T. WILSON,
MRS. JAEL MBOGO,
Members.

GAZETTE NOTICE NO. 3809

THE INDUSTRIAL COURT

CAUSE NO. 34 OF 1970

Parties:—

Kenya Chemical Workers' Union
and
Shanti Perfumery Works

Issues in dispute:—

1. Wage increases and minimum rates of pay.
2. Housing allowance.
3. Annual paid leave.
4. Gratuity/Service benefits.
5. Effective date of the Agreement.

1. The Kenya Chemical Workers' Union shall hereinafter be referred to as the Claimants and Shanti Perfumery Works shall hereinafter be referred to as the Respondents.

2. The parties were heard in Nairobi on the 4th December 1970, and relied on their written and verbal submissions.

AWARD

3. The parties signed a Recognition Agreement on the 27th February 1970, and the dispute before the Court has arisen from the parties' attempts to conclude the first agreement concerning the terms and conditions of employment of the Respondents' employees.

Discussions took place between the parties on the Claimants' demands on 5th March, 10th April and the 18th May 1970, but agreement could not be reached on all items and the Claimants notified a trade dispute to the Minister for Labour on 11 issues. The dispute was accepted by the Ministry on 27th May 1970, and a conciliator was appointed. The conciliator held several meetings with the parties and resolved a further six items leaving the five in dispute.

There was, however, some controversy on issue 4, which the Respondents alleged was finalized and settled during conciliation. The Claimants submitted that since the matter appeared as an issue in dispute on the Notification of Dispute Form "A", the Court should proceed to hear it.

The Respondents are a small firm engaged in the manufacture of hair oil, hair cream, talcum powder, brilliantine, hair tonic, baby oil, baby jelly, baby powder, vanishing cream and ink. They stated that the most expensive item they produced is the 24 oz. bottle of hair oil retailed at Sh. 5 and the cheapest is the baby jelly sold at cents 50 per container. All their products are wholesaled to African and Asian retailers.

The Court was told that the work involved in the preparation of these articles was very simple and did not involve any profound study or responsibility.

The parties have agreed to the following job grades:—

- Grade I—Salesman.
- Grade II—Salesman/Driver.
- Grade III—Drivers, junior clerks.
- Grade IV—Labelling Machine Operator.
- Grade V—General workers.

The Respondents have proposed the following rates for these grades: Grade I—Sh. 485, Grade II—Sh. 410, Grade III—Sh. 260, Grade IV—Sh. 190, Grade V—Sh. 180—all these rates are exclusive of house allowance.

In addition they are prepared to grant a further increase of Sh. 10 to those employees who are earning more than the stipulated minima.

The Claimants' demands are as follows:—

Wage increases and minimum rates of pay:

- Grade I—Sh. 650 (excluding house allowance)
- Grade II—Sh. 500
- Grade III—Sh. 400
- Grade IV—Sh. 350
- Grade V—Sh. 290.

In addition, they demand a wage increase of Sh. 40 for those employees who are at present earning more than the aforesaid rates for their respective grades.

Housing allowance.—Sh. 50 per month.

Annual paid leave:

21 consecutive days for those employees with 4 years' completed service;

28 consecutive days for all others.

Gratuity/Service benefits:

(a) Half month's pay for every completed year of service to cover the service rendered prior to the introduction of N.S.S.F.; and

(b) half month's pay for every completed year of service to cover those employees who are not covered by the N.S.S.F.

Effective date of the agreement—1st October 1969, for a period of two years.

The Claimants submitted that the workers should be paid a fair wage which should enable a worker and his family to meet all their basic requirements. They stated that these days workers in urban areas did not have any land from which they could obtain their subsistence. Any increase in productivity should also benefit the worker and his family. They also referred the Court to several agreements they had negotiated with other firms engaged in similar activities. With one firm they had negotiated a consolidated minimum wage of Sh. 285 p.m. with further increases for three years of Sh. 25, Sh. 25/50 and Sh. 27/50 with effect from 1st June 1969.

The Claimants made a strong plea for a house allowance of Sh. 50 p.m. on the ground that no accommodation, not even a shanty dwelling was available in Nairobi at less than Sh. 50 p.m. The lowest rental for accommodation in a Nairobi City Council housing estate was Sh. 39 but there was a very long waiting list for these houses.

The Respondents maintained that their offers on wages and the fringe benefits were reasonable and in line with the comparable firms. They stressed that this was the first agreement between the parties which would no doubt be improved during future revisions. The Respondents maintained that the house allowance they paid was only a subsidy as they could not afford to pay the workers the full rent they paid for their accommodation.

The Court notes that the parties have proceeded to negotiate on housing allowance as a separate benefit and that housing element is not to be considered as part of the wage structure. The Court was further informed that the minimum wage at present was Sh. 170 p.m. and the highest Sh. 600 p.m. There is also a house allowance of Sh. 35 p.m. being paid to all the employees. The Claimants pointed out that the drivers, if they were not accompanied by a salesman on their journeys, are given a sum of Sh. 160 by way of additional allowance.

After a careful consideration of all the submissions the Court makes the following award:—

1. *Wage increases and minimum rates of pay.*—The Court awards the following wage rates for the various grades:

- Grade I—Sh. 500 p.m. (excluding house allowance)
- Grade II—Sh. 425 p.m.
- Grade III—Sh. 275 p.m.
- Grade IV—Sh. 210 p.m.
- Grade V—Sh. 200 p.m.

The Court awards that all those employees who are above the rates for their grades should get a wage increase of Sh. 15 p.m. After a period of 12 months from the effective date all the workers shall get a further wage increase of Sh. 20 p.m.

2. *Housing allowance.*—The Court awards that all the workers should be paid a housing allowance of Sh. 40 p.m.

3. *Annual paid leave.*—The Court awards to all the workers an annual paid leave of 21 consecutive days with full pay excluding public holidays which fall within the holiday period.

4. *Gratuity and service benefits.*—The Court finds that the parties reached the following agreement on this issue during conciliation:—

"(a) It was agreed that a gratuity of 10 days' pay per completed year of service would be payable to the employees

on retirement. This would cover the period prior to the introduction of the N.S.S.F. Scheme only. This benefit shall not be payable if the employee resigns or is dismissed for misconduct.

- (b) All female employees shall be entitled to a gratuity of 10 days' pay per completed year of service so long as they are not covered by the N.S.S.F. Scheme."

