

REPUBLIC OF KENYA
MURANG'A COUNTY ASSEMBLY
THE HANSARD

Wednesday, 14th August 2024.

The Assembly met at 10:00 a.m.

[Temporary Speaker (Hon. Hanna Wairimu) in the Chair]

PRAYER

SCHEDULE OF STATEMENTS

APPROVED BUSINESS OF THE ASSEMBLY FROM THE WEEK COMMENCING
TUESDAY, AUGUST 20, 2024 TO WEDNESDAY AUGUST 21, 2024

Hon. Liz Mbugua: Thank you, Hon. Speaker. I would like to bring the Statement on approved Business of the Assembly, this date of 4th August 2024. The Statement approves Business of the Assembly from the week commencing Tuesday, August 20, 2024 to Wednesday, August 21, 2024.

Hon. Speaker, on August 20, 2024, morning sitting, we shall have Murang'a County Industrialisation Policy 2024-2028 by the Chair Trade, Industrialisation, Co-operatives Management and Tourism and Wildlife Committee; Paper number two, Report of the Murang'a County Wetlands and Riparian Areas Policy by the Chair Energy, Environment, Forest and Natural Resources Committee; notice of Motion; adoption of the Report of the Murang'a County Wetlands and Riparian Areas Policy by the Chair Energy, Environment, Forest and Natural Resources Committee. The Motion of adoption of the Report of the Murang'a County will still be on August 20, 2024, afternoon Sitting; adoption of the Report of the Murang'a County Wetlands and Riparian Areas Policy by the Chair Energy, Environment, Forest and Natural Resources Committee;

On Wednesday, 21st August, 2024, morning sitting, we shall have a schedule of the Statements, approved business of the Assembly from the week commencing Tuesday, September, 24, 2024 to Wednesday, 25, 2024 by a member of the House Business and Rules Committee. The notification of long recess will be from Thursday, 22nd August 2024 to Monday, 23rd September 2024.

Thank you.

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MOTION

ADOPTION OF REPORT OF EDUCATION AND CHILD WELFARE COMMITTEE ON INVESTIGATION REGARDING THE MURANG'A COUNTY GOVERNMENT NYOTA ZETU SCHOLARSHIP PROGRAM

Hon. Naomi Maina: Thank you, Madam Speaker. I beg to move the following Motion; -

That, this Assembly adopts the Report of the sectoral Committee on Education and Child Welfare on investigation regarding the Murang'a County Government Nyota Zetu Scholarship Program, laid on the Table of the Assembly on Tuesday, August 13, 2024.

Hon. Speaker as the members have the Report on their files, I wish few issues on the following. Background information on Nyota Zetu. The current Nyota Zetu scholarship fund is anchored in the Murang'a County Education Scholarship Fund Regulations, 2021 which was adopted by the County Assembly and assented to on September 26, 2021.

Initially each ward was allocated 25 students which was later increased to 30 students in 2022. So far two cohorts of students under the program have already completed secondary education. The only ones remaining are the ones in Form three and four. The Scholarship program is therefore expected to end in December 2025 when the last cohort of students enrolled in 2022 will complete their secondary education.

The purpose for creation of the fund under recurrent expenditure was to pay school fees for bright and needy secondary students, orphans and PWDs as tabulated in the table below for the four years under the review. We have the years tabulated here, 2019 we had number of students 900 and they have completed their form four. 2020 we had 874 who had already completed their form four. 2021 we had 1867 the number of students continuing with their studies, they are in their form four. In 2022 we had 1470 who currently are in form three.

On expenditure summary FY 2023/2024. Members you can see the summary on page two, we have a total of 428 students who cheques have been Withheld. We have 110 students with 32,000 no cheques for term 1 and term 2. We have a deficit of 9,460,000.

