

REPUBLIC OF KENYA

NYANDARUA COUNTY ASSEMBLY

1ST ASSEMBLY- 5TH SESSION

OFFICIAL REPORT

Wednesday 1st February, 2017

The Assembly met at the Assembly Chamber (P.C.E.A Hall) at 9:00 A.M

[The Deputy Speaker (Hon. Wambugu King'ori) in the Chair]

PRAYER

QUORUM CALL AT THE COMMENCEMENT OF THE SITTING

(There is no quorum as confirmed the clerk-at-the-table)

Speaker: Quorum having not been recognized, I direct, pursuant to article 34 of our Standing Orders, that the bell be rung for ten minutes or until such a time within the ten minutes that quorum will have been achieved.

(Quorum bell rings for 30 seconds and Quorum is attained as confirmed by the clerk-at-the-table)

Very well, quorum having been achieved we can now proceed with the business for the morning session.
First Order.

(Hon. Kariuki Muchiri rises on a point of order)

Speaker: What is it Member for Murungaru?

Hon. Kariuki Muchiri: Thank you Mr Speaker. Is the member for Njabini/Kiburu in order to use abusive language in the House?

Speaker: Members, this is a House of order with a set of rules and procedures. Although the Speaker did not exactly catch the allegedly abusive words used by the Member of Njabini Kiburu, let him be warned that this is a House of decorum.
Proceed.

PAPERS

1. SHARING OF REVENUE FOR FY 2017/2018

Speaker: Yes, Member for Murungaru and the Leader of the Majority Party, Hon. Kariuki Muchiri.

Hon. Kariuki Muchiri: Thank you Mr. Speaker, I wish to table the Recommendations on the sharing of revenue for FY 2017/2018 by the Commission on Revenue Allocation. I hereby table.

Speaker: Thank you Hon. Kariuki Muchiri. This paper will be placed in your Pigeon holes for your information.
Next Order.

2. SUBMISSION ON MONTHLY RETURNS AND EXPENDITURE FROM THE NYANDARUA COUNTY TREASURY

Speaker: Yes, Member for Murungaru and the Leader of the Majority Party, Hon. Kariuki Muchiri.

Hon. Kariuki Muchiri: Thank you Mr Speaker, I wish to table the Submission on monthly returns and expenditure from the Nyandarua County Treasury.

Speaker: Hon. Members, this paper deals with returns and expenditure. The issue of returns will be dealt with by the Finance Committee, while the expenditure component will be dealt with by the Committee on Budget and Appropriations. The two committees could deal with the issues separately, or they could expedite the matters jointly.
Next order.

NOTICES OF MOTION

REPORT OF THE WATER, ENVIRONMENT AND NATURAL RESOURCES COMMITTEE ON DEPARTMENTAL BUDGET IMPLEMENTATION FOR FY 2016/2017

Speaker: Yes, Member for Charagita and Chairperson Water, Environment and Natural Resources Committee, Hon. Paul Kiruka Mburu.

Hon. Kiruka Mburu: Thank you Mr. Speaker Sir, I beg to give notice of the following Motion:

THAT this House does adopt the Report of the Water, Environment and Natural Resources Committee on Departmental Budget Implementation for FY 2016/2017 as a report of this House and the recommendations therein as resolutions of this House.

Thank you Mr. Speaker Sir.

(Loud consultations)

Speaker: Order Hon. Members.

(Loud Consultations)

(Hon. Josphat Kamau rises on a point of order)

Speaker: What is it Member for Leshau Pondo?

Hon. Josphat Kamau: Thank you Mr. Speaker. I believe that whoever occupies the chair of the Speaker is the Speaker of the House and has the authority to take any measures necessary to maintain order in the House.

Speaker: Very well. Members, I expect you to maintain order or I will be forced to send someone out. The notice is duly given and further directions will be given by the House Business Committee.

Next order.

MOTION TO BE MOVED

Speaker: Yes, Member for Murungaru and the Leader of the Majority Party, Hon. Kariuki Muchiri.

(Loud Consultations)

Hon. Kariuki Muchiri: Thank you Mr. Speaker, Please protect me

Speaker: Order Members!

Hon. Kariuki Muchiri: Thank you Mr. Speaker, for your protection. I beg to seek leave not to move this Motion due to the wording as it appears on the Order Paper. Should the leave be granted, I will move the motion at another time.

Thank you Mr. Speaker, Sir.

(Hon. Kimani Njiraini rises on a point of order)

Speaker: What is it Member for Kaimbaga, Hon. Kimani Njiraini.

Hon. Kimani Njiraini: Thank you Mr. Speaker. This motion is too important to be suspended. It is touching on the taxpayer's money and since it was tabled here, it is the property of this House. Let it be moved accordingly.

