



PENTECOSTAL ASSEMBLIES OF GOD - KENYA

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P.O. Box 671 – 40100, KISUMU
PAG KENYA APPEALS AND ARBITRATION TRIBUNAL
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IN THE APPEALS AND ARBITRATION TRIBUNAL OF PAG-K

TRIBUNAL CASE NO. 01 OF 2026

**PAG-K-BAHATI DISTRICT COMMITTEE---VERSUS---BRC -PAG-K & PAG-K
EXECUTIVE**

JUDGEMENT

INTRODUCTION

1. The claimant, P.A.G-K Bahati District Committee through their District Overseer Rev, Evans Agalomba filed the instant claim against the P.A.G-K Boundary Review Commission and the P.A.G-K Executive vide claim dated 9th October 2025 and filed on 8th January 2026 before this Honorable Tribunal seeking orders inter-alia; -
 - a) A declaration that the Report and Recommendation of the 1st Respondent or 12th August, 2025, recommending the creation Viwandani Proposed District as a District of PAG-Kenya is unlawfully made without legal mandate, and breaches Article, 9.7.2, 8.1, 8.6(b) of the PAG Kenya Constitution 1998
 - b) An order be issued that the Report and the recommendation of the 1st Respondent on 12th August, 2025 is, unconstitutional, invalid and void and it should be and is set aside and or quashed
 - c) A declaration that all District formed by the 1st Respondent other than pursuant to Provision 3 of the Transitional Provisions of the Pentecostal Assemblies of God Kenya Constitution 1998 are illegal, unlawful and unconstitutional and should be disbanded.
 - d) A declaration that the pursuant to, the Constitution, of PAG Kenya 1998 Article 9 (a) the mandate of the 1st Respondent is limited to reviewing of District Boundaries of Existing Districts and not to form, create and or declare new districts.
 - e) A declaration that pursuant to Part XV Rule 15.1 of the Boundaries Review Commission Operating Rules the formation of the new District is based on Article 8.1 of the P.A.G Kenya Constitution 1998 and not based on feelings, politics or personal considerations
 - f) An order that all the Church Assemblies within the boundaries of **Bahati District** do remain with Bahati District until a proper boundaries review is undertaken by the 1st Respondent.
 - g) The costs of, and incidental to this claim be awarded to the claimant against the Respondents
 - h) This Honorable Tribunal be pleased to grant such further order or other orders as may be just and appropriate.



2. This Honorable tribunal directed the claimant to serve the Respondents forthwith and upon the respondents being served, filed their responses to the claim.
3. That during the pre-trial, the respondents had not filed their responses. Their counsels on record sought more time to file their response. The counsel for the claimant sought leave to enjoin the interested parties being Viwandani. The tribunal allowed the counsels applications and directed counsel for claimant to file a formal application to enjoin the interested parties.
4. The claimants, respondents and interested parties filed their responses, witness statement and list of their witness.
5. The matter was set down for hearing whereby all parties were heard on merit and cross-examined by the respective counsels and the tribunal members where they sought clarification from the parties' evidence.
6. Upon close of the hearing of the claimants, respondents and interested parties' case the Tribunal ordered parties to file their written submissions,
7. All parties on record filed their respective written submissions

LEGAL ANALYSIS OF EVIDENCE

8. We have given consideration to the evidence adduced by the claimant and his witnesses, the respondents evidence and their witnesses and the interested party witness, the written submissions filed by the respective parties, the P.A.G -K Constitution 1998 as amended 2024
9. Given that the church Constitution regulates church governance and not civil administration, the reference to population is understood to relate to church membership, strength and assembly presence with the respective geographical areas, the meaning refers to the concentration of church membership and assemblies. In this regard, the tribunal determines the intention of the provision as a means of, fair representation, easier administration, church planting strategy , financial sustainability and accessibility of services by members.

- a) *Whether the P.A.G-K Boundary Review Commission visited the Bahati P.A.G-K District with a view of carrying out the Boundary Review as outlined in the P.A.G.-K Constitution 1998 as amended 2024*
- b) *Whether the Boundary Review Commission followed the due process regarding Boundary Review as contained in the PAG-K Constitution,1998 as amended 2024.*
- c) *Whether the Districts formed after the 90 provisional days of the 1998 Constitution are Constitutional or need to be scrapped*
- d) *What are the available remedies?*
- e) *Who is responsible to meet the costs of this proceedings?*



A. WHETHER THE P.A.G-K BOUNDARY REVIEW COMMISSION VISITED THE BAHATI P.A.G-K DISTRICT WITH A VIEW OF CARRYING OUT THE BOUNDARY REVIEW AS OUTLINED IN THE P.A.G.-K CONSTITUTION 1998, AS AMENDED 2024