Submission by the County Executive Committee Member (CECM) for Education and Technical Training. Hon. Speaker, on July 24, 2024, Ms. Faith Njoroge, the County Executive Member for Education and Technical Training and the Chief Officer appeared before the Committee to respond on the following irregularities on the fund; -

1. Explain why there has been an increase in the number of students from the intended 1540 students in 2019 to the current 2372 in 2024 and what informed the decision to increase the figure.
2. Explain; -
 - a. What is ward 36 and why a total of 618 students in form one, two, three and four from Ward 16 were issued a total scholarship of Kshs 24,720,000 in FY 2022/2023
 - b. Why another list made of 96 students christened "Kinyona 2" was issued with scholarships worth Kshs 3,840,000 in FY 2022/2023 whereas the same Kinyona ward had 87 students issued with scholarships in Term 3. 2021.
 - c. Why do we have the above extra lists whereas the Ward Education Scholarship Committee is required to vet and approve bursary applications from the wards
3. Kindly explain why some wards like Township and Kinyona among others have more students sponsored under the scholarship bursary fund more than other wards whereas the number of students is required to be equal in each ward.
4. Kindly explain to the Committee why you have never submitted to the Committee the annual Fund management reports scheduled not later than the last day of February each year contrary to Regulation 19 of the Murang'a County Scholarship Fund Regulations 2021 to inform the Committee on; -
 - a. performance of the Fund,
 - b. the number of beneficiaries disaggregated in accordance to gender and ward;
 - c. overview of the academic performance of the students supported under these regulations, and
 - d. overview of the enrolment, retention, transition and completing levels of students supported by the fund during the year.
5. She was to table the actual list of students sponsored by the County Government before verification and after verification.
6. She was to explain the variance why in Term 1, 2024 where we have 2,372 students and Term 2, 2024 only 1,965 students were sponsored who have been sponsored.
7. She was to give the financial analysis and financial statement per student.

8. Was to explain why cheque worth 9,460,000 whereby we have 82 students for First Term, 428 students for 2 term, 67 students who are PWDs and children and another 110 verified students for term one and term two their fees have not been paid.
9. She was to explain why in 2024 there are still form two students under the scholarship program of the fund whereas only form threes and form fours should be in the program, as the program is expected to end in December 2025.

Madam Speaker, through analysis of submitted documents and oral submissions by the County Executive Committee Member for Education and Technical Training, the Committee made the following observations; -

1. That during the last regime, there was a lot of political interference on allocation and issuance of Nyota Zetu bursaries. This resulted in creation of an extra ward known as “Ward 36” which had a combined total of 1344 beneficiaries recruited in 2021 and 2022. A further extra list christened “Kinyona 2” had a total of 97 beneficiaries.
2. That there is poor data management and record keeping by the relevant executive department as some information were problematic to trace while others were completely missing. The Committee could therefore not ascertain the correct and actual number of beneficiaries under the program.
3. That the total amount of scholarship not paid for term one and two in 2024 is Kshs 9,460,000.
4. That some wards have more beneficiaries sponsored under the program whereas the correct number of students per ward is supposed to be 55 for year 2021 and 2022 combined.
5. That the legal provisions as provided for under the Murang’a County Education Scholarship Fund Regulations, 2021 were not adhered to in that: -
Regulation 19 requires that “The Executive Committee Member shall prepare an annual report which shall be submitted to the County Executive Committee and transmitted to the County Assembly not later than the last day of February each year.

The annual report shall provide among others;-

- a. Performance of the fund;
- b. The number of beneficiaries disaggregated in accordance to gender and ward;

- c. Overview of the academic performance of the students supported under these regulations; and
 - d. Overview of the enrolment, retention, transition and completing levels of students supported under this Fund.
6. This has never been honoured since the inception of the program and that hampers the oversight role of the Assembly.
 7. That the Murang'a County Education Scholarship Fund Regulations of 2021 have some ambiguous provisions and needs to be reviewed and amended.
 8. That the issuance of bursaries was done up and above the allocated budget figure hence inability to clear fees for all beneficiaries.
 9. That the recent verification exercise at Ihura stadium was marred with a lot of challenges and there is need to undertake another verification process at the sub-County level.

