

**REPUBLIC OF KENYA**  
**IN THE SUPREME COURT OF KENYA**  
**AT NAIROBI**

**Petitions Nos 3, 4 and 5 of 2013**

**REPORT OF THE SCRUTINY OF 33,400 POLLING STATIONS**

Pursuant to the orders made by the Supreme Court on the 25<sup>th</sup> March 2013, the Judiciary conducted a scrutiny of Form 34 and Form 36 which were used by the IEBC in tallying of the 33,400 polling stations in the country including the form 34 used by IEBC in tallying the Diaspora votes.

Due to the stringent timeframe, the exercise was carried out within a period of three days. The following are the general findings:

1. Out of 33,400 polling stations more than 18,000 polling stations were scrutinized.
2. Form 34s were missing in some of the polling stations including the following:

<b>S/NO</b>	<b>CONST. CODE</b>	<b>CONSTITUENCY</b>	<b>POLLING STATION CODE</b>	<b>POLLING STATION</b>
1.	011	KILIFI NORTH	007	ZOWERANI PRIMARY SCHOOL
2.	129	KAPENGURIA	100	SHOW GROUND
3.	126	LOIMA	044	NAKATIYAN WATER POINT

4.	017	MAGARINI	024	MJANAHERI PRIMARY SCHOOL
5.	009	MATUGA	007	VUGA PRIMARY SCHOOL
6.	182	NAROK WEST	002	ESINONI PRY SCH
7.	170	KURESOI SOUTH	081	CHEROKIET PRIMARY SCHOOL
8.	200	LIKUYANI	003	LUMINO PRIMARY SCHOOL
9.	246	KABONDO KASIPUL	016	ONGUJO PRIMARY SCHOOL
10.	067	MWINGI NORTH	121	IRIRA MARKET

3. Aggregate results of Form 36 registered voters from 75 constituencies were missing.

Some of the discrepancies observed include the following:

CONSTITUENCY CODE	NAME OF CONSTITUENCY	REMARKS
006	MVITA	NoAggregate provided for votes cast
010	KINANGO	Registered voters inserted by hand
015	GANZE	Contains two forms 36. Registered voters inserted by hand
050	ISIOLO SOUTH	Copy of the first form. Registered voters not indicated.
060	MAARA	Form Not Serialized (Not indicated as form 36)

105	Mathioya	Two form 36 but totals for votes cast are similar, Registered votes entered manually and stamped, 2 <sup>nd</sup> form 36 does not indicate registered number of voters
116	Githunguri	Two form 36 with different number of votes cast, second form has a value of 72,987 for votes cast. Second form does not indicate number of registered voters, while the first form registered voters
163	LAIKIPIA WEST	Two forms36 (NOT ABLE TO VERIFY VOTE CAST)
201	MALAVA	Incomplete, Figure For Registered Voters Handwritten
216	MT. ELGON	No Registered Voters Aggregate

March 29 2013

**REGISTRAR OF THE SUPREME COURT**