The above settlement has been confirmed by the conciliator who, however, pointed out that although this issue was settled, the Claimants, to his surprise, on 12th October 1970, denied that the issue had been settled.

It is obvious that this issue was included in the Notification of Dispute Form "A" after the Claimants had repudiated the settlement reached before the conciliator.

The Court has gone into this matter carefully but is not prepared to alter the agreement made before the conciliator, as it appears to be reasonable and fair under the circumstances. The Court accordingly makes an award in terms of the aforesaid agreement reached during conciliation.

5. *Effective date of the agreement.*—The parties have agreed that the agreement would be of two years' duration.

Since this is the first agreement between the parties and the Court has found no evidence to blame either party for any undue delay in finalizing negotiations the Court awards that the effective date of the agreement should be 1st June 1970.

Dated this 23rd day of December 1970.

SAEED R. COCKAR,
President.

G. N. KONDITI,
J. ABUOGA,
Members.

GAZETTE NOTICE No. 3810

THE LIQUOR LICENSING ACT (Cap. 121)

NYERI LIQUOR LICENSING COURT (Special Meeting)

DULY authorized by the Provincial Commissioner, Central Province, Nyeri, a special meeting of Nyeri Liquor Licensing Court will be held on Monday, 25th January 1971, at 10 a.m. to consider some renewals and new applications. Applicants are advised to appear in person or be represented by an advocate. The notice setting forth the names of the applicants and the premises in respect of which the licence is applied for may be inspected at the District Commissioner's Office Nyeri.

CHARLES N. CHOMBA,
President,
Nyeri,
15th December 1970.
Nyeri Liquor Licensing Court.

GAZETTE NOTICE No. 3811

THE LIQUOR LICENSING ACT (Cap. 121)

MACHAKOS LIQUOR LICENSING COURT

DULY authorized by the Provincial Commissioner, Embu, a special meeting of Machakos Liquor Licensing Court will be held at the District Commissioner's Board Room on 19th January 1971, at 10 a.m., to consider late applications.

W. O. MUGANDA,
President,
Machakos Liquor Licensing Court.

GAZETTE NOTICE No. 3812

THE AFRICAN LIQUOR ACT (Cap. 122)

MACHAKOS AFRICAN LIQUOR LICENSING BOARD

DULY authorized by the Provincial Commissioner, Embu, a special meeting of Machakos African Liquor Licensing Board will be held at the District Commissioner's Board Room on 19th January 1971, at 11 a.m., to consider late applications.

W. O. MUGANDA,
Chairman,
Machakos African Liquor Licensing Board.

GAZETTE NOTICE No. 3813

THE TRADE MARKS ACT (Cap. 506)

NOTICE is hereby given that any person who has grounds of opposition to the registration of any of the trade marks advertised herein according to the classes may, within 60 days from the date of this Gazette, lodge notice of opposition on Form T.M. No. 6 (in duplicate) together with a fee of Sh. 50.

Notice is also hereby given that official objection will be taken under rule 21 (3) to all applications in which the specification claims all the goods included in any class unless the Registrar is satisfied that the claim is justified by the use of the mark which the applicant has made, or intends to make, if and when it is registered. Where an applicant considers that a claim in respect of all the goods included in a class can be justified it will save unnecessary delay in examining applications if a claim is filed simultaneously with the application, accompanied in appropriate cases by supporting documents.

The period for lodging notice of opposition may be extended by the Registrar as he thinks fit and upon such terms as he may direct. Any request for such extension should be made to the Registrar so as to reach him before the expiry of the period allowed.

Formal opposition should not be lodged until after reasonable notice has been given by letter to the applicant for registration so as to afford him any opportunity of withdrawing his application before the expense of preparing the notice of opposition is incurred. Failure to give such notice will be taken into account in considering any application by an opponent for an order for costs if the opposition is uncontested by the applicant.

Where it is stated in the advertisement of the applicant that the mark, upon its registration, is to be limited to certain colours, the colours are, as far as possible, indicated in the accompanying representations of the mark in the usual heraldic manner.

Representations of the marks advertised herein can be seen at the Trade Marks Registry, State Law Office, Nairobi.

Applications for registration in Part A of the Register are shown with the official number unaccompanied by any letter. Applications for Part B are distinguished by the letter B prefixed to the official number.

IN CLASS 2—SCHEDULE III

RAPIDAMIN

17472.—Intermediate products for coal-tar dyes; dyes, dye-stuffs. **FARBWERKE HOECHST AKTIENGESELLSCHAFT**, vormals Meister Lucius & Bruning, manufacturers and merchants, of 6230 Frankfurt (Main) Hoechst, West Germany, and c/o Messrs. Atkinson, Cleasby & Satchu, advocates, P.O. Box 29, Mombasa. 9th April 1970.

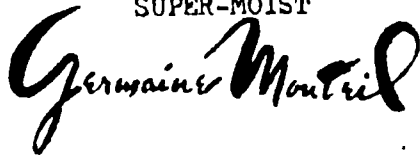
The undermentioned applications are proceeding in the name of **GENERAL CHEMICALS AND COSMETICS LIMITED**, merchants, of Sasoon House, P.O. Box 123, Shirley Street, Massau, Bahama Islands, and c/o Messrs. Atkinson, Cleasby & Satchu, advocates, P.O. Box 29, Mombasa.

BOTH IN CLASS 3—SCHEDULE III

Germaine Montiel
Superglow

Registration of this trade mark shall give no right to the exclusive use of the word Superglow.

17184.—Perfumes, non-medicated toilet preparations, cosmetic preparations, dentifrices, depilatory preparations, toilet articles (not included in other classes), shampoos, soaps and essential oils. To be associated with TMA. No. 16925. 15th December 1969.

SUPER-MOIST


Registration of this trade mark shall give no right to the exclusive use of the word Super-Moist.

17190.—Perfumes, non-medicated toilet preparations, cosmetic preparations, dentifrices, depilatory preparations, toilet articles (not included in other classes), shampoos, soaps and essential oils. To be associated with TM. No. 16925. 19th December 1969.

The undermentioned applications are proceeding in the name of **FARBWERKE HOECHST AKTIENGESELLSCHAFT**, vormal's Meister Lucius & Bruning, manufacturers and merchants, of 6230, Frankfurt (Main) Hoechst, West Germany, and c/o Messrs. Atkinson, Cleasby & Satchu, advocates, P.O. Box 29, Mombasa. 9th April 1970.