10. According to the evidence adduced by all parties herein it is not in dispute that the P.A.G-K Boundary Review Commission visited Bahati P.A.G-K District, though there is contradiction on dates by the witnesses and on the reports on when such fact finding visit by the Boundary Review Commission happened. The contradicting dates of the fact finding visit and submission of the report to the Executive in question are indicated as 11-07-2025, 12- 07 -2025 and 12-08-2025 The said report if adopted by this honorable tribunal will be setting a bad precedence in the history of the P.A.G-K Church at large and may bring the church to unending wrangles and disharmony.
11. Parties are bound by their own pleadings and it is evident on record that the date of such fact finding by the Boundary Review Commission to the Bahati P.A.G-K District is unknown
12. That the venue of the Boundary Review Commission meeting and or fact finding visit was held at EXPRESS P.A.G-K within the Viwandani proposed district instead of Bahati P.A.G.-K District which is contrary to Article 8.1 and Article 9 of the P.A.G. -K Constitution 1998 as amended 2024.
13. The report failed to demonstrate how Bahati PAG District was reviewed in accordance with Article 8 and Article 9 of the Constitution. There was no comprehensive geographical analysis showing:
 - a) The location of assemblies,
 - b) Their proximity to district headquarters
 - c) Demarcation framework
 - d) Financial capability & sustainability
 - e) Number of memberships in assemblies
14. The Tribunal further observes that the constitutional and administrative viability of a district is intrinsically connected to the strength and stability of the assemblies constituting it as provided in (Article 7:1, 7:2, 7:6, 7:7 of the PAG-K Constitution 1998 as amended 2024. Where the established constitutional threshold requires an assembly to maintain a minimum membership of fifty (50) members for purposes of recognition and sustainability, the recommendation by the Boundary Review Commission did not demonstrate the same by incorporating assemblies with membership as low as thirty (30) members. This raises serious concerns regarding compliance with constitutional standards and administrative sustainability. The Executive, all departments and commissions of the P.A.G-K should strictly adhere to the constitution and avert the traditions that have been there that are contrary.
15. The Tribunal therefore finds that any boundary review or recommendation for creation of a district must be supported by accurate and verifiable membership data consistent with the constitutional threshold governing assembly status, so as to ensure that the resulting administrative units are viable, stable, and capable of effective ministry and governance



16. Considering the above this Honorable tribunal finds that the P.A.G-K Boundary Review Commission visited the Bahati P.A.G-K District though on unknown date due to the contradiction in the report submitted to the Executive presented to this tribunal during the hearing which renders the report null and void.

B. WHETHER THE BOUNDARY REVIEW COMMISSION FOLLOWED THE DUE PROCESS REGARDING BAHATI P.A.G-K DISTRICT BOUNDARY REVIEW AS CONTAINED IN THE PAG-K CONSTITUTION 1998 AS AMENDED 2024

17. In view of the observation and findings made above, this Honorable Tribunal finds that the P.A.G-K Boundary Review Commission did not follow the due process as regards to Bahati P.A.G-K Boundary Review and they were in breach of Article 8. 1 and Article 9 of the P.A.G-K Constitution, 1998 as amended 2024.
18. There was no application by either the Bahati or Viwandani to the Boundary Review Commission Team to visit the Bahati District for review of the boundary neither evidence of invitations to the concerned parties during the fact-finding visit.
19. The Tribunal observes that while the Church Constitution grants the Boundaries Review Commission the mandate to review existing boundaries and recommend the creation of new districts arising from existing administrative units, the Constitution does not expressly confer authority upon the Commission to unilaterally create or recommend new districts without adequate consultation, participation, and concurrence of the affected district leadership.
20. The absence of an exhaustive consultative framework and proper implementation of such recommendations may occasion friction, administrative tensions, factional divisions, and disputes within affected districts.
21. In the interest of orderly church governance, institutional harmony, fairness, and sustainable administration, any proposed alteration, subdivision, or creation of districts should be undertaken through a transparent, consultative, and participatory process involving the existing district leadership and other relevant organs of the Church unless otherwise expressly provided by the Constitution.”
22. The Tribunal further emphasizes, the exercise of constitutional mandate by the Boundaries Review Commission must be guided by the principles of natural justice, institutional harmony, consultation, and orderly administration so as to avoid actions likely to occasion division, factionalism, or governance instability within the Church.”

