

Kitui County Assembly

THE HANSARD

First County Assembly - Second Session

Tuesday 25th November, 2014

The County Assembly met at 2:50PM

(The Speaker {Hon. Mbiti Ndemwa} entered the Chamber at ten minutes to three O'clock accompanied by the Mace)

PRAYERS

(The Speaker recited the prayer and proceeded to the Chair)

(The Mace placed on the Table)

The Speaker (Hon. Mbiti Ndemwa): Next Order.

The Clerk (Lucy Waema): Order No. 1, Administration of Oath.

The Speaker: Next Order.

The Clerk: Order No. 2, Communication from the Chair.

The Speaker: Next Order.

The Clerk: Order No. 3, Messages.

The Speaker: Next Order.

The Clerk: Order No. 4, Petitions.

The Speaker: Next Order.

The Clerk: Order No. 5, Papers-chairperson committee on agriculture, water and irrigation; second reply to the statement requested by hon. Dominic Kauthi on broken bore holes in Tseikuru ward.

The Speaker: Honourable Kasinga (*it's noted that hon. Kasinga is not in the house*). Hon. Members we do understand that this committee has a vice-chair and also has able members so I don't understand why the response of absent should arise when the chairperson is not there. Probably there should be an official communication from the chair himself that he is not present. Honourable vice chair (*Hon. Nzuki Wambua*) I can see you are around here.

Hon. Nzuki Wambua: Thank you Mr. Speaker. The chair is around and the last time I was with him he was ready to present the report. So I think he is around only that he has delayed somewhere.

The Speaker: what is it that you have said honourable Wambua because you are saying the chair is around, he is present and yet you are not showing me where he is so I understand you are the chair, yet you go ahead and sit without giving us the information we want about this paper. So what are you trying to say?

Hon. Nzuki Wambua: Mr. Speaker I have said it very clearly that the chair is around with the document and the last time I was with him, he was ready to present. May be he has delayed taking his lunch.

The Speaker: Honourable Wambua, I am getting what you are saying but my worry is; when you tell me the honourable chair is around and I cannot see him around here.

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Hon. Nzuki Wambua: Mr. Speaker the perimeters of this honourable house extends to the gate. When I say he is around, it is from here to the gate.

(Hon. Titus Kasinga enters the chamber)

The Speaker: Well, well honourable Wambua. Probably he is the one I have seen come in. Honourable chair, committee on Agriculture, water and irrigation, your able vice chair was defending your absence so I will give you room to say something about these papers. We are on order number five.

Hon. Titus Kasinga: Thank you Mr. Speaker sir. Mr. Speaker you recall sometimes back, early in the month of October, we had a statement request from honourable Kauthi, member for Tseikuru ward regarding some boreholes in his ward that were not functioning.

Mr. Speaker, to be very brief, during the time of responding to the statement because we brought a report on it, we did promise that action will be taken and that was on behalf of the executive who are the implementers of projects, and we were ready as early as 30th when we had promised to give the status report on the statement on the implementation because we had given the guidelines.

Mr. Speaker I am happy once again to report to this house and to the honourable member and this for sure the honourable member can be able to confirm the action that has been taken that I am giving a response on the rehabilitation and repair status of Musavani, Kaiviria and Ngaaka yakwa boreholes.

Mr. Speaker sir, Musavani borehole: the status of the borehole as at to date is that the solar pump was procured and the ministries in technicians installed and completed installation works on 30th October 2013. The position of the borehole to date is; the community water scheme is operational, and efficiently giving the residents water.

Kaiviria borehole: the solar pump was procured and the technicians did the installation and completed works on 31st October, 2014. Status of the bore hole as to date; the community water scheme is operational, and efficiently giving the residents water.

Ngaaka Yakwa borehole: the submersible water pump, solar and new generator were installed and works were completed on 3rd November, 2014. Mr. Speaker the scheme is operational as to date.

Having said that Mr. Speaker sir, I did share with the member about that position. I know he had one or two simple concerns about one of the boreholes that is not giving water to the levels that it should. I have already assured him that whatever remains to be done will be done.