ALL IN CLASS 5—SCHEDULE III

DOLANTIN

17471.—Pharmaceutical preparations for human use.

TRAFIGAL

17473.—Pharmaceutical preparations for human and veterinary use.

ULVAIR

17477.—Chemical products for the destruction of animals and plants. **CIBA LIMITED**, a corporation organized according to the laws of Switzerland, manufacturers, of Klybeckstrasse 141, Basle, Switzerland, and c/o Messrs. Kaplan & Stratton, advocates, P.O. Box 111, Nairobi. 14th April 1970.

The undermentioned applications are proceeding in the name of **FARBENFABRIKEN BAYER AKTIENGESELLSCHAFT**, manufacturers and merchants, of 509 Leverkusen-Bayerwerk, West Germany, and c/o Messrs. Atkinson, Cleasby & Satchu, advocates, P.O. Box 29, Mombasa.

CEREDON

17483.—Preparations for killing weeds and destroying vermin, insecticides, pesticides, rodenticides, herbicides and fungicides. 14th April 1970.

SURCOPUR

17484.—Preparations for killing weeds and destroying vermin, insecticides, pesticides, rodenticides, herbicides and fungicides. 14th April 1970.

TRIBUNIL

17485.—Preparations for killing weeds and destroying vermin, insecticides, pesticides, rodenticides, herbicides and fungicides. 14th April 1970.

FOLIMAT

17486.—Preparations for killing weeds and destroying vermin, insecticides, pesticides, rodenticides, herbicides and fungicides. 14th April 1970.

TETAGAM

17487.—Pharmaceutical preparations for human and veterinary use, namely a hyperimmunglobulin preparation. **BEHRINGWERKE AKTIENGESELLSCHAFT**, manufacturers and merchants, of Marburg/Lahn, West Germany, and c/o Messrs. Atkinson, Cleasby & Satchu, advocates, P.O. Box 29, Mombasa. 14th April 1970.

VERSAKAN

17488.—Antibiotics or preparations containing an antibiotic. **BRISTOL-MYERS COMPANY**, a corporation duly organized and existing under the laws of the State of Delaware, United States of America, manufacturers, of 345 Park Avenue, New York, N.Y. 10022 United States of America, and c/o Messrs. Kaplan & Stratton, advocates, P.O. Box 111, Nairobi. 15th April 1970.

The undermentioned applications are proceeding in the name of **ORGANON LABORATORIES LIMITED**, manufacturers, of Crown House, London Road, Morden, Surrey, England, and c/o Messrs. Atkinson, Cleasby & Satchu, advocates, P.O. Box 29, Mombasa. 21st April 1970.

NOVANO

17494.—A contraceptive.

PHASICON

17495.—Medicines and pharmaceutical preparations for human use and for veterinary use.

NOVOSTAT

17496.—Medicines and pharmaceutical preparations for human use.

TOLVON

17497.—Medicines and pharmaceutical preparations for human use and for veterinary use.

CORRIGENDUM

17447.—Advertised under Notice No. 3766, page 1382, Kenya Gazette dated 24th December 1970. The number to read 17447 and not 17347. Address for service: Messrs. Atkinson, Cleasby & Satchu, advocates, P.O. Box 29, Mombasa.

Nairobi,
28th December 1970.

D. J. COWARD,
Registrar of Trade Marks.

GAZETTE NOTICE No. 3814

**IN THE HIGH COURT OF KENYA AT NAIROBI
PROBATE AND ADMINISTRATION**

TAKE NOTICE that applications having been made in this Court in:—

(1) CAUSE No. 356 OF 1970

By (1) Norah Helen Cockburn, and (2) John Lees, both of P.O. Box 2041, Nairobi in Kenya, the executors named in the will of the deceased, through Messrs. Robson Harris & Co., advocates of Nairobi, for a grant of probate of the will of Cyril Francis Cockburn of Nairobi aforesaid, who died at Nairobi on the 3rd day of July 1968.

(2) CAUSE No. 358 OF 1970

By Rukeyabai Ahmedali Adamjee of P.O. Box 5318, Nairobi in Kenya, the mother of the deceased, through Messrs. Khanna & Khanna, advocates of Nairobi, for a grant of letters of administration intestate of the estate of Mustafa Ahmedali of Nairobi aforesaid, who died at Nairobi on the 5th day of October 1969.

(3) CAUSE No. 359 OF 1970

By Peter David Belford Walker of P.O. Box 30333, Nairobi in Kenya, on behalf of (1) Messrs. Hoare Trustees of London in England, and (2) Sir Dymock Watson of Wales, the executors named in the will and two codicils of the deceased, through Messrs. Hamilton Harrison & Mathews, advocates of Nairobi, for resealing in Kenya, the grant of probate granted on 5th November 1970, by the Principal Probate Registry of the High Court of Justice in England at London, of the estate of Lucy Hoare of London aforesaid, who died at London on the 22nd day of June 1970.

(4) CAUSE No. 360 OF 1969

By Marion Elsie Barker of P.O. Box 842, Nairobi in Kenya, the executrix appointed in the will of the deceased, through Messrs. Kaplan & Stratton, advocates of Nairobi, for a grant of probate of the will of Charles William Link of Makuyu in Kenya, who died at Nairobi in Kenya, on the 30th day of May 1969.

(5) CAUSE No. 360 OF 1970

By Evelyn Agnes Goodyear of P.O. Box 384, Nairobi in Kenya, the widow of the deceased and the executrix named in his will, through Messrs. Robson Harris & Co., advocates of Nairobi, for a grant of probate of the will of Joseph Goodyear of Nairobi aforesaid, who died at Nairobi on the 2nd day of February 1970.

This Court will proceed to issue the same unless cause be shown to the contrary and appearance in this respect entered on or before 15th January 1971.

Nairobi,
24th December 1970. M. J. BHATT,
Deputy Registrar,
High Court of Kenya, Nairobi.

N.B.—The wills and codicils mentioned above have been deposited in and are open to inspection at the Court.

GAZETTE NOTICE No. 3815

IN THE HIGH COURT OF KENYA
AT MOMBASA DISTRICT REGISTRY
PROBATE AND ADMINISTRATION

TAKE NOTICE that an application having been made in this Court in:—

CAUSE No. 81 OF 1970

By John Edward Leslie Bryson of P.O. Box 154, Mombasa in Kenya one of the executors named in the will of the deceased, through Messrs. Bryson, Inamdar & Bowyer, advocates of Mombasa in Kenya, for a grant of probate of the will of Laurence Moore Haynes of Mombasa in the Republic of Kenya relating to his estate in Kenya who died at Mombasa aforesaid on the 27th day of October 1970.