C. WHETHER THE DISTRICTS FORMED AFTER THE 90 PROVISIONAL DAYS OF THE 1998 CONSTITUTION ARE CONSTITUTIONAL OR NEED TO BE SCRAPPED

23. The Tribunal declines the prayer seeking to declare all districts formed pursuant to recommendations of the Boundaries Review Commission outside the transitional provisions of the PAG-K Constitution as illegal, unlawful, and unconstitutional.



24. The Tribunal finds that such districts have operated as recognized administrative and ministerial units within PAG-K over time, and invalidating them wholesale would occasion unnecessary instability, confusion, friction, and disruption within the P.A.G-K Church.
25. Accordingly, all existing districts shall continue to be recognized as valid entities unless it is specifically proved that a particular district was established in clear violation of the Constitution and fails to meet the required constitutional threshold as provided.
26. The Tribunal is guided by the need to preserve institutional stability, orderly governance, peace, and harmony within the P.A.G-K Church.
27. However, the Tribunal hereby advises and encourages the PAG Executive Committee to adequately facilitate, support, and empower the Boundaries Review Commission to undertake comprehensive and periodic boundary review exercises across the Church with the objective of ensuring proper geographical alignment of assemblies for effective administration, pastoral oversight, accessibility.
Such reviews should seek to establish orderly and sustainable district structures so as to minimize administrative strain, prevent irregular movement or shifting of assemblies from distant interior regions into distance districts for convenience or preference, such movements does not promote harmony, accountability, and efficient governance within the P.A.G-K Church

D.WHAT ARE THE AVAILABLE REMEDIES?

28. This tribunal in its own discretion shall make orders that are not injurious to either party as the matter concern fellow brothers and sisters in the Lord's Vineyard of our beloved P.A.G-K church and there being need to promote unity and reconciliation between the wrangling parties as the church constitution provides and as the bible says in the book of ;-

2nd Corinthians 5:18-19 ' Holy Bible , NIV KJV as reproduced herein;-

18.And all things are of God, who hath reconciled us to himself by Jesus Christ and hath given to us the ministry of reconciliation.

19, To wit, that God was in Christ reconciling the world unto himself not imputing their trespasses unto them and hath committed unto us the word of reconciliation"

E. WHO IS RESPONSIBLE TO MEET THE COSTS OF THESE PROCEEDINGS?

29. In the instant case, there is need to promote unity and peace as a church, it is our considered opinion that each party shall bear its own costs in the matter



DISPOSITION

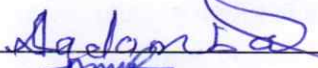
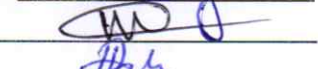
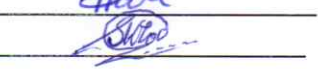
30. From the foregoing reasons, this Honorable Tribunal finds and makes the following **ORDERS**:

- i) A declaration that the P.A.G-K Boundary Review Commission breached Article 8.1 and Article 9 of the P.A.G-K Constitution, 1998 as amended 2024 in dealing with Boundary Review within Bahati P.A.G-K District and their purported Report with contradicting dates be and is hereby declared null and void.
- ii) The P.A.G-K Boundary Review Commission do visit and carry out Boundary Review within Bahati P.A.G-K District, strictly in accordance and compliance with Article 8.1 and Article 9 of the P.A.G-K Constitution, 1998 as amended 2024, within 90 days from the date hereof. In the interest of fairness, unity and orderly administration, the Bahati PAG-K District leadership is directed to cooperate with the BRC in the review process and refrain from any acts likely to frustrate or undermine the exercise.
- iii) Recognizing the biblical and constitutional importance of peace & unity, the tribunal hereby calls upon the second respondent (PAG-K executive) to undertake a deliberate reconciliation effort between the Bahati and Viwandani groups within 90 days. Parties herein are advised to promote peace, reconciliation and coexistence.
- iv) Pending the Boundary Review Commission Exercise as ordered in (ii) above, the status quo be maintained that is: -
 - a) Monthly reports by the two groups be directly submitted to the Executive
 - b) No transfer of pastors within the two groups

31. Each party shall bear own costs.

32. It is so ordered.

Delivered, Dated and Signed at NY ANG'ORI this 29th day of MAY 2026

NAME	DESIGNATION	SIGNATURE	DATE
1. Rev. John Adamba	Chairman		29/5/2026
2. Rev. Isaac Nyakundi	Secretary		29/5/26
3. Mr. Victor Omsango	legal advisor		29/5/26
4. Mr. Wellington Mboku	Member		29/05/2026
5. Mrs. Hedrick Khadambi	Member		29/05/2026
6. Rev. Simon Too	Member		29/05/2026
7. Bishop Elias Gathuka	Member		