Speaker: Yes Member for Shamata, Hon. Kinyanjui Gachari.

Hon. Kinyanjui Gachari: Mr Speaker, the Leader of the Majority Party seems to have forgotten that he is the Leader of Majority for all the 5 sub-counties not just the one that is indicated here. Let him move the motion so that Members can debate on it; adopt it or reject it.

Speaker: Yes Member for Mirangine.

Hon. David Ndirangu: This motion was placed in today's order paper and it should be moved today. We will not allow it to be withdrawn. We did not elect the Leader of Majority to represent one sub-county.

(Hon. Dorcas Kihara rises on a point of information)

Speaker: Member for Mirangine, do you require the information from the County Member from Githioro?

Hon. David Ndirangu: Yes, Mr Speaker.

Hon. Dorcas Kihara: Thank you Mr Speaker, I wish to inform the member that the Leader of Majority represents the interests of the government in this House and that is why he brought this motion here.

(Consultations)

Speaker: Order Members! Yes, Member for Kanjuiri.

Hon. Suleiman Kihika: Thank you Mr Speaker, I wish to give my sentiments. Mr. Speaker, although you are the Chair, you are also a Member of Kinangop Sub-County and this motion here is purely for the interests of Kinangop. I therefore, beseech you to make a good ruling regarding this matter so that we can all feel represented.

Thank you Mr. Speaker.

Speaker: Yes, Member for Leshau Pondo.

Hon. Josphat Kamau: Thank you Mr Speaker. I wish the Speaker would rule that this motion be moved. There is too much going on that we do not know. When the supplementary budget was presented here, it was rejected because of the number of pending bills. A group of members was selected to go and look into the matter but what they did was take money allocated for other projects. The money that had been allocated for our roads at the ward level, for example was slashed.

Speaker: Member for Leshau Pondo, I order you out of this House.

(The Member for Leshau Pondo bows and exits the Chamber)

Speaker: Hon. Members, the Leader of Majority is entitled to seek leave to move his motion whenever he is comfortable. Our Standing Orders do provide for that. Standing order 50 provides that a notice of motion may be withdrawn by the Member who gave the notice. Further, Standing Order No. 46 (2) says:

Before giving notice of Motion, the Member shall deliver to the Clerk a copy of the proposed Motion in writing signed by the Member and the Clerk shall submit the proposed motion to the Speaker.

Whoever wants to bring that motion again on the floor of the House should do it in writing through the Clerk who will then submit it to the Speaker in accordance with our Standing Orders.

(Hon. Mwangi Gichuki rises on a point of information)

Speaker: who do you want to give the information? Let me not dwell on that, I will allow it on condition that you follow the Standing Orders.
Please proceed.

Hon. Mwangi Gichuki: Mr Speaker, I rise as the Chairperson of the Committee on Finance. I have here a copy of a letter written to the Clerk of the County Assembly of Nyandarua and copied to me, as the Chairperson of the Committee on Finance. Mr Speaker, this motion should not have found its way to the floor of this House. Probably the House Business Committee did not receive a letter from the executive or the clerkship and the committee deliberately decided to misrepresent the Department of Finance.

(Hon. Dorcas Kihara rises on a point of information)

Speaker: Member for Engineer, do you require that information from the Member from Githioro?

Hon. Mwangi Gichuki: Yes.

Speaker: Hon. Dorcas proceed.

Hon. Dorcas Kihara: Thank you Mr Speaker, I am speaking as a member of the House Business Committee and I recall the Hon. Speaker talking about this motion. This motion was

drawn from a letter that came from the executive. The House Business Committee did not mislead the house and the Clerk as well.

Thank you Mr Speaker.

Speaker: Hon. Gichuki proceed.

Hon. Mwangi Gichuki: Mr Speaker, it is always good for one to speak from an informed position. The Hon. Member purporting to give me information has given erroneous information. I have the letter from the department of County Treasury which was written to the Clerk and was copied to me dated 19th January 2017.

Speaker: Please do table the letter.

Hon. Mwangi Gichuki: Mr Speaker, I will table it once I am done making reference to it. The motion which says that the said amount of money is to go to Kinangop Sub-County is erroneous. The copy of the letter I received as the chairperson of the Committee on Finance, which is in fact a carbon copy of what was sent to the Clerk reads as follows:

‘We hereby request reallocation of money in the following votes under the Department of Economic Planning. The amount to be reallocated will go towards supporting youth in the county under the community empowerment programme’

The key words here are ‘in the county’. It does not say Kinangop Sub-County. That is why I said that either the drafter of the motion, or the House Business Committee did not carry out due diligence while looking at the content of the letter either when the motion was being drafted or when it was approved. Mr Speaker, we must go beyond selfish agenda. The member for Njabini Kiburu should tell us whose interests are being catered for in this motion by specifying Kinangop Sub-County while the letter from the CEC for Finance clearly indicates that the reallocation is for the benefit of the entire county.