This Court will proceed to issue the same unless be shown to the contrary and appearance in this respect entered within 14 days from the date of publication of this notice in the Kenya Gazette.

Mombasa,
15th December 1970. P. N. KHANNA,
Ag. Deputy Registrar,
High Court of Kenya,
Law Courts, Mombasa.

NOTE

The will mentioned above has been deposited in and is open for inspection in this Court.

GAZETTE NOTICE No. 3816

REVOCATION OF POWER OF ATTORNEY

NOTICE is hereby given that the general power of attorney dated the 8th day of December 1955, and registered at Nairobi as No. 1P/A 4431/1, given by me the undersigned Depar Sojpar Shah of Nairobi to Kapurchand Depar Shah of Nyeri, is hereby cancelled and revoked and that as from the 7th day of December 1970, the said Kapurchand Depar Shah has no authority to represent me or to act for me and on my behalf in any manner under and by virtue of the said power of attorney.

Dated at Nairobi this 7th day of December 1970.

DEPAR SOJPAR SHAH.

GAZETTE NOTICE No. 3817

IN THE HIGH COURT OF KENYA
AT MOMBASA DISTRICT REGISTRY

BANKRUPTCY CAUSE No. 2 OF 1967

Re: *Shamsudin Ismail, Debtor*

NOTICE OF ORDER MADE ON APPLICATION FOR DISCHARGE

Debtor's name.—Shamsudin Ismail.

Address.—P.O. Box 9112, Mombasa.

Description.—Merchant.

Court.—High Court of Kenya at Mombasa.

No.—Bankruptcy Cause No. 2 of 1967.

Dates of order.—16th October 1970.

Nature of order made.—The bankrupt's discharge be suspended until a dividend of not less than shillings fourteen (Sh. 14) in the pound has been paid to his creditors with liberty to the bankrupt at any time after the expiration of two years from the date of this order to apply for a modification thereof pursuant to section 29 of the Bankruptcy Act.

Mombasa,
23rd October 1970. P. N. KHANNA,
Ag. Deputy Registrar,
High Court of Kenya,
Law Courts, Mombasa.

GAZETTE NOTICE No. 3818

THE BANKRUPTCY ACT

(Cap. 53)

NOTICE OF DIVIDEND

(Summary Case)

Debtor's name.—Charles Ollington, trading as Pop-in.

Address.—P.O. Box 3030, Nairobi.

Description.—Theatrical producer and caterer.

Court.—High Court of Kenya at Nairobi.

No. of matter.—B.C. 125 of 1960.

Amount per £.—Cents 56.

First or final or otherwise.—First and final.

When payable.—4th January 1971.

Where payable.—At my office, Harambee Avenue, P.O. Box 30031, Nairobi.

Nairobi,
24th December 1970.

M. L. HANDA,
Deputy Official Receiver.

GAZETTE NOTICE No. 3819

IN THE MATTER OF THE COMPANIES ACT

(Cap. 486)

AND

INVEST AND PROGRESS LIMITED

NOTICE

NOTICE is hereby given that a meeting of the creditors of the above-named company will be held at the offices of Messrs. Patel, Shah & Joshi, Albert Building, Nkrumah Road, Mombasa on Monday, 1st February 1971 at 2.30 p.m. in accordance with and for the purposes set out in section 286 of the Companies Act (Cap. 486).

Dated this 17th day of December 1970.

GENERAL MANAGERS LTD.,
Secretaries.
P.O. Box 798, Mombasa.

GAZETTE NOTICE No. 3820

IN THE MATTER OF THE COMPANIES ACT

(Cap. 486)

AND

IN THE MATTER OF FALKIRK PROPERTIES LIMITED

(In Members' Voluntary Winding Up)

NOTICE is hereby given that at an extraordinary general meeting held at the registered office of the company on Tuesday, 22nd December 1970, at 11 a.m., the following special resolution was duly passed:—

"That the company be wound up voluntarily and that P. M. Johnson, F.C.A., of Nairobi, be and is hereby appointed liquidator for the purpose of such winding up."

Creditors of the company are required on or before 4th February 1971, to send full particulars of all claims they may have against the said company to the undersigned, the liquidator of the said company, and if so required by notice in writing from the said liquidator personally or by their advocates to come in and prove their debts or claims set out in such notice or in default thereof they may be excluded from the benefit of any distribution made before such debts are proved.

Nairobi,
28th December 1970

P. M. JOHNSON,
Liquidator,
P.O. Box 92, Nairobi.

GAZETTE NOTICE No. 3821

IN THE MATTER OF THE COMPANIES ACT

(Cap. 486)

AND

IN THE MATTER OF FALKIRK PROPERTIES LIMITED

(In Members' Voluntary Winding Up)

Name of company.—Falkirk Properties Limited.

Address of registered office.—"Kirungii", Ring Road, Westlands, Nairobi.

Registered postal address.—P.O. Box 30029, Nairobi.

Nature of business.—Residential property.

Liquidator's name.—P. M. Johnson.

Address.—P.O. Box 92, Nairobi.

Date of appointment.—22nd December 1970.

By whom appointed.—The members.

Dated at Nairobi this 28th day of December 1970.

P. M. JOHNSON,
Liquidator.

GAZETTE NOTICE No. 3822

(CS/626/39/RMP)

THE CO-OPERATIVE SOCIETIES ACT
(Cap. 490)

APPOINTMENT OF LIQUIDATOR
(Variation Order)

WHEREAS by order dated the 26th day of June 1969, E. Ruhara Wanjohi was appointed liquidator of Muthithi Pig Breeders Co-operative Society Limited and whereas the said E. Ruhara Wanjohi is unable to act as liquidator and whose appointment is cancelled.

Now, therefore, I hereby appoint the District Co-operative Officer, Murang'a to be liquidator in the matter of the aforesaid co-operative society.

Given under my hand at Nairobi this 8th day of December 1970.

J. K. MUTHAMA,
Commissioner for Co-operative Development.

GAZETTE NOTICE No. 3823

THE CO-OPERATIVE SOCIETIES ACT
(Cap. 490, section 61 (1))

INQUIRY (VARIATION) ORDER

WHEREAS by Order dated the 26th day of March 1970, Benjamin E. Oduor was authorized to hold an inquiry into the constitution, working and financial condition of the below mentioned co-operative societies*, and whereas the said Benjamin E. Oduor is unable to hold the said inquiry:

Now, therefore, I hereby authorize the District Co-operative Officer, Meru, to hold the said inquiry.

