

Tabled on  
10/02/2014  
By Hon. Samson  
Kago



# MURANG'A COUNTY ASSEMBLY

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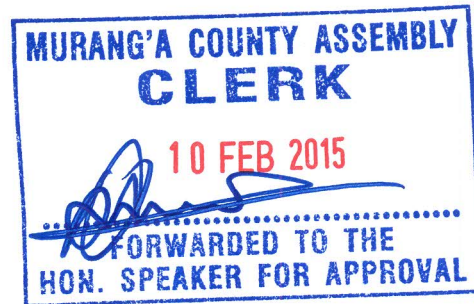
February 10, 2015

The Hon. Speaker

Thro'

The Clerk  
Murang'a County Assembly  
P.O.Box 731

MURANG'A



**RE: PAPER LAID**

Hon. Speaker, I beg to lay the following Paper on the table of the House;

The report of the Land, Housing, Physical Planning and Settlement Committee on vetting of Daniel Rukunga Kithunka for the appointment as a Chief Officer in the Land, Housing and Physical Planning Department of Murang'a County Government.

Thank You

Hon. Speaker

  
Hon. Duncan Mwangi Njuguna

Chairperson, Lands, Housing, Physical Planning and Settlement Committee



## MURANG'A COUNTY ASSEMBLY

### FIRST ASSEMBLY

SECTORAL COMMITTEE ON LANDS, HOUSING, PHYSICAL PLANNING AND SETTLEMENT

#### REPORT ON

THE VETTING OF DANIEL RUKUNGA KITHUNKA FOR THE APPOINTMENT AS A CHIEF OFFICER TO LAND, HOUSING AND PHYSICAL PLANNING DEPARTMENT

Clerk's Chambers

Murang'a County Assembly

February, 2015

## Table of Contents

1.0	PREFACE.....	3
1.1	COMMITTEE MEMBERSHIP.....	3
1.2	COMMITTEE MANDATE.....	3
1.3	COMMITTEE MEETINGS.....	4
1.4	ACKNOWLEDGEMENTS.....	5
2.0	BACKGROUND.....	6
3.0	VETTING OF DANIEL RUKUNGA KITHUNKA FOR APPOINTMENT AS CHIEF OFFICER FOR LANDS, HOUSING AND PHYSICAL PLANNING.....	8
4.0	COMMITTEE OBSERVATIONS.....	11
5.0	COMMITTEE'S RESOLUTIONS.....	12

## ANNEXES

Annex 1-11

## **1.0 PREFACE**

On behalf of the Lands, Housing, Physical Planning and Settlement Committee, it is my pleasure and duty to present to the County Assembly the Committee report on vetting of a Chief Officer.

### **1.1 Committee Membership**

The Committee comprises of the following members:-

- |                                |                   |
|--------------------------------|-------------------|
| 1. Hon. Duncan Mwangi Njuguna  | - Chairperson     |
| 2. Hon. Samson Kago Njoroge    | -Vice Chairperson |
| 3. Hon. Francis Kamande Kamau  | - Member          |
| 4. Hon. David Gachuru Kabaka   | -Member           |
| 5. Hon. Charles Mwaniki Karina | -Member           |
| 6. Hon. Catherine Wairimu Mugo | -Member           |
| 7. Hon. Charity Wangui Rugu    | -Member           |
| 8. Hon. Esther Nyakio Munywoki | -Member           |
| 9. Hon. Lucy Wangechi Njoroge  | -Member           |

### **1.2 COMMITTEE MANDATE**

The Sectoral Committee on Lands, Housing, Physical Planning and Settlement has the following mandates:-

- To deal with Lands and settlement matters as outlined in the Constitution;
- To study and review all the Legislation in line with it;
- To make reports and recommendations to the House regarding lands,

Housing, Physical Planning and Settlement.

### **1.3 COMMITTEE MEETINGS**

Pursuant to Standing Order 46(4), the Committee held the vetting of the nominee on February 4, 2015 during which the suitability of the nominee for approval for appointment as a Chief Officer was considered.

The process was guided by Chapter six and article 250 of the Constitution, Standing Orders and the criteria as set out in article 7 of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011. The following considerations were given priority:

- (i) Academic qualifications
- (ii) Employment record
- (iii) Professional affiliations
- (iv) Potential conflict of interest
- (v) Knowledge of the relevant subject
- (vi) Overall suitability for the position
- (vii) Tax compliance
- (viii) Integrity

Pursuant to Standing Order 195(5) (f) the Committee held a meeting on February 9, 2015 and adopted the report.