(Hon. Michael Kirumba rises on a point of order)

Speaker: Hon. Gichuki is on a point of information.

Hon. Mwangi Gichuki: Mr. Speaker, is it in order for the Member for Njabini/Kiburu to call me a ‘child’ in kikuyu?

(Loud consultations)

Speaker: Hon. Gachomba and Hon. David Ndirangu Mwangi exit the chambers immediately. The information that Hon. Gichuki is giving this House seems to be informed by a motion in the order paper and he is therefore anticipating debate and now we shall go to the next order.

*(Hon. James Gachomba and Hon. David Ndirangu Mwangi bow and exit the House
Loud Consultations)*

Order members! Resume your seats Hon. members. The mover of the motion sought leave of the House and in other words he withdrew the motion. The member requires to go and get information so that he can bring the motion back to the house. The notice of motion can be given by anyone else other than the mover who brought it the first time. The Standing Orders are very clear.

Next order.

(Hon. Wahome Kamoche rises on a point of order)

Speaker: Hon. Kamoche resume your seat. Clerk proceed.

MOTION

VIREMENT OF KSHS.3894678 FROM KIRIMA WATER PROJECT TO WARUKIRA WATER PROJECT

Speaker: Yes, Leader of Majority Party, Hon. Kariuki Muchiri.

Hon. Kariuki Muchiri: Thank you Mr. Speaker, this is a House of rules and procedures and this must be adhered to by all the members and when the chair makes a ruling, he has done it with finality. Mr. Speaker I beg to...

(Hon. Mwangi Gichuki rises on a point of order)

Speaker: What is it Hon. Gichuki?

Hon. Mwangi Gichuki: Mr Speaker, does the Leader of Majority purport that the members of this House do not understand the rules of the House or respect the Speaker so that he can lecture us on that?

Speaker: Hon Mwangi Gichuki you are out of order. The Leader of Majority was only emphasizing on what is in the Standing Orders and the power of the chair. Hon. Kariuki Muchiri proceed.

Hon. Kariuki Muchiri: Thank you Mr. Speaker for your protection. Mr. Speaker I beg to move the following motion:

That this house does by resolution approve the virement of the Nyandarua County supplementary budget estimates FY 2016/2017 by re-allocating Kenya shillings Three Million, Eight hundred and Ninety Four Thousand, Six Hundred and Seventy Eight (Kshs.3,894,678) in the vote head of Kirima Water Project to Warukira Water Project in Shamata ward.

Thank you Mr. Speaker.

Mr Speaker, it is important that when one ward has a problem we as the House come in to help. The reason for the virement of this money is that Kirima Water Project gets its water from rivers which do not have enough water and there are no dams in that place. Warukira water project Mr. Speaker, intends to drill a borehole that can sustainably provide water without depending on the weather. This is therefore important so that the people in Shamata can get water and grow the economy. I call upon the member for Shamata to support this motion.

Speaker: Hon. Gachari

Hon. Kinyanjui Gachari: Thank your Mr. Speaker. Lack of water is a problem that is facing the people in Shamata. We have only two rivers in Shamata; Pesi and Kahato and they are seasonal. Those rivers are usually dry and therefore people have no water. I request that this House does approve this virement so that the people in Warukira and Simbara can have this borehole. People are fetching water for domestic use from very far, about five kilometres. I second.

(Question proposed.)

Speaker: Yes, Hon. Dorcas County Member from Githioro.

Hon. Dorcas Kihara: Thank you Mr Speaker, I support this motion because this is a re-allocation within one ward. It is good to do justice by approving this virement so that those that have more problems than others can be assisted first. It is procedurally correct and I support it.

Speaker: Yes, Hon. Michael Kirumba and the Deputy Leader of Majority in the House

Hon. Michael Kirumba: Thank you Mr. Speaker, I support this motion. This virement is making sense because it is the same ward. From the explanation given, there are similar cases in other places. A water intake was identified in some places when it was raining and the weather changed and it became very dry and the intake has dried up. About Kshs.1.5 million shillings has been used on that but there is not even a drop of water because those that did the survey did not do it during the dry season. Survey for such a project and even a borehole is done when it is extremely dry so that one can get to the water table at the right depth. The Warukira project is making sense because it will serve people in the same ward. Nothing is cast on stone.