Dated at Nairobi this 8th day of December 1970.

J. K. MUTHAMA,
Commissioner for Co-operative Development.

*Giaki Farmers Co-operative Society Limited (CS. 622).
Gaitu Co-operative Society Limited (CS. 733).
Mukuuni Farmers Co-operative Society Limited (CS. 993).
Chugu Farmers Co-operative Society Limited (CS. 1326).
Kirimara Poultry Co-operative Society Limited (CS. 1067).
Nyambene Multipurpose Co-operative Society Limited (CS. 1554).
Marsabit Livestock Traders Co-operative Society Ltd. (CS. 1509).
Moyale Livestock Traders Co-operative Society Ltd. (CS. 1510).

GAZETTE NOTICE No. 3824

(CS/829/15/RMP)

THE CO-OPERATIVE SOCIETIES ACT
(Cap. 490, section 61 (1))

INQUIRY (VARIATION) ORDER

WHEREAS by order dated the 10th day of April 1969, B. M. Wahome was authorized to hold an inquiry into the constitution, working and financial condition of the Marige Poultry Keepers' Co-operative Society Limited, and whereas the said B. M. Wahome is unable to hold the said inquiry.

Now, therefore, I hereby authorize the District Co-operative Officer, Kiambu to hold the said inquiry.

Dated at Nairobi this 8th day of December 1970.

J. K. MUTHAMA,
Commissioner for Co-operative Development.

GAZETTE NOTICE No. 3825

(CS/799/37/RMP)

THE CO-OPERATIVE SOCIETIES ACT
(Cap. 490, section 61 (1))

INQUIRY (VARIATION) ORDER

WHEREAS by order dated the 10th day of April 1969, Eli arap Sige was authorized to hold an inquiry into the constitution, working and financial condition of the Ng'eny Cane Growers Co-operative Society Limited, and whereas the said Eli arap Sige is unable to hold the said inquiry.

Now, therefore, I hereby authorize the District Co-operative Officer, Kisumu to hold the said inquiry.

Dated at Nairobi this 8th day of December 1970.

J. K. MUTHAMA,
Commissioner for Co-operative Development.

GAZETTE NOTICE No. 3826

(CS/157/72/RMP)

THE CO-OPERATIVE SOCIETIES ACT
(Cap. 490, section 61 (1))

INQUIRY (VARIATION) ORDER

WHEREAS by order dated the 21st day of December 1964, Francis Wainaina Merege was authorized to hold an inquiry into the constitution, working and financial condition of the North Tetu Farmers Co-operative Union Limited, and whereas the said Francis Wainaina Merege is unable to hold the said inquiry and whose appointment is cancelled.

Now, therefore, I hereby authorize the District Co-operative Officer, Nyeri to hold the said inquiry.

Dated at Nairobi this 8th day of December 1970.

J. K. MUTHAMA,
Commissioner for Co-operative Development.

GAZETTE NOTICE No. 3827

(CS/273/48/RMP)

THE CO-OPERATIVE SOCIETIES ACT
(Cap. 490, section 61 (1))

WHEREAS, I have, of my own accord, decided that an inquiry be held into the By-laws, working and financial condition of Isukha Farmers Co-operative Society Limited.

Now, therefore, I hereby authorize the District Co-operative Officer, Kakamega to hold such inquiry at such place and at such time as may be expedient and duly notified by him.

The attention of all officers and members of the society is directed to the following sections of the Co-operative Societies Act:—

Section 61.—Inquiry by the Commissioner for Co-operative Development.

Section 63 (1).—Costs of Inquiry.

Section 63 (2).—Recovery of Costs.

Section 87.—Offences.

Dated at Nairobi this 8th day of December 1970.

J. K. MUTHAMA,
Commissioner for Co-operative Development.

GAZETTE NOTICE No. 3828

(CS/1310/13/RMP)

THE CO-OPERATIVE SOCIETIES ACT
(Cap. 490, sections 65 and 69)

ORDER

WHEREAS pursuant to section 65 (1) of the Co-operative Societies Act application has been made to me over at least three-fourths of the members of the Igwamiti Farmers Co-operative Society Limited for voluntary dissolution of the said society.

And whereas in my opinion the said society should be dissolved.

Now, therefore, pursuant to section 65 (1) of the said Act I hereby cancel the registration of the said society and order that it be liquidated.

Any member of the said society may, within two months of the date of this Order, appeal to the Minister for Co-operatives and Social Services against the Order. If no such appeal is represented within that time the Order shall take effect upon the expiry thereof.

And further pursuant to section 69 of the said Act I hereby appoint the District Co-operative Officer, Nakuru liquidator and authorize him to take into his custody all the property of the said society including such books and documents as are deemed necessary for completion of the liquidation.

Dated at Nairobi this 8th day of December 1970.

J. K. MUTHAMA,
Commissioner for Co-operative Development.

GAZETTE NOTICE No. 3829

(CS/1321)

THE CO-OPERATIVE SOCIETIES ACT

(Cap. 490, sections 65 and 69)

ORDER

WHEREAS pursuant to section 65 (1) of the Co-operative Societies Act application has been made to me over at least three-fourths of the members of the Mudero Farmers Co-operative Society Limited for voluntary dissolution of the said society.

And whereas in my opinion the said society should be dissolved.

Now, therefore, pursuant to section 65 (1) of the said Act I hereby cancel the registration of the said society and order that it be liquidated.

Any member of the said society may, within two months of the date of this Order, appeal to the Minister for Co-operatives and Social Services against the Order. If no such appeal is represented within that time the Order shall take effect upon the expiry thereof.

And further pursuant to section 69 of the said Act I hereby appoint Assistant Co-operative Officer, In charge Thika District liquidator and authorize him to take into his custody all the property of the said society including such books and documents as are deemed necessary for completion of the liquidation.

Dated at Nairobi this 8th day of December 1970.

J. K. MUTHAMA,
Commissioner for Co-operative Development.

GAZETTE NOTICE No. 3830

THE EAST AFRICA GENERAL INSURANCE COMPANY LIMITED

P.O. Box 1392, Kampala (Uganda)

NOTICE OF LOSS OF SHARE CERTIFICATE

Share Certificate No. 288 for 25 shares (Distinctive Nos. 9221 to 9250 both inclusive) in the name of Ratanshi Kheraj Bhayani of P.O. Box 236, Kisumu.