The honourable member is in the house, and he can confirm whether action has been taken as promised and if not satisfactorily then he can be able to say it Mr. Speaker. With those few remarks I beg to lay this paper on the table to confirm that work has been done. Thank you Mr. Speaker sir.

The Speaker: Well, honourable members I can see honourable Kauthi is on his feet, I don't know whether he is happy, agitated or what. So I will give him the opportunity to probably thank the chair or to say something.

Hon. Dominic Kauthi: Thank you Mr. Speaker, I also thank the chairman of Agriculture and water. Mr. Chairman, the report given should be treated as half report.

Mr. Speaker sir, the people of Tseikuru have suffered water shortage for more than ten months. The executive has repaired the borehole of Musavani, before the breakdown of the borehole, we were having three points of water resources. They have repaired the main resource. Mr. Speaker, is this complete?

Mr Speaker sir, I demand to know whether Tseikuru is far from Kitui because this thing has taken us ten months for the people of Tseikuru suffering from water shortage. At the moment now, the people of Tseikuru are now taking unclean water and still we are getting reports in this assembly.

Mr Speaker sir, I am demanding the report I gave here to get comprehensive report about how the government is going to do about the people of Tseikuru. If not then we are going to seek legal advice Mr Speaker. Thank you.

The Speaker: Order honourable Kauthi. You know when you say you are going to seek a legal solution or whatever, the chair feels that you have gone too far. I thought you were rising to thank the chair because I can see your issues have been solved, the Musavani, Kaiviria and Ngaaka yakwa bore holes are now working. It is good sometimes you appreciate.

Although the standing orders are very clear that we must respect the opinion of members, we are supposed to appreciate what has been done. Honourable Mwandia I saw you standing on a point of order, what was it?

Hon. Hussein Mwandia: Mr Speaker it was long when our able chair for agriculture was out so we were standing in defence. Thank you.

The Speaker: So I was right when I was trying to say the vice chair is here and able committee members as well. Thank you honourable Mwandia. So what I was trying to say honourable Kauthi, if I have heard you well you are still complaining and we want honourable members to hear you well. What are you complaining about? I can see what you asked for has been. Are you trying to demand for another statement or what?

Hon. Dominic Kauthi: Mr Speaker sir, when I requested for a statement I noted five bore holes not operating in Tseikuru. The bore holes had some extensions. Kainingo borehole was repaired but the machine could not pump water to three kiosks, so they have repaired the main source.

Same with Musavani bore hole, now Mr Speaker sir, when the people got these boreholes, they forgot about searching for water from other places and started drawing water from the kiosks. When a report comes here and tells me that they have repaired, I may say thanks if you force me to say thanks, but still my people are suffering.....

The Speaker: Order honourable Kauthi! The speaker is not there to force you to say anything. He is only here to guide and preside, so when you stand and say the speaker will force you to say something that is another story. So you can continue with what you were saying.

Hon. Dominic Kauthi: Mr Speaker sir, I am here because of the people of Tseikuru and what I am trying to put through is that my people are suffering because of acute water shortages. The people of Tseikuru this year have been driven back to 1970's, so when I issued the statement I mean my people are in dire need of water.

When the report comes here that the work has been done, I do appreciate but still the work has been done half way. Why don't they give a report that they have done 50% of the problem in Tseikuru so that all the members can contribute and know why the work is half done. Thank you Mr Speaker.

The Speaker: Honourable Kauthi have now got you well. Honourable member the other time I saw you agitated and I knew that you have something to say. You had the information but you had not delivered it well, but now since you have delivered your message well, I would request the chair to clear the air. So honourable Kasinga the floor is yours.

Hon. Titus Kasinga: Thank you Mr Speaker sir even to the extent of pre-emptying honourable Kauthi, member for Tseikuru to clarify on the issues that he has.

The Speaker: Order chair, order. Honourable members probably you have heard what honourable Kauthi was complaining about and the chair may miss some information so

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probably if you have any information be ready to assist us because we want this problem to be solved once and for all. Continue honourable Kasinga.