The beauty of this virement is that it has been captured at the right time. In my ward it was different because money had been spent and when the dry season came, there was not even a drop of water. Relocating that intake whereas over Kshs. 1.5 million shillings has been used is a nightmare. Hon. Gachari is lucky because this has been captured at the right time. They should start the Warukira project now, taking the lessons from the project in my ward so that they can get to the right depth of the water table. This should apply in all the wards that are doing boreholes so that we do not do these projects at the wrong time. The four million will be of great help to the people in Shamata. When time comes and Pesi dam is constructed, the people in Warukira will have water already and the surplus water will come to the other wards. When people upstream get water, the excess water will always find its way down stream to the dry areas. I support the motion.

Speaker: Yes, Hon. Ndirangu member for Mirangine.

Hon. David Ndirangu (Mirangine): Thank you Mr Speaker, I support the motion. This virement has followed the right procedure unlike the one that was here before. This money is going to the same ward. I also have one that will be coming to this assembly soon. Since he has followed the right procedure, then the virement can be approved.

Speaker: Hon. Kamoche.

Hon. Wahome Kamoche: Thank you Mr. Speaker, I rise to oppose this because there is a project in Rurii ward that is also called Kirima Water Project. When we were doing the budget, it had been allocated money and now it is not there and there had been a number of demonstrations because there is no money for that project. Warukira water project has Kshs.2.5 million and now you want to do a virement of funds from Kirima Water Project to it. I have no issues with the member but first, the department of economic planning should tell us why there is no money, for Kirima Water Project yet it had been allocated funds in Naivasha when the budget was being prepared.

(Hon. Kinyanjui Gachari rises on a point of order)

Speaker: What is it Hon. Gachari.

Hon. Kinyanjui Gachari: Mr Speaker, Kirima Water Project is a known project in Shamata ward not only by the County Government but even by the ministry in the National Government. It is an old project that has been allocated money in the past and it has not supplied water to Shamata. I am referring to Kirima Water Project in Shamata and not the one in Rurii ward. If there is such a project in Rurii by the name Kirima Water Project, then Hon. Kamoche

should substantiate this with documents from the ministry of water. The money we are referring to is for Shamata ward.

Speaker: Hon. Kamoche you are being told to clarify how the Kirima Water Project is in Rurii ward.

Hon. Wahome Kamoche: Mr. Speaker, you are aware that every ward was getting Kshs. 3.5 million...

Hon. Peter Kamoche: Mr Speaker, you are aware that every ward was allocated Kshs.3.5 million for water projects. If you add Kshs.2.6 million for Warukira water project and Kshs.3.5 million for Kirima water project, you get Kshs.6.1 million. Kirima water project in Rurii was allocated Kshs.2 million but this document is silent...

Speaker: Hon. Peter Kamoche I want you to read the vote head in the budget.

(Hon. Paul Nderitu rises on a point of information)

Do you require the information Hon. Peter Kamoche?

Hon. Peter Kamoche: No, I do not require the information Mr Speaker. I wish to refer you to page 79 of the Budget where 25 projects in the wards are indicated. One of the projects is Warukira water project allocated Kshs.6.5 million and said to be in Shamata Ward.

(Hon. Paul Nderitu rises on a point of order)

Speaker: What is it Hon. Paul Nderitu?

Hon. Paul Nderitu: Mr. Speaker, if we go by vote heads, Hon. Peter Kamoche is misleading this House. Hon. Kinyanjui Gachari was allocated WDF. So by basing his presentation on vote heads, Hon. Peter Kamoche is misleading the House.

Speaker: Hon. Peter Kamoche, you should tell this House how the water project in question lies in Rurii Ward and not Shamata Ward.

Hon. Peter Kamoche: I want to set something clear: this is a House of procedure. There is no way a Member can rise and say that I am out of order yet I was defending a project that should be implemented in my ward. The only appropriate thing is to refer my fellow members to the Budget. I am not the one who prepared the Budget. It is indicated therein Kirima Water Project. There was a project in Rurii by the name Kirima Water Project for which people demonstrated. Hon. Kinyanjui Gachari and I had a dispute at the Department of Water, Environment and Natural Resources over the said project. The CECM for the said department was supposed to invite us in order to forge an agreement; but yesterday I found the document on the project at hand had been brought to the House.

If you add the money allocated for water projects under WDF for Shamata Ward and that allocated for Warukira and Kirima water projects, it cannot be Kshs.3.1 million. The Department of Water, Environment and Natural Resources should clarify where the other money went to. The Budget incorporates a water project called Warukira Water Project in Shamata Ward. There is also Githunguri water tank in Rurii Ward and Githunguri water tank in Murungaru Ward. But the Budget is silent on the site of Kirima Water Project. People from my ward demonstrated because of this water project.

(Several Members stand in places)

Speaker: Order Members! Hon. Peter Kamoche is entitled to give his views; remember this is a motion and Hon. Peter Kamoche is allowed by the Standing Orders to speak his mind and clarify his point. By the end of the day the question will be put.