Application having been made to the company for the issue of a duplicate of the above share certificate the original having been reported as lost or misplaced irretrievably. Notice is hereby given that unless objection is lodged to the office of the company within 30 days from the date thereof, a duplicate certificate will be issued to the shareholder.

Dated at Kampala this 15th day of December 1970

B. R. KOTA,
Assistant General Manager.

GAZETTE NOTICE No. 3831

THE PAN AFRICA INSURANCE COMPANY LIMITED, MOMBASA

(Incorporated in Kenya)

LOSS OF POLICY

Policy No. 1626 for Sh. 15,000 on the life of Mr. Panachand Jivraj Shah, P.O. Box 156, Kisumu, Kenya

NOTICE having been given of the loss of the above numbered policy, its duplicate will be issued unless objection is filed with the undersigned within one month from the date hereof.

Mombasa,
18th December 1970.

M. D. NAVARE,
Executive Director,
P.O. Box 867, Mombasa.

GAZETTE NOTICE No. 3832

KIAMBUR COUNTY COUNCIL
SUPPLEMENTARY VALUATION ROLLS 1969

KIAMBUR TOWNSHIP

NOTICE is hereby given that no objections have been received and the said Rolls have been signed and certified to that effect in accordance to section 12 (1) of the Valuation for Rating Act and become Valuation Rolls 1969 for Kiambu Township.

Dated this 18th day of December 1970.

NJENGA KINUTHIA,
County Clerk,
County Hall, P.O. Box 170, Kiambu.

GAZETTE NOTICE No. 3833

THE KIAMBUR COUNTY COUNCIL

SUPPLEMENTARY VALUATION ROLL 1970—KIAMBUR TOWNSHIP

NOTICE is hereby given that the Supplementary Valuation Roll for the year 1970 in respect of Kiambu Township has been laid before a meeting of the Kiambu County Council and is now available at the office of the Council for public inspection during normal office hours.

Under section 11 of the Valuation for Rating Act, any person who is aggrieved—

- by the inclusion of any rateable property in or by the omission of any rateable property from any draft supplementary roll or draft valuation roll; or
- by any value ascribed in any draft valuation roll or draft supplementary valuation roll to any rateable property, or by any other statement made or omitted to be made in the same with respect to any rateable property,

may lodge an objection with the Clerk to Council at any time before the expiration of 28 days from the date of publication of this notice. Such objection should be made in writing.

No person shall be entitled to urge an objection before a Valuation Court unless he has first lodged notice of objection as aforesaid.

Dated at Kiambu this 24th day of December 1970.

NJENGA KINUTHIA,
Clerk to Council,
County Hall,
P.O. Box 170, Kiambu.

GAZETTE NOTICE No. 3834

THE COUNTY COUNCIL OF KIPSIGIS
THE AREA COUNCILS OF BELGUT, BOMET, BURET,
KIPKELION AND KERICOHO URBAN COUNCIL

RATES FOR 1971

NOTICE is hereby given in pursuance of section 15 of the Rating Act 1964 (as amended) that the following rates for the year 1971 have been imposed in the area of the County Council of Kipsigis:—

(a) The County Council of Kipsigis.

- A general county rate of 0.3 per cent on unimproved site value in the urban areas of the county.
- A general county rate of 10 per cent of the annual rental value of all rateable property within the rural areas.

(b) Belgut County Division.

A general district rate of 5 per cent of the annual rental value of all rateable property in the rural areas of the division.

(c) Bomet County Division.

A general district rate of 5 per cent of the annual rental value of all rateable property in the rural areas of the division.

(d) Buret County Division.

A general district rate of 4 per cent on unimproved site value within the urban areas and 5 per cent of the annual value of all rateable property in the rural areas of the county division.

(e) Bomet County Division.

A general district rate of 3.4 per cent on unimproved site value within the urban areas and 5 per cent of the rental value of all rateable property in the rural areas of the county division.

(f) Kericho Urban Division.

- A general district rate of 4.5 per cent on unimproved site values.
- A special rate (roads) of 1.1 per cent on unimproved site values.

The plots are specified in the Schedule hereto.

SCHEDULE

(Plots on which Special Rate is imposed)

Section No.	Plot No.	Section No.	Plot No.
III	3 and 4	V	2 to 5
	14 to 37	V	21 to 25
	44	V	36 to 39
IV	2 to 14	V	41 to 43
	16	V	45 to 52
	18 to 21	V	58 to 64
	23 to 27	V	171 to 174
	29 to 41		176 to 224
	42 to 44 (odd Nos.)		226 to 229
	55 to 57		278 to 279
	46 to 47		321 to 359
	59 to 63		

The minimum rate payable in respect of any rateable property is Sh. 10.

The above rates become due and payable at the offices of the County Treasurer, County Council of Kipsigis, Kericho, on 1st January 1971.

Interest at the rate of 1 per cent per month or part thereof will be charged from 1st January 1971, on any amount remaining unpaid after 30th June 1971.

S. SOI,
Clerk of the Council,
County Council of Kipsigis,
P.O. Box 154, Kericho.
Kericho,
16th December 1970.

GAZETTE NOTICE No. 3835

THE COUNTY COUNCIL OF EMBU

NOTICE OF RESOLUTION

WHEREAS the Minister for Local Government has by Order made the following by-laws in exercise of the powers conferred upon him by regulation 210 (1) of the Local Government Regulations 1963 (L.N. 256/1963):—

- (a) The Local Government (Adoptive By-laws) (Building) Order 1968 (L.N. 15/1969).
- (b) The Local Government (Adoptive By-laws) (Grade II Buildings) Order 1968 (L.N. 16/1969):

And whereas the County Council of Embu had duly complied with the requirements of regulation 203 (1) of the Local Government Regulations 1963:

Now therefore, the County Council of Embu at the council meeting held on 30th day of September 1970 has passed the following resolutions:—

1. That the Local Government (Adoptive By-laws) (Grade II Buildings) Order 1968 (L.N. 16/1969) shall apply in the County Council of Embu to those areas of land within—

- (i) five miles of the boundaries of the urban centres and rural centres listed in paragraph 2 below;
- (ii) 400 ft. from the centre line of all trunk and primary roads.