Hon. Titus Kasinga: Thank you Mr Speaker sir. First, I am happy that despite honourable Kauthi wanting to hide it, I am sure he is very happy that his people are actually getting water from bore holes that were not functioning. That is a fact, he has shared it with me privately and also with the committee. In this house, he is advancing another agenda that of course he mentioned in the statement, but I would want members and honourable Kauthi to appreciate that we can only address specifics and the general things we can only deal with them at the opportune time may be in proposing projects.

In this particular case, there were bore holes in Tseikuru that were not functioning and he brought it to the attention of this house and requested that we give a statement, we prompted the executive to do their work because that is their work, and they gave us a feedback.

As the chair of the committee on agriculture, I have been on them and the committee has been on them, luckily enough, honourable Kauthi is a member of the committee and we have ensured that the executive has done what they have done. If it so happens that there are some areas that need to be worked on it will happen, but Mr speaker I want to point out something; you know we were in the dry spell, the drought was catching up with Kitui county very fast, the water aquifers were drying.

The contention that has been put up by the executive is that; when they repaired the bore holes, the water was not enough to pump waters to the areas honourable Kauthi is talking about.

But that notwithstanding Mr Speaker, I want to take it upon myself again that we follow up to ensure that the bore holes are back to the very normal status they were in before they broke down. I want to give an assurance that we will do the follow up and again as the members in this assembly, my colleagues, I would like to bring to their attention that we are looking as the committee, at the water projects, the irrigation projects, the fish projects that has been awarded so far and I would want to invite you on Thursday in the afternoon's second committee meeting session. Kindly come and check on your projects. We are looking at some projects that we are discovering some of them are being said to have been started, others are said to be 20% complete, but we are looking at them and point out some clarifications which is needed. We would want you to engage the committee so that we can be able to play our oversight role in the right way.

I want to thank those who have been able to come to the committee meetings; honourable Mwangi, Ngwele have been there. I want to urge you if you have any water project in your ward, kindly do visit us on Thursday so that we can be able to engage one another. Once we are done with that, we intend to draw a programme that we are going to visit those projects to be able to confirm the status because we must play our rightful role to ensure that people of Kitui County get value for their money. Thank you Mr Speaker sir.

The Speaker: Very well put. Honourable Kauthi I think you are a bit comfortable with that. Next Order.

The Clerk: Order No.6, notices of motions.

The Speaker: Next Order.

The Clerk: Order No.7, statements.

The Speaker: Next Order.

The Clerk: Order No.8, Motions and Bills.

The Speaker: Honourable members I can see that is the end of our today's business, I will give you a few minutes to ventilate on issues concerning our county if you have any issue to raise, I can see honourable Mbandi you have something to say.

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Hon. Mary Mbandi: Thank you Mr Speaker sir. I don't know whether I have grown too tall that you can mistake my sitting for standing.

The Speaker: I thought you were blinking on me, you know you can catch the eye of the speaker in different ways.

Hon. Mary Mbandi: Well, now that you have given me this chance, I just want to thank the chair of agriculture, he has done a good Job and also thank Mheshimiwa Kauthi for being very concerned about his ward because that is the reason we are here.

But the issue of water is a very itchy problem in this county. Not only in the wards which are far but even in this Kitui town we lack water many times and I am sure the able chair is tackling the issue because the KITWASCO which is supposed to be managing the water services in this county, I don't know whether they are doing the right job but I am sure the able chair will follow up and find out what is happening and whether it is important for the water services to be managed by the county instead of a company. Thank you Mr Speaker sir.

The Speaker: Very well. Honourable Munyasya.

Hon. Bernard Munyasya: Thank you Mr Speaker. I wanted to communicate to elected members on behalf of my chairman, committee on administration and coordination of county affairs, hon. Mwove Kinyala; that the ward infrastructure programme which was on process of developing BQ's is now ready and the CEO of administration and coordination is requesting all elected members to look over the projects which were proposed by members at his office because they want to advertise them by Monday. Thank you Mr Speaker.

The Speaker: Very well. Honourable Ngoima.