Proceed Hon. Peter Kamoche

Hon. Peter Kamoche: Mr. Speaker, Sir, there is Kirima water project in my ward over which people demonstrated. Yet there is another ward that wants to benefit with the money for the said project. What we agreed during the drafting of budget has not been adhered to. The Chief Officer for the Department of Water, Environment and Natural Resources should be called here to clarify where the project in question lies.

Mr. Speaker, I have a lot of things to say but the House has no quorum.

Speaker: Can the clerk-at-the-table confirm whether there is a quorum.

(The clerk-at-the-table confirms that there is no quorum)

There being no quorum, I direct that the bell be rung for eight minutes or until such time within the eight minutes that quorum will have been achieved.

(The bell is rung for 2 minutes and quorum is achieved as confirmed by the clerk-at-the-table)

The bell should now be disengaged.

Proceed, Hon. Peter Kamoche.

Hon. Peter Kamoche: Mr Speaker, there are three Kirima Water Projects in Nyandarua County: one in Wanjohi Ward, the other one in Rurii Ward and the third one in Shamata Ward. But the document at hand does not indicate where the Kirima Water Project indicated in it should be implemented.

Warukira water project is indicated to have been allocated Kshs.2.5 million. Every ward was allocated Kshs.3.5 million for water projects. People in my ward demonstrated claiming that Kirima Water Project has been moved to another ward. Now which Kirima Water Project is indicated in this document that was brought to this House? Is it the one for Wanjohi, Shamata or Rurii? That is the clarification I seek. The chairpersons of the Committee on Water, Environment and Natural Resources and the Committee on Budget and Appropriations and I should meet and agree which Kirima Water Project is indicated in the document at hand. Right now we do not know which Kirima water project is indicated in the document. The site of other projects are clearly indicated; for example, Githunguri water tank in Murungaru and Githunguri water tank in Rurii; Rurii A and B in Githioro but the site for Kirima Water Project is not indicated. The Chief Officer for the Department of Water, Environment and Natural Resources told Hon. Kinyanjui Gachari and I to agree whether the water project is the one for his ward or my ward; but we did not agree. We should confirm the money allocated for each of the two contentious projects to identify which project is indicated in the document at hand.

(Hon. Kinyanjui Gachari rises on a point of order)

Speaker: What is it Hon. Kinyanjui Gachari.

Hon. Kinyanjui Gachari: Mr. Speaker, Warukira water project was allocated money from Ward Development Fund. I wanted to sink a bore hole with about Kshs.6 million but the engineer at site said that money was not enough. I did not use the money under Ward Development Fund for upgrading roads. I knew the main challenge for the people of my ward was unavailability of water. I set aside about Kshs.7 million for road works. Mush of the money under Ward

Development Fund for my ward was used for water projects. For Kirima water project, an extra Kshs.850, 000 was allocated for piping. While Hon. Peter Kamoche may have used money allocated for his ward for other projects other than water, I utilized much of the Shamata Ward Development Fund allocations on water projects.

The Kshs.2.5 million shillings being mentioned was not meant for sinking of Warukira borehole; sinking of the borehole should cost more than Kshs.6 million because it would be solar-powered. Installation of solar-power system would cost Kshs1.7 million. The Kirima Water Project in question is a long-standing project in Shamata. It is situated at Kirima and supplies water to various areas in the ward.

Speaker: Hon. Kinyanjui Gachari, I was expecting you to explain how Hon. Peter Kamoche was out of order but you went ahead to make your contribution to the motion. Clarification of which Kirima Water Project is indicated in the Budget should require the input of the Department of Water, Environment and Natural Resources and the Department of Finance and Economic Planning.

The motion has already found its way to the floor of the House. Whoever had an objection should have raised the same with the mover of the motion before the latter was moved. There is no way the motion can be halted; the question has to be put.

Proceed Hon. Peter Kamoche

Hon. Peter Kamoche: Mr. Speaker, this is a House of law; and you should not neglect us when we are in dispute. When the Leader of Majority sought leave that the motion on Kirima Water Project be moved in another sitting, I did not think that the issue would be revisited on the floor. When I visited the Chief Officer...

(Hon. Paul Nderitu rises on a point of order)

Speaker: What is it Hon. Paul Nderitu?

Hon. Paul Nderitu: Mr Speaker, the Leader of the Majority Partry gave notice of the motion at hand yesterday; I think Hon. Peter Kamoche should have approached him to raise his concerns then. The order paper has two motions. The one on which the Leader of Majority sought leave for was the one on machines. The other motion is the one we are debating now.

Speaker: Proceed Hon. Peter Kamoche.