Now we go to Committee recommendations, and these are our recommendations as a Committee, that; one, within 30 days after the adoption of this Report, the County Executive Committee Member (CECM) for Education and Technical Training should ensure that the Ward Education Scholarship Committees as provided for under Regulation five and six of the Murang'a County Scholarship Fund Regulations, 2021, are operationalized and names submitted to the County Assembly for approval.

Two, that the sponsorship of the extra students who are christened as the 'ward 36' totaling 1,344 and 'Kinyona two' totaling 97 students should be continued pending verification. That, within 45 days after the adoption of this Report and in line with the provisions of Regulation 19 of the Murang'a County Education Scholarship Fund Regulations, 2021 the County Executive Committee submits to the County Assembly the annual performance report of the Murang'a County Scholarship fund for year 2023.

That, within 30 days after the adoption of this Report, County Executive Committee Member in charge of Finance initiates the review of the Murang'a County Education Scholarship Fund Regulations of 2021.

Now, let us go to number five, another recommendation; that to address the issue of poor record keeping in the administration of the fund; the CECM for Education to fully automate the

bursary application, processing and issuance to ensure openness, proper record keeping and accountability.

The CECM for Finance should ensure the issuance of bursaries and scholarships is guided by the allocated budget. This will guarantee beneficiaries are catered for without shortage of funds. Seven, the CECM for Finance to immediately release the balance of Kshs9,460,000 for first and second terms 2024, including the cheques for term three 2024.

That the Nyota Zetu scholarship fund be terminated on December 2025 when the last group of beneficiaries who joined in the of year 2022 will complete their secondary education. That within 14 days after the adoption of this Report, the CECM for Education submits to the County Assembly, the breakdown of an itemized expenditure of Kshs235 Million allocated to the Murang'a County Bursary and Scholarship Fund in the approved budget of FY2024/2025.

That within 30 days after the adoption of this Report, the County Government of Murang'a in conjunction with the Murang'a County Assembly Education Committee conducts a fresh verification of the Nyota Zetu beneficiaries at the sub- County level. The verification process should be robust and comprehensive and highly published to ensure all beneficiaries are informed of the verification.

That, the verification of the beneficiaries should encompass the following; one, the ward of the beneficiary. Two, the class or the form they are in. Three, the year they started benefitting from the program, and last but not least, that the verification exercise and the CECM to organize a consultative meeting with the Committee to validate the final list of beneficiaries and discuss the way forward on the Scholarship fund. That after verification at the sub- County level now, the final validated list of beneficiaries be prepared and submitted to the County Assembly for consideration. Lastly, there should be no further recruitment of students after the Nyota Zetu program. I now call upon Hon. Wairagu, that is the Member of County Assembly (MCA) from Gitugi to second the Motion. Thank you, Madam Speaker.

Hon. Edwin Wairagu: Thank you Madam Speaker, I am a Member of this Committee and also representing the people from Gitugi. I stand here to second the Motion which has been so well articulated, and direct to the point, as we support our program, particularly education sector. As I second it, I request that you grant me leave to emphasis some of the issues explained by our chairperson, Education Committee who had done a great job together with CECM education and this is what actually this what Murang'a people want. As I stand here in this Assembly, I would

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say that the initiators of this program they had a very valid and explicit dream to ensure that the continuity of our education sector particularly in Murang'a County. It was a great dream since our young people have every reason to go to school and get education.

Having said that as per what we observed as members of this Committee as per what have enumerated here, I would further say that it is true, there is a saying that says when you see a tortoise on the top of the tree it cannot climb itself there, someone must have put it there. We have seen in our Report that there are issues of political interference and we say that when we have political interferences definitely *siasa mbaya maisha mbaya* (bad politics, bad life). We are able to get some of these instances whereby we have different areas like Kinyona two, we have ward 36 which we know within jurisdiction we do not have such a ward in Murang'a County.