#### 1.4 ACKNOWLEDGEMENTS

(a) The Committee wishes to sincerely thank the Offices of the Speaker and the Clerk of the County Assembly for the support extended to it in the execution of its mandate.

(b) The Chairperson of the Committee takes this opportunity to thank all the Members of the Committee for their patience, sacrifice, endurance and commitment to public service under tight schedules which enabled us to complete the task within the stipulated period.

(c) Finally, it is now my pleasant duty, on behalf of the Sectoral Committee on Lands, Housing, Physical Planning and Settlement, to present and recommend this report on the approval of Mr. Daniel Rukunga Kithunka as a Chief Officer, Lands, Housing and Physical Planning.

Thank you.

SIGNED.....

DATE.....9/24/2015.....

Hon. Duncan Mwangi Njuguna

(Chairperson)

Committee on Lands, Housing, Physical Planning and Settlement

## **2.0 BACKGROUND**

### **NOMINATION OF CHIEF OFFICER FOR LANDS, HOUSING AND PHYSICAL PLANNING DEPARTMENT**

On January 23 2015, Pursuant to Standing Order No.43 (3), a message from His Excellency the Governor-Submitted by way of a letter addressed to the Clerk to the County Assembly for submission to the House was conveyed. In the messages, H.E The Governor conveyed that, in exercise of powers conferred by Part V, Section 45 of the County Government Act, 2012, he nominated Daniel Rukunga Kithunka as Chief Officer for Lands, Housing and Physical Planning. The Governor therefore sought for approval by the House on the nominee for appointment to the aforementioned position.

Standing Order No.46 (1) requires that, upon receipt of notification of nomination for appointments, such nomination shall stand committed to the relevant Departmental Committee of the House for consideration.

Pursuant to the provisions of the said Standing Order therefore and paragraph (3) of Standing Order 43 (Messages from the Governor), the message from His Excellency the Governor was committed to the Departmental Committee on Lands, Housing and Physical Planning to undertake the necessary approval hearings.

Part III, Section 8 of the County Governments Act requires the County Assembly to either approve or reject the nomination. In this regard, the Hon. Speaker guided the Committee and the House as follows.

(i) That the Committee was to notify the nominees and the general public of the time and place for holding the approval hearings, in good time.

The notification was to be made on January 28, 2015.

(ii) That the Committee was thereafter to conduct the necessary approval hearings On February 4, 2015 and submit their report to this House on or before February 10, 2015.

Pursuant to Section 6(9) of the public appointment (Parliamentary approval act no.33 of 2011) the Committee invited interested members of the public through an advert in the Nation newspaper (Annex 1) to submit any representation by written statement on oath (Affidavit) that may have on the suitability or otherwise of the nominee for appointment as Chief Officer to be delivered on or before February 3, 2015.

On February 4, 2015, Pursuant to the public appointment (parliamentary approval act no.33 of 2011) the County Assembly invited the person who had been nominated for appointment as Chief Officer for vetting by the Departmental Committee on Wednesday February 4, 2015 through an advert in Nation daily papers.(Annex 1).

On February 4, 2015, the Committee conducted the vetting exercise being guided by the Constitution of Kenya, Public Appointment (Parliamentary Approval) Act, No.33 of 2011, County Governments Act and Standing Orders.



The whole process was done by meeting with the nominee, examining Correspondences from the Ethics and Anti-Corruption Commission and the Kenya Revenue Authority as no sworn affidavit was received from the Public.

### **3.0VETTING OF DANIEL RUKUNGA KITHUNKA FOR APPOINTMENT AS CHIEF OFFICER FOR LANDS, HOUSING AND PHYSICAL PLANNING**

Mr. Daniel Rukunga Kithunka appeared before the Departmental Committee on Lands, Housing and Physical Planning for vetting on February 4 2015 at 10.00 a.m. Having submitted his fully filled questionnaire, the Chair informed him that the Committee had not received any memoranda in support or against him from the public. He informed the Committee as that;

1. He holds a Master of Arts Degree in Urban and Regional Planning from the University of Nairobi from 2002.(Annex 2)
2. He holds a Bachelor of Arts Degree in Geography, Sociology and History from the University of Nairobi from 1990.(Annex 3)
3. He holds a Diploma inn Estate Agency and Property Management from the University of Nairobi.(Annex 4)
4. He holds a Certificate in Computer applications from Kenya Institute of Survey and Mapping (2006).(Annex 5)
5. He holds a Kenya Advanced Certificate of Education from St. Paul Gekano High School (1986).