2. That the Local Government (Adoptive By-laws) (Building) Order 1968 (L.N. 15/1969) shall apply within the urban centres and rural centres listed hereunder:—

Urban Centres

Embu Township

Rural Centres

Kibugu
Kevote
Kiritiri
Manyatta
Mufu
Kathanjura
Kianjokoma
Kigumo
Kanja
Mbubori
Karingari
Kithimu
Gatumbi
Kihumbu
Ugweri
Ikindu
Kivangua
Karurumo
Kang'ethia
Rianjera
Kiambere
Rwika
Ngunyumu
Kathanje
Gachoka
Gachuriri
Riandu
Kanyuambora
Machanga/Mavuria
Masai Cross
Karaba
Karerema
Iriia
Riakanau
Gekoa
Kiamuringa
Nganduri
Kirii
Karii
Mbonzuki
Runyenjes
Siakago
Ishiaara

except in the area of site and service schemes where the Local Government (Adoptive By-laws) (Grade II Buildings) Order 1968 (L.N. 16/1969) shall apply.

3. That the Local Government (Adoptive By-laws) (Building) Order 1968 (L.N. 15/1969) and the Local Government (Adoptive By-laws) (Grade II Buildings) Order 1968 (L.N. 16/1969) shall come into operation on the 1st day of January 1971.

Dated this 17th day of December 1970.

JAMES P. NYAGAH,
Clerk to the Council,
County Council of Embu.

GAZETTE NOTICE No. 3836

THE COUNTY COUNCIL OF NYANDARUA

NOTICE OF RESOLUTION

WHEREAS the Minister for Local Government has by Order made the following By-laws in exercise of the powers conferred upon him by regulation 210 (1) of the Local Government Regulations 1963 (L.N. 256/1963):—

- (a) The Local Government (Adoptive By-laws) (Building) Order 1968 (L.N. 15/1969).
- (b) The Local Government (Adoptive By-laws) (Grade II Buildings) Order 1968 (L.N. 16/1969):

And whereas the County Council of Nyandarua had duly complied with the requirements of regulation 203 (1) of the Local Government Regulations 1963:

Now, therefore, the County Council of Nyandarua at the Council meeting held on the 30th day of November 1970, has passed the following resolutions:—

1. That the Local Government (Adoptive By-laws) (Grade II Buildings) Order 1968 (L.N. 16/1969) shall apply in the County Council of Nyandarua within—

- (i) the area of market centres and local centres in the Development Plan for 1970-74 and named hereunder:—

Market Centres:

Mukeu	Githioro	Nyairoko
Magumu	Oi Kalou	Oi Joro Orok
Heni	Rurii	Igwamiti
Koinange	Wanjohi	Kangui
Weru	Mirangini	Gathanje
Ndunyu Njeru	Sabugo	Shamata
Murungaru	Ngorika	Pondo
Tulaga	Geta	Pesi
Gathaara	Ririchua	Miharati
Kiriko	Gathundia	Kimathi;

Local Centres:

Njabini, Tumaini and Ndaragwa.

- (ii) All County Council markets.
- (iii) Five miles of the boundaries of the Urban Centre and Rural Centre listed in paragraph 2 below.
- (iv) 400 feet from the centre line of all trunk and primary roads.

2. That the Local Government (Adoptive By-laws) (Building) Order 1968 (L.N. 15/1969) shall apply within the Urban Centre and Rural Centre listed in the Development Plan 1970-74 and named hereunder:—

Urban Centre.—Thomson's Falls,

Rural Centre.—Leshau,

except in the area of site and service schemes where the Local Government (Adoptive By-laws) (Grade II Buildings) Order 1968 (L.N. 16/1969) shall apply.

3. That the Local Government (Adoptive By-laws) (Building) Order 1968 (L.N. 15/1969) and the Local Government (Adoptive By-laws) (Grade II Buildings) Order 1968 (L.N. 16/1969) shall come into operation on the 1st day of December 1970.

Dated this 18th day of December 1970

G. G. GITHINJI,
Acting Clerk/Treasurer,
County Headquarters,
P.O. Box 200, Thomson's Falls.

GAZETTE NOTICE No. 3837

THE EMBU DISTRICT

TENDERS FOR SUPPLY OF CURRY POWDER

TENDERS are invited for the supply of Curry Powder to Government Departments in Embu District for the year 1971.

Tender forms giving full details are available in the District Commissioner's Office, Embu. Tenders must be submitted to reach this office not later than 12 noon on 25th January 1971.

Dated this 22nd day of December 1970.

E. A. MURAGURI.
District Commissioner, Embu.

GAZETTE NOTICE No. 3838

TRANS NZOIA DISTRICT

TENDERS FOR MAIZE MEAL, WHOLE MAIZE AND CEMENT FOR CALENDAR YEAR 1971

TENDERS are invited for supply of the above items to all Government Departments in Trans Nzoia District during the calendar year 1971.

Tender forms giving full details are available at the Office of the District Commissioner, Kitale. Interested tenderers are advised to give their quotation per unit separately and must show place of delivery in the Schedule of Rates/Prices attached to the tender forms.

Tender forms are obtainable from this office and must be submitted in plain sealed envelope clearly marked "Tenders" and addressed to the District Commissioner, P.O. Box 11, Kitale to reach this office not later than 12 noon on 11th January 1971.

M. M. MUHASHAMY,
*Senior District Commissioner,
Trans Nzoia District.*

GAZETTE NOTICE No. 3839

MINISTRY OF WORKS

CENTRAL TENDER BOARD

TENDER NOTICE No. 70/70

TENDERS are invited from experienced and financially capable persons or organizations for leasing a newly built hotel at Shimo-la-Tewa, Mombasa. The hotel comprises a group of 7 guest buildings with a total of some, 80 beds, and the manager's flat above the reception.

In addition there is a bar/dining hall, a freshwater swimming pool, changing rooms, modern equipped kitchen, laundry, and 32 staff houses.

The hotel is primarily meant to be used by civil servants during their holidays at the Coast but it will also be open to members of the public when accommodation is not required by civil servants. The tenderer will be expected to indicate what concessions he would afford to civil servants which will be finally negotiated and agreed before concluding contract.

The negotiations in connexion with the provision of furniture and equipment, etc., will be carried out at final stage when all other aspects have been agreed.

The tenderer is expected to give full details of his experience and of his staff and of the qualifications in this field. It will also be necessary to give an indication of what capital the tenderer is prepared to invest in this project.