Due to political interferences these things were brought here whereby they consumed what is supposed to be rightly owned by the people who deserve this education, whoever did that and I am grateful to Education Committee where I am a member.

As we continue with the verification, we are going to continue supporting them in this way that they are going to be paid their school fees had to be paid until we do the verification. The point further is as we do the verification as my submission there earlier as when you see a tortoise there somebody has done it you cannot punish that tortoise.

In that case as we agreed that these students even if they came in a dubious way that is not in conformity in standing rules, the regulations that are there but according rule 19 it was actually has been conspicuous, the rule were not followed but we cannot now come and blackmail or we cannot come here and start punishing these people and we agreed as a Committee we are going to support these students until the verification is done.

Further because we are going to come back her with another Report, we think that is the ways possible. How do we deal with this Kinyona two issue? How do we deal with this? This should be taken in our subconscious mind that will rest it in the grave of no remembrance at all. One thing we keep capturing in our mind--- we keep on asking ourselves do we have another ward called Kinyona two and therefore as we proceed let us the members of this government ensure that fairness is embraced, let us ensure that somebody in Gitugi, Gaturi, Township where they equally get what is rightfully theirs. I will say that I am very supportive to this issue; the other day we met with our Governor H.E. Dr. Kangata and he actually gave us a helping hand and he told us to go out there and get these students particularly in our day secondary schools, and those joining

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universities to be given bursaries. This is good because it tells the public that the leadership in the executive and the County Assembly are in tandem in terms of supporting continuity, our education culture to our students and that is something to applaud the governor for.

The other thing, if all factors remain constant, when we go to the ground, as the chair of the Committee has said, that we are going to have sub-County meetings to verify the details of these people. We are telling our students to continue studying to their limits, education has been taken care of, and once we do this, we are sending a signal to our people that Murang'a County is in need of supporting every student to continue with education. As I sit down, the issue of polytechnics, I have to stand here and say that the government has really helped the tertiary institutions especially polytechnics, I stand here, I will say that I am one of the beneficiaries of Mutitu polytechnic, and the executive brought many items there, the tools and we are on record that we came for the graduation here and so many people are doing this. This is the best move and the members should support this so that we move to the next level. Thank you.

Temporary speaker (Hon. Hannah Wairimu): Thank you Chair Education and the Committee for the good work that you have done.

(Question proposed)

Hon. Gladys Waikau: I rise to support this Motion and say that the Committee has done a very good job but my main concern is about the five students that, their school fees had not been paid for third term 2024 and as a parent I am concerned about these children. And I am wondering at third term when maybe these people are supposed to be revising for the end of exam for that year. I hope these people were, it was taken seriously and it has been the school fees has been paid. It is notable with great concern that it will affect the performance of these children. And I like to ask the CEC for Education to always first track paying for fees for these children so that it may not affect their performance. Thank you so much.

Temporary Speaker (Hon. Hanna Wairimu): Hon. Liz

Hon. Liz Mbugua: Thank you very much Hon. Speaker. I would like to take this opportunity to thank you the Members of the Education Committee for the good work that you have done. And on the same, it is good to study and do the clarification, when we mention Kinyona, you say Kinyona one, Kinyona two, it is good to confirm that we only have one Kinyona and that

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one Kinyona is well represented by Hon. Liz. And also, to my brother Hon Edwin from Gitugi as you said, you really want to have clarification on how these things were done through the government, whether there was corruption or the way they used to do their list it is also good to confirm that this list was not done during our tenure it was done before we came into this Assembly.

As you have heard we also have ----

(Hon Edwin Wairagu rose on a point of order)

Temporary Speaker (Hon. Hanna Wairimu): Yes, Hon. Wairagu.