Hon. Peter Kamoche: Mr. Speaker, I am talking on behalf of Rurii Ward but not Kiriita Ward. Something is not being understood in this House; there is Kirima Water Project in Wanjohi, Kirima Water Project in Rurii and Kirima Water Project in Shamata. If Warukira water project is indicated to be in Shamata, why not indicate where the Kirima Water Project in question is located?

Speaker: Hon. Peter Kamoche, you are misleading this House; not all projects are indicated in which ward they should be implemented.

Hon. Peter Kamoche: Obliged Mr. Speaker; but there is no dispute over the other projects. The dispute is over the Kirima water project in question...

(Hon. David Ndirangu (Mirangine) rises on a point of order)

Speaker: What is it Hon. David Ndirangu?

Hon. David Ndirangu (Mirangine): Mr Speaker, Hon. Peter Kamoche's problem is as a result of absenteeism. He should have raised his concerns when we were discussing the Budget. So the Member for Rurii is out of order.

Speaker: Proceed Hon. Peter Kamoche.

Hon. Peter Kamoche: Mr Speaker, the issue of absenteeism should not arise; the Member for Mirangine is not the one who keeps the register.

(Laughter)

I was in the Assembly yesterday though I never attended the afternoon sitting...

(Hon. Kimani Njiraini rises on a point of information)

Speaker: Hon. Peter Kamoche, do you require the information from Hon. Kimani Njiraini?

Hon. Peter Kamoche: Yes, I do Mr Speaker.

Speaker: Proceed, Hon. Kimani Njiraini.

Hon. Kimani Njiraini: Mr Speaker, it is not fair for an Hon. Member to claim that another Hon Member was absent in the House. I remember Hon. Peter Kamoche was in the new Assembly chamber when we convened there for a test run, and he was smartly dressed.

(Laughter)

Hon. Peter Kamoche's grievances should be listened to because he is an Hon. Member of this House.

(Hon. Michael Kirumba rises on a point of order)

Speaker: What is it Hon. Michael Kirumba.

Hon. Michael Kirumba: Mr Speaker, it seems there is a problem here. We agreed that when we are drafting itemized budgets, wards in which various projects are proposed for implementation should be indicated. If you go to page 79 of the itemized Budget, you will find that the location of Kirima Water Project is not indicated. But there is an indication that the Kirima Water Project stated is for Rurii Ward. The Leader of Majority may be required to seek leave that the motion be moved another day so that the House can clarify which Kirima water project is being discussed. That will stop any impending conflict. The indication, as it were, is that the money in the budget under Kirima water project is the one allocated for Rurii Ward.

(Hon. David Ndirangu (County Member) rises on a point of order)

Speaker: Yes County Member from Weru, Hon. David Ndirangu.

Hon. David Ndirangu (County Member): Thank you Mr. Speaker, I beg you to apply Solomonian wisdom in solving the issue at hand. The Member for Shamata and the Member for Rurii are in contention over the project in question. This is because the Budget report does not indicate the Kirima Water Project is for which ward.

(Hon. Kariuki Muchiri rises on a point of order)

Speaker: Yes, Hon. Kariuki Muchiri.

Hon. Kariuki Muchiri: Thank you Mr Speaker, the argument that has cropped up is a serious one.

(Consultations)

Protect me Mr Speaker, because what I want to say is important.

Speaker: Order! Order members!

Proceed Hon. Kariuki Muchiri.

Hon. Kariuki Muchiri: Thank you Mr. Speaker, I have had time to scrutinize the Budget. I have realized that there is a serious problem. Consequently, I wish to stand on Standing Order No. 57 which I wish to read:

Motion in possession of the County Assembly

After the question has been proposed on a Motion, the Motion shall be deemed to be in the possession of the County Assembly, and such Motion shall not be withdrawn without the leave of the County Assembly. (*County Assembly of Nyandarua Standing Orders, 2014*)

Mr. Speaker, we do not want to do something that is wrong as an Assembly. If this motion is passed, the issues that have been raised by Hon. Peter Kamoche will not be addressed. We want to know who is in the right; is it the Member for Shamata or the Member for Rurii? Because this is a House of procedures and we want to be fair to every Member, let the truth prevail in this House. With regard to this Mr. Speaker, I humbly seek your indulgence that this motion be withdrawn to allow the House make further consultations on the matter at hand.

(Applause)

(Hon. Kimani Njiraini rises on a point of information)

Speaker: Hon. Kariuki Muchiri, do you require the information from Hon. Kimani Njiraini?

Hon. Kariuki Muchiri: No, I do not require the information Mr Speaker.

Speaker: Before any further contribution, let me make a ruling on the issue at hand.