Tender documents giving details may be obtained from the Chief Purchasing Officer, Ministry of Works, Supplies Branch, Room No. 38, Ngong Road, P.O. Box 30346, Nairobi.

Final time and date for submission of tender—9 a.m. 28th January 1971.

P. SHIYUKAH,
Permanent Secretary for Works.

GAZETTE NOTICE No. 3840

TINDERET TEA ESTATES LIMITED

CLOSURE OF PRIVATE ROADS

ALL private roads through Tinderet Tea Estates will be closed to the public on 31st December 1970.

J. D. DARKIN,
Manager.

GAZETTE NOTICE No. 3841

THE TRANSFER OF BUSINESSES ACT
(Cap. 500)

NOTICE is hereby given that the business of motor mechanics and automobile engineers carried on by Gulam Ali Ebrahim and Mohamed Akram Gulam Ali, both of P.O. Box 8164, Nairobi in the Republic of Kenya at Nairobi, under the name of Gulamali Motor Works, as from the 1st day of October 1970, has been sold and transferred to Africa Road Transport Limited of P.O. Box 198, Nairobi, who will carry on the said business at the same place and under the name and style of Gulamali Motor Works.

The address of the transferors is P.O. Box 8164, Nairobi.

The address of the transferee is P.O. Box 198, Nairobi.

The transferee does not assume nor does it intend to assume any of the liabilities incurred by the transferors in the said business and the same will be paid and discharged by the transferors up to and including the 30th day of September 1970. All debts due and owing by the transferors in respect of the said business up to and including the 30th September 1970, will be received and paid by the transferors.

Dated this 19th day of December 1970.

M. A. GULAM ALI,
GULAM ALI EBRAHIM.
Transferors.

AFRICA ROAD TRANSPORT LIMITED,
Transferee.

GAZETTE NOTICE No. 3842

THE TRANSFER OF BUSINESSES ACT
(Cap. 500)

NOTICE is hereby given that the business of electroplating carried on by Joseph Goodyear deceased late of P.O. Box 6171, Nairobi in the Republic of Kenya at Nairobi, as from the 1st day of March 1970, has been sold and transferred to Shams-ud-deen Sidi, Sultanali Sidi, Sadrudin Lalani of P.O. Box 18214, Nairobi, who will carry on the said business at the same place and under the name and style of Malmont Electroplating Co.

The address of the estate of the deceased is P.O. Box 5305, Nairobi.

The address of the transferees is P.O. Box 18214, Nairobi.

The transferees do not assume nor do they intend to assume any of the liabilities incurred by the deceased or deceased's estate in the said business and the same will be paid and discharged by the deceased's estate up to and including the 28th day of February 1970. All debts due and owing by the estate of the deceased in respect of the said business up to and including the 28th February 1970, will be received and paid by the estate of the deceased.

Dated this 19th day of December 1970.

ROBSON HARRIS & CO.,
Advocates for the estate of the Transferor.
SHAMS-UD-DEEN SIDI,
for the Transferees.

GAZETTE NOTICE No. 3843

THE TRADE DISPUTES ACT
(Cap. 234)

ORDER UNDER SECTION 36—COLLECTION OF TRADE UNION DUES

IN EXERCISE of the powers conferred by section 36 of the Trade Disputes Act, the Minister for Labour hereby orders every employer who employs not less than five members of the Senior Civil Servants' Association, to—

- (a) deduct every month K.Sh. 3 (three) in respect of trade union dues from the wages of each of his employees who is a member of that union;
- (b) pay the total sums so deducted, in any month, not later than the 3rd day from the date on which such wages were paid, by crossed cheque made payable into the account of the Senior Civil Servants' Association, Account No. 230-772-523 at the Kenya Commercial Bank, Government Road, P.O. Box 30081, Nairobi;
- (c) notify the said trade union in writing before the end of each month of the amounts of any payment made to the account of the trade union in that month;
- (d) notify the Registrar of Trade Unions in writing before the end of each month of the amounts of any payments made into the account of the said trade union in that month.

Gazette Notice No. 3247 of 24th October 1969, is varied accordingly.

Dated this 21st day of December 1970.

E. N. MWENDWA,
Minister for Labour.

NOW ON SALE

KENYA POPULATION CENSUS 1969

VOLUME I

Published by Statistics Division, Ministry of
Finance and Economic Planning
November 1970

Price: Sh. 10 (postage Sh. 2)

REPORT OF THE SELECT COMMITTEE ON UNEMPLOYMENT

Published on 8th December 1970

Chairman: The Hon. G. N. Mwigigi, M.P.

Price: Sh. 10 (postage Sh. 1)

LOCAL GOVERNMENT MEMBERS' GUIDE

A summary of the history, functions and organization
of local authorities for the benefit of Councillors to-
gether with an Appendix containing the Standing Orders

By Peter Severeid, B.A. (Harvard), J.D. (Georgetown),
Lecturer in Law, Kenya Institute of Administration

Price: Sh. 3 (postage 75 cts.)

A NUMBERED CHECK-LIST OF TREES SHRUBS AND NOTEWORTHY LIANES INDIGENOUS TO KENYA

BY J. B. Gillett, M.A., F.L.S., and
P. G. MacDonald, B.A., M.F.

Price: Sh. 3 (postage Sh. 1)

Obtainable from the Government Printer, Nairobi

FORESTRY IN KENYA

*A Historical Account of the Development of
Forest Management in Kenya*

by J. P. W. Logie and W. G. Dyson

Reprint of 1962 Edition

Price: Sh. 3 (postage 50 cts.)

EXOTIC FOREST TREES IN THE KENYA HIGHLANDS

by H. H. C. Pudden, O.B.E., M.A.
Silviculturist

Reprint of 1957 Edition

Price: Sh. 4 (postage 75 cts.)

*The following publications which were not
available for many years have now been
reprinted: —*

A PLAN TO INTENSIFY THE DEVELOPMENT OF AFRICAN AGRICULTURE IN KENYA

(SWYNNERTON PLAN)

Reprint of 1955 Edition

Price: Sh. 7/50 (postage Sh. 1)

DEVELOPMENT PLAN 1970-1974

This Plan—Kenya's second—covers the pro-
jected growth of the economy over the five
calendar years 1970-74 and, more specifically,
the investment programme of the Government in
the five financial years 1969/70 to 1973/74.

Price: Sh. 30 (postage Sh. 4)

Obtainable from the Government Printer, Nairobi