6. He holds a Kenya Certificate of Education (KCE) 1984- Miathene Secondary School.
7. He holds a CPE Certificate from Kithiiri Primary School.(1980)
8. He is an Assistant Commissioner of Lands in the Ministry of Lands from May 2010 to date.
9. He was the Chief Land Administration Officer in the Ministry of Lands from 2007 to 2010.
- 10.He was a Senior Lands Officer in the Ministry of Lands from 2006-2007.
- 11.He was a Land Officer 1 in the Ministry of Lands from 1998-2006.
- 12.He was a Land Officer II in the Ministry of Lands from 1995 to 2008.
- 13.He was a Land Officer III in the Ministry of Lands from 1992 to 1995.
- 14.He attended a National Youth Service Training in 1987.
- 15.He worked in Ndung'u Commission from October 2003 to April 2004.
- 16.He is an active member of Institution of Surveyors of Kenya since 2009.
- 17.He did internship as an associate Planner with Geospatial Planners and Delkin Planners.
- 18.He worked in Central Land Registry as a registrar for 3 years.
19. He is a member of Institution of Surveyors of Kenya since 2009.
20. He is a Chairman of Ardhi Housing Society, Vice Chair of Ardhi Savings and Credit Society, member of Meru Njuri Ncheke Council of elders and Catholic Men Association.
21. He has held public office since he was employed by the Ministry of Lands, Housing and Physical Planning which he earned through merit. He has never been involved in any political activity nor affiliated with any political establishment.



22. He has never been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of public duties.
23. He has no deferred income/future benefits
24. He has no plans whatsoever for outside commitment during service in office.
25. His sources of income are the salary he receives at the end of the month, Sacco dividends and bank interests.
26. He is tax compliant.
27. He is valued at KSH. 20 Million
28. He doesn't know of any potential conflicts of interest in the position for which he is nominated and should such a case arise, he will try to address it in a transparent manner to the higher authority.
29. In solving any potential conflict of interest, including the procedure he could follow, he said he could follow down laid down laws and regulations as provided in the Constitution and the County Governments Act, 2012
30. He is involved in charity work for instance church building activities at St. Francis Catholic Church and also visits Nyumba ya Wazee at Kasarani.
31. He has never been charged in court.
32. He has never been adversely mentioned in an investigatory report of Parliament or any other Commission of Inquiry for the entire of his life.
33. He didn't have any objection in making any enquiries with his employer/referee in course of consideration of his nomination.

#### **4.0 COMMITTEE OBSERVATIONS ON DANIEL RUKUNGA KITHUNKA**

- 1) He has no any potential conflicts of interest in the position for which he is nominated.
- 2) He has never been adversely mentioned in any investigatory report of Parliament or any other Commission of Inquiry.
- 3) He is well knowledgeable in Lands, Housing and Physical Planning issues as he responded to the various questions posed professionally.
- 4) He will no doubt add value to the department given the fact that he has a vast experience gained from the Ministry of Lands, Housing and Physical Planning.
- 5) He meets constitutional, statutory requisites pertaining to the job he is nominated.
- 6) Based on the fact that he is young, energetic and with a good education and professional background, the committee was convinced that he was ready to take up new challenge.

## **5.0 COMMITTEES RESOLUTION**

Pursuant to Article (7) of Public Appointment (Parliament Approval) Act, the Committee found Daniel Rukunga Kithunka suitable and recommended him to be appointed as a Chief Officer for Lands, Housing and Physical Planning for Murang'a County Government.

## Committee Members

## Signature

1. Hon. Duncan Mwangi Njuguna

Chairperson

  
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2. Hon. Samson Kago Njoroge

Vice Chairperson

  
.....

3. Hon. Charles Mwaniki Karina

Member

  
.....

4. Hon. Charity Wangui Rugu

Member

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5. Hon. Francis Kamande Kamau

Member

  
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6. Hon. Esther Nyakio Munywoki

Member

  
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7. Hon. Catherine Wairimu Mugo

Member

  
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8. Hon. David Gachuru Kabaka

Member

  
.....

9. Hon. Lucy Wangechi Njoroge

Member

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