(The Speaker consults with the Clerk-at-the-table)

The matter at hand has taken another direction. Having risen on Standing Order No. 57, Hon. Kariuki Muchiri has prompted another motion; that is, the motion on withdrawing the motion at hand in order for the House to make further consultations. So, Hon. Kariuki Muchiri you should call the seconder.

Hon. Kariuki Muchiri: Thank you Mr. Speaker, I wish to call the Deputy Leader of Majority, Hon. Michael Kirumba, to second the motion

Speaker: Yes Hon Michael Kirumba, but, before you proceed this is not a matter of who is in or who is out, this is a matter of further clarification for the sanity of this Hon. House. Proceed

Hon. Michel Kirumba: Thank you Mr. Speaker, I think the Standing Order No 57 is very clear and that's why we will go on record as being members who are fair to each other. I need clarification on this leave that the leader of majority seeks, because nobody is the winner here. This a question of where this money is supposed to go. Who knows, we may pass resolutions here, in a rush, which may not be right only to find out sometime later when something goes wrong that we took the wrong decision and it would be very unfair Mr. Speaker. I, therefore, propose that we grant the leader of majority time to go and clarify the exact location of this water project; whether it is in Shamata or in Rurii ward. Once there is clarity then the motion can be re-channeled through

the House Business Committee and, subsequently, back to the House so that we can discuss it openly and candidly.

This way, I believe we shall all have a clear conscience for I know there is no reason why any member would want any other member to suffer. The people of Shamata and those from Rurii are cousins; they have intermarried, they are sisters and cousins and good relations must be cultivated for the sake of the future. What we are asking for, by invoking the provisions of Standing Order No 57, is clarification so that we can pass informed resolutions. This is not a matter of life and death. It is not a bill and it is not bound by timelines. Surely, there would be no harm if we gave it a day to go and cross check. Even the smartest drivers sometimes reverse and drive slowly, giving themselves time to rethink. There is nothing wrong with cross checking the facts; it is the right way to go. With those few remarks, I beg to second the motion of cross checking this virement, Thank you, I second.

(Question proposed)

Speaker: Yes, Member for Shamata, Hon. Kinyanjui Gachari

Hon. Kinyanjui Gachari: Thank you Mr. Speaker. I rise to support this motion with a lot of pain and unless it is confirmed that this money is meant for Rurii, the virement should be allowed. This claim, by the Member for Rurii, is not the first one; there is a Kirima Water Project in almost every ward. There is a Kirima water project in Central Ward and one in Leshau-Pondo Ward. The Kirima Water Project in Shamata is a major project which has been operational throughout Moi's regime and even during the time of Kenyatta. It was started by the old men in my area and before the County took over.

Mr. Speaker, a lot of Shamata's allocations has been removed but, this time round I will not tolerate theft, my people in Shamata are waiting for the borehole. Hon. Kamoche came to my ward because he wanted to see what I was doing on the ground but then decided to come and spoil, but all the while he has been the enemy no one of the people in Shamata, and I declare today that he is not in a position to rethink about this project, All the while the project has begun, originating from finance and it was brought into this house and he has no document that that project is not from that area. He could have come with a document from the department of water to prove but it is not there, I came with a report from finance to prove that water is from Shamata. But if he just came from nowhere to come and...

(Hon Kamoche stands on a point of order)

Speaker: Yes, member for Rurii, Hon. Kamoche.

Hon. Wahome Kamoche: Mr. Speaker, is it in order for the Member for Shamata to call me an enemy to the Shamata people?

Speaker: Order member for Shamata. Proceed Hon. Kamoche

Hon Wahome Kamoche: Is the Member in order even to shout at me as he is speaking, is he in order to say that I have come from nowhere knowing very well that am a Member of this House, is he following the codes of the House that do not allow him to bully any one?

Speaker: Honorable members, I know the matter at hand is squarely based on Hon Kamoche and Hon Gachari, and it is paramount to understand that this house has the rules and procedures, and honorable members for purposes of sanity in the house now that your honorable member, the honor in you, please as you contribute ,withhold your anger, I know there is bitterness in us but as we contribute let is control ourselves I may not control what Hon. Kamoche is telling

me to do ,and I may not be able to control Hon Gachari but what I will tell you Hon. Gachari, please control yourself as you contribute. Proceed Hon Gachari

Hon Kinyanjui Gachari: Mr. Speaker, I am very sober but am angry, Rurii and Shamata is quite far off from each other and claiming this money is for Rurii, he should have come with a document to show that, that's why I said that he came from nowhere, he should have come with a document to prove. I went to the department of water, to the department of finance and I came with the document written by the minister and the CEO. I would like to state in this honorable house that that money is purely Shamata money and let it be calculated, all the money that was meant for my ward, when the people went there they went with all the money, I was left with nothing. I will not allow this money to move out of Shamata because of someone who has interest. I leave it there.