Hon. Edwin Wairagu: Hon. Speaker I think in my record, the good Member Hon. Member from Kinyona she has just put words which I never said, I never mentioned about corruption but I just said political interferences. The word corruption is so grave, is so weighty particularly to a political minded person. And therefore, I would request through you Hon. Speaker, you request our Hon Member to withdraw the statement that I mentioned the issue of corruption. Instead, what I said is that political interference and wondered whether there are two Kinyonas, Kinyona one and two? And I said that most likely we have 37 wards and that is what maybe clarification you can give. Thank you

Temporary Speaker (Hon. Hanna Wairimu): Hon. Liz, can you withdraw the statement?

Hon. Liz Mbugua: I withdraw the statement Honorable Edwin, but I think even what is written in the Report there is Kinyona one, Kinyona two and it is always good for me to stand and say that we only have one Kinyona within Murang'a County.

Number two as you said about political interferences, I said this list was not made during or by the time I was getting into these government so whatever happened before it was not through my administration. It was not even through our Hon. Governor's administration so whatever happened through the other government, I think even when we had our meeting it was well explained. And as the Chair has that said we will continue to wait for the investigations so that we can see, if we have other pupils who were being put at this moment then by then we can stand and say this is not correct. But for the other list I don't think we have any other opportunity to stand and as you said if you see that thing is being put on the tree, we cannot cut their education life or we cannot send them back home, we will have to continue to engage them, support them, let them finish their education after that, whoever will come after 2027 will deal with the case.

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If I have my people, within the Kinyona ward, I think I support them very well with our bursary that we are being given through our Ward projects. So, through the Chair, I will really request to consider and to have an agreement. Even to call those parents and actually it is good to note that, they were not even my supporters because my competitor through the Government, or the people who put those children or those people in the list. So, I will plead that we may continue paying for their school fees once they finish, we are making our Murang'a great. I think we had the other ward that is called ward 36. I will really stand to even protect my Governor because whatever was happening, everyone who was coming, and you know we are within Murang'a town. So, whoever came from Gatanga and got into his office, by the time maybe he was told he will be assisted, that is where they used to record like ward 36. It does not mean so specifically that those people are from Murang'a town or Murang'a township ward. Maybe they are from all wards within 35 wards. So, I still stand to request the Chair and members of Committee on Education to support them. Let them finish then, if we have others who are in form one form two, then we can have a consideration to know the Member of the County Assembly what they can do with the list. But for now, I kindly request you we support them. Thank you, Madam Chair.

The Temporary Speaker (Hon. Hanna Wairimu): I call the mover to respond

Hon. Naomi Maina: Thank you, Madam Speaker. Also thank you Hon. Members for responding and I will start thanking Hon. Wairagu for seconding the Motion. Indeed, you have highlighted a detailed contribution to the Motion. You have highlighted different issues. Thank you so much.

Hon. Gladys to respond to your concern, as you can see from recommendation number seven, we have directed the CECM of Finance to immediately release the balance of 9.4 million for the first and second terms 2024 including the cheques for term three 2024. That one we are going to follow up as a Committee. Thank you so much for your contribution.

I would also like to respond to Hon. Liz. Thank you, and indeed I can confirm to even to member for Gitugi. Yes, we only have Kinyona, we do not have Kinyona one, Kinyona two, and indeed we understand as a Committee Kinyona two came under political influence. That is why we said that we are not going to punish the kids. We are just going to continue supporting them. So, I would like to urge members, let us support this Motion for the benefit of our students and also for the benefit of our people as Murang'a County. Thank you so much. Thank you for supporting.

(Question put and agreed to)

The Temporary Speaker (Hon. Hanna Wairimu): Next order.

ADJOURNMENT

The Temporary Speaker (Hon. Hanna Wairimu): Hon. Members, there being no further debate, this House now stands adjourned until Tuesday, August 20th this year at 9:30 a.m.

The House rose at 10:38 a.m.