Hon. Daniel Ngoima: thank you Mr Speaker. I want to take this opportunity to convey my sincere greetings to the house after coming back from Turkey and Dubai. We had a good time there although we had a hiccup when one of us was taken back as you know.

I also want to clarify to members that it was nothing more than one or two of the papers which lets one to be admitted in a country which took one of our members back. I found this issue being politicized and be translated as if there was never a trip in the first place and that the rest of the team put off their phones deliberately and hang around Nairobi eating the county Assembly Money. I want to deny that allegation which was posted to one of the enemies of development.

Actually if we develop the report this week, we intent to bring the report to this house next week so that the house can read from the same page with the committee on trade, industry, ICT and cooperatives and get to know what took us to turkey and the fruits we have come with.

So, mine was just to say hi and ask you to welcome us back because we are here now for the deliberations of this house and we had very good time in those places. Thank you.

The Speaker: Very well honourable Ngoima. It is good you have put it clear that the official report is coming. What is it honourable Kasinga?

Hon. Titus Kasinga: Mr Speaker sir, I think it is important, it is a concern and thank you for the few minutes you have given us to ventilate. I don't know whether we have enough time but I would propose because of what is happening in the country, that we get time may be on Thursday later in the afternoon as we meet to ventilate on the issue of insecurity in our country which is degenerating to a level that even as we are here we don't know how safe we are.

I am sure you are aware of the Manderu massacre, it is happening all over and I think we need to get time and even as early as now before we leave Mr speaker, we lost a lot of people and this insecurity is degenerating into serial sort of killings and I think we are burying our heads into the sand and we need to continue if only we can speak and ensure whatever we feel like...and remember that Kitui is not far from whatever is happening.

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We really need to think but we should deliberate on those issues with time. With those few remarks, Mr Speaker before we break this session, I would request that we observe a minute of silence in honour of the people who died in Mandera and others places in the county. Thank you.

The Speaker: Very well honourable Kasinga, you have put it very well, there are those issues its only that I have given some few minutes to ventilate, I take it as you are ventilating and obviously you know the procedure of doing that. It is now in your hands, you will do it within 24 hours in writing as per standing orders.

The speaker has no option other than giving you room to deliberate on that so, the chair has no problem with that. What was it honourable member for Migwani (hon. Patrick Munyithya)?

Hon. Patrick Munyithya: Thank you Mr Speaker, I stand just to quote two issues. One is about seedlings. The county government is in the process of buying seedling to be distributed to our people in the wards for planting and as I observed from my ward, nothing is going on and the rains are on. So I wanted to ask the committee of environment....

The Speaker: Order. Honourable Patrick, the point you are trying to put is heavier than the way you are putting it and I think it is affecting all the members across the county.

So I will allow you to move to the second issue as you have said you have two issues. This issue you will raise it through the relevant committee because it is a very serious matter. The committee on environment note that. Just raise your second issue.

Hon. Patrick Munyithya: The second point is on the issue of dressing.

The Speaker: What is it with the issue of dressing honourable Patrick?

Hon. Patrick Munyithya: Mr Speaker this is an honourable house occupied by honourable members so I would like to inquire of the proper way of dressing while in this house for both men and honourable ladies.

There was a time when that question was raised by honourable member from Ngutani and the speaker said something about it. I am raising it because sometimes we come into this house when we are not properly dressed. I wanted to get a good clarification.

The Speaker: I have heard the member state it very clearly that he is directing the issue to the speaker and honourable Patrick if I look I can see all the members are properly dressed unless you have another opinion you can give it to us.

Hon. Patrick Munyithya: Mr Speaker I would like to know whether honourable Mwandia and honourable Mbandi are properly dressed.

(The House bursts into laughter)

The Speaker: Order! Honourable Patrick that is the way you should put it. The speaker is aware that his members are honourably dressed unless you put it the way you have done. But I will answer you because you have put it on me.

The standing orders are very clear on this matter. They have stated clearly how you should dress while in the house and in extension to the committees. You must be officially dressed.

The speaker will only administer the standing orders you have given him. He will never administer a standing order which is not here.