Speaker: Hon Kamau Njoroge

Hon. Josphat Kamau: Thank you Mr. Speaker I rise to support this motion that with the leave of the House we suspend this motion. Why? The debate has constituted so much about Kirima water project, if you look at what is on the motion and what is in the budget there is no correlation, we are talking of 3.84618 being vired and what we have in the budget is 2.49547, meaning that the money being vired is not the money in the budget but some other money that we can hardly define the source, the extra money. If you go the budget, I want to support because of what I get from Ndaragwa Sub County where Hon. Gachari represents the people of Shamata

Also if you look at the order of these projects; Githamaki Water Project in Ndaragwa Central, the contentious Kirima water project. Shauri water project is in my ward and Karugoini borehole water project is in Kiriita ward , so in our sub county we are only left with one ward that has no specific project which has not shown clearly, most likely this money goes directly to Shamata because the projects have been arranged according to each sub county so what am saying is we do not stop this project, we first get clarity of where we are getting the money, let the executive clarify where it is getting the extra source of money so that we can give in to this motion that being the question I want to bring to the attention of Hon Gachari if the money is fake we will not support, but if the money is legally meant for you we will support you to make sure Hon Kamoche does not take your vote head . I move

Speaker: Hon Thuita member for Gathanji ward

Hon. Samuel Thuita: Thank you Mr. Speaker I stand to support the motion, but I also need clarification on whether we are withdrawing or suspending the motion to a later date, if preferred this motion can be debated this afternoon because what we want to get is the fact from the department of water. If the water department says Lagati, the sub county or person in charge knows this project and should bring the necessary document to the office of CEO so that the process can start where we get to know if the sub county is in Ol'Kalou has structured the water projects in the sub county of Ol'Kalou in order to go the chief officer in order to go to Shamata sub county has submitted the same. So Mr. Speaker in order to verify, its only thirty minutes to the offices, so instead of withdrawing this motion we can suspend it to a later date even to this afternoon because that is something that can be done in minutes, the people in the department of water know exactly where this project is, so we need to know if the sub county office in Ol'Kalou has this project in Shamata the money allocated by the office of the chef officer ,the same in Ndaragwa, so Mr., Speaker we should withdraw but suspend to a later date maybe this afternoon, I support

Speaker; Hon Njiraini, member for Gathaara ward.

Hon Samuel Njiraini: Thank you Mr. Speaker I support the motion of withdrawal although it will still come back to this House due to the timelines of implementation of the project. The essence of the project not being named after their wards this has created a lot of controversy.

Whenever there was a road like the road in Mahinga form Kaimbaga the member for Kipipiri was complaining the same project belonged to his ward, another project of Macharia toward Mahiga-in wanjohi, there was a lot of confusion in Ol'Kalou sub county both projects were referred to as Ol'Kalou projects, so I think Mr. Speaker there needs to be clarification, there was money allocated for each project. There was money for Hon Kamoche and Hon Gachari, there was 8 million for water and 12 million for roads there was extra money for water where each ward was given 2.5 million, so the executive should be able to know exactly about the project. There will not be a lot of confusion if they searched.

Speaker: The mover.

Hon Kariuki Muchiri: Thank you Mr. Speaker the standing order no 57 is very clear that this house can withdraw the motion but the motion can also be reintroduced in the assembly with the leave of the speaker. I want to request the members to have seen the sense of going to the department and looking into the records and making a decision based on the facts. This is an assembly that is very objective with all on the table, so this assembly should be very fair and not unfair to Hon Kamoche and Hon Gachari. We want clarity of this issue and we I will take it upon myself to visit the department of water with the two members so that this matter is ironed out and then the matter is reintroduced into the assembly. Thank you Hon members for supporting this motion that we withdraw it so that we can make further consultation and I beg to move

(Question put and agreed to)

Speaker: Honorable members as the leader of majority has expressed, as honorable members we would expect the bring the report from the department of water and the department of lands the actual clarification of this project, so that tomorrow in the evening we shall be able to sort it in the order paper and be reintroduced in the house, this is closed as per now. Are you standing on a point of order?

(Hon Kamoche rises on a point of information)

Speaker: Proceed and if you do not have proper information do not mislead the house

Hon. Wahome Kamoche: We have been invited for a meeting of the aspirants at...

Speaker: Hon. Kamoche you are not the leader of the government business in this House. We have a leader of the majority party who is allowed by the Honorable Speaker and the House to communicate on that, so resume your sit.
Next order.

ADJOURNMENT

Speaker: Having exhausted the business for the morning session, the House now adjourns to this afternoon at 2:30 p.m.

(House rose at 10:55 a.m.)