So honourable Patrick if you put it to me that honourable Mbandi is not properly dressed, I think you are out of order because there is no standing order here which describes how honourable Mbandi should be dressed.

I understand honourable Mwandia is in a shirt and a tie, a trouser and he has shaved well and the same case applies to honourable Mbandi. As far as the standing orders are concerned, she is properly dressed.

So it is upon you honourable members and I am directing it to you to liaise with the committee on procedure and rules and the whole house if that is what you want to do, and this is to the committee of procedure and rules.

(Hon. Hussein Mwandia rose in his place)

What is it honourable Mwandia?

Hon. Hussein Mwandia: Mr Speaker sir, is the honourable member who was on the floor in order to allege that I am not in an official attire? Is he also in order to name honourable members without a substantive motion?

The Speaker: Order honourable Mwandia. The honourable member for Migwani was even lost. He was trying for a way and probably he was not aware whether short sleeved shirt is official. If I heard him well he asked whether it is in order for honourable Mwandia to dress like that. Probably he should have asked whether the speaker is properly dressed. So he was in order because he was asking for guidance.

(Hon. Dominic Kauthi rose in his place)

What is it honourable Kauthi?

Hon. Dominic Kauthi: Thank you Mr Speaker. Mr Speaker sir, may I say that traditions are not as wise as laws but they are more popular. When the honourable member rose and talked about being properly dressed, I think we are using the standing orders for the national assembly. I have been watching proceedings of the National Assembly but I have never seen any member of the parliament in a short-sleeved shirt. I have seen in this assembly, honourable ladies coming in with t-shirts written; I love you and such kind of words. Is this proper dressing Mr Speaker sir?

The Speaker: Order honourable Kauthi! I will stand by the rule that the ball is on your side, you and the procedure and rules committee. The standing orders you will give me are the ones I will use and since you are using standing orders which are available to me, I will only administer this. So that question goes to you honourable members. If tomorrow morning you come with other standing orders.....

(Hon. Grogan Mbivi rose in his place)

What is it honourable Mbivi?

Hon. Grogan Mbivi: Thank you Mr Speaker. I think for clarity purposes, it will not be fair for the chair to direct that all the honourable members to go to the rules and procedure committee and seek from the committee on how they are supposed to dress.

If honourable Patrick seeks for an answer from the chair, I think he is asking that question on behalf of the other members because we want to know whether the named members are properly dressed so that we don't come dressed like them.

The Speaker: Honourable Mbivi I don't know whether you are a member of that committee of procedure and rules. I don't know what you are defending but any member can be invited in any committee. All of you can sit in that committee as invited members and air your views but you are not entitled to vote.

What I was trying to say is that honourable Patrick you will be well answered through the procedure and rules committee to come up with a proper amended standing orders so that we can provide for dressing code.

Hon. Phoebe Kisee: Thank you MrSpeaker sir, I would like to know from the honourable member from Tseikuru, is it in order for the member to quote on behalf of the ladies of this house that we do put on clothes with quire intentions as if that is what has brought us here in this honourable house. Thank you.

The Speaker: Honourable Kisee I think the information you are trying to pass is quite okay. The honourable member may be out of order but the time you are putting it and the way you are putting it is out of order because the speaker had already ruled on that. Honourable Mbandi.

Hon. Mary Mbandi: Thank you MrSpeaker sir, I think we should come up with the dressing code for the Kitui county Assembly because I think there is no way we can start copying from the national assembly and start saying the ladies are not properly dressed. If it is allowed, then let us come up with our own code of dressing. Thank you.

The Speaker: Well honourable Mbandi and that is what the chair is advocating for but I will only do with what you give me. It is upon you to amend the sanding orders and have what you want to be done with you.

So honourable Patrick the only solution is through the standing orders. You amend it, you bring it, and you work with it.

Honourable members having said that, I think we are done with today's business and I will request you to remain standing so that we can adjourn the house.

(Members rose in their places)

The Speaker: Honourable members, the house now stands adjourned until tomorrow in the morning at 9.00am.

The County Assembly rose at 3:36PM.