

MURANGA COUNTY ASSEMBLY THE HANSARD

Thursday 22nd September 2016

The House met at 2:41 p.m.

(Temporary Speaker Hon. Bernard Kariuki in the Chair)

PRAYERS

PAPERS

REPORT OF DELEGATED COUNTY LEGISLATION COMMITTEE ON PRIVATE AND COMMERCIAL SCHOOLS BY-LAWS 2007

(Paper deferred)

Hon. Charles Kirigwi: Mr. Speaker this is the second time that we are deferring this issue and I can see very able members from that committee in this House. I think it is not fair to the tax payers because we cannot have the same issue being deferred time and again, Mr Speaker give us guidance.

Temporary Speaker (Hon. Bernard Kariuki): I think that if there were members in the House they should have moved the paper. That matter is overlooked and it will be tabled next sitting.

NOTICE OF MOTION

ADOPTION OF FINANCE AND ECONOMIC PLANNING COMMITTEE REPORT ON THE MURANG'A COUNTY DEBT MANAGEMENT STRATEGY PAPER 2016

Hon. Joseph Kimani: I beg to move the notice of following motion;-

That this Assembly adopts report on sectoral committee on Finance and economic planning on the Murang'a County Debt Management Strategy Paper 2016, laid on the table of the Assembly on Wednesday 21st September, 2016.

Thank you Mr. Speaker.

MOTION

ADOPTION OF DELEGATED COUNTY LEGISLATION COMMITTEE REPORT ON THE PUBLIC FINANCE MANAGEMENT, MURANG'A COUNTY ASSEMBLY MORTGAGE STAFF SCHEME FUND REGULATIONS 2016

Hon. Joseph Ndung'u: I wish to move the following motion;-

That this Assembly adopts the report of the select committee on Delegated County Legislation on the Public Finance Management, Murang'a County Assembly Mortgage Staff Scheme Fund Regulations 2016 laid on the table of the Assembly on Tuesday 20th September, 2016.

Mr. Speaker, hon. members you are all aware that our staff also needed to be given their mortgage and the committee on Delegated County Legislation has-----

(Hon. Duncan Njuguna rose on a point of order)

Hon. Duncan Njuguna: Is it in order for the Hon. member to confuse the House; he was just laying the paper on Delegated, where did the motion come from?

Temporary Speaker (Hon. Bernard Kariuki): The hon. member is moving a report on Staff Mortgage Fund Regulation but the other paper that has been deferred is on a different issue. He is in order to move.

Hon. Joseph Ndung'u: Thank you Mr. Speaker, the hon. member has just arrived and has not gone through the file very well so he had not seen that there are two issues a paper and a motion.

The committee on Delegated County Legislation had some sittings whereby we discussed that our members of staff should also get their mortgages so that can be able to do their businesses well. Now that the committee has deliberated and seen that the members of staff can get their mortgage, it is now for the whole Assembly either to accept or reject, although I do not think the Assembly will reject because members of the staff are our brothers and sisters and so just like the members got their fund, members of the staff should also get their fund. I beg to rest my case there because we have the documents concerning the same in our files and I know members have gone through it. I request Hon. Danson Mburu to second the report.

Hon. Danson Mburu: I am seconding the report because it is true that we went for some retreat in Nairobi and we considered the matter and we finally agreed that the members of staff should also benefit from the scheme.

(Question proposed)

Hon. James Kariuki: Mr. Speaker, I rise to support that motion, I think it should have come here long time ago, we are almost finishing our term and members of staff of this Assembly are part of us and it is very unfair that they have stayed for this long without enjoying the benefits of mortgage and car loan, therefore Mr. Speaker I am fully in support of the motion.

Hon. Joseph Kimani: I also rise to support the motion, I think as Hon. Kariuki has said these regulations are long overdue because as a chairman of Finance and member of Budget committee we had budgeted some money in the last financial year for staff to enjoy this facility but due to the lack of these regulations they were not able to access the facility. I can see we have very good regulations set here and I would propose that they start getting this facility as fast as yesterday. Thank you Mr. Speaker.

Hon. Joseph Ndung'u: Thank you Mr. Speaker and Hon. members, mine is to thank the whole House for the way you have agreed that we should also be our brother's keeper and we should love one another and just the way we love one another as Assembly members we should love our able staff members of this Assembly and they should enjoy just like the way Hon. members enjoy. Having supported the motion I rest my case and thank you.

(Question put and agreed to)

SOIL TESTING IN MURANG'A COUNTY

Hon. Charles Kirigwi: Before I move my motion, I want to appreciate the presence of Igikiro students and pupils from Kamahuha and welcome them to the Murang'a Assembly.

I wish to move the following motion;

That, aware that crop husbandry is a devolved function as stipulated in the Fourth Schedule of the Constitution of Kenya, 2010, further aware that the recently opened first fertilizer blending plant in the country and based in Eldoret was scheduled to start operations in August, 2016, cognizant of the fact that the country is set to save Kshs. 3 billion annually upon its completion as it will no longer import fertilizer by the end of its one year operation and that the factory will address perennial shortage of the crucial farm inputs resulting from late imports that has seen some growers delay planting, recognizing the fact that a local manufacturing plant will be sensitive to soils and crops as it will produce fertilizers based on

specific requirements; this House urges the County Executive Member for Agriculture, Livestock and Fisheries to;

1. Initiate soil testing exercise in the county to address high soil acidity menace and nutrients deficiency in the soils which has led to fall in production of crops such as tea, coffee and bananas.
2. Compile a report and document the results of soil testing exercise requirements for county base on different agri- zones.
3. Consider the test when procuring county fertilizer needs from the factory so that it manufactures fairly composed county fertilizer to be sold to farmers at subsidized prices that will mainly boost production of the said crops.

My motivation to have this motion is because I recently in my small farm conducted a soil sampling and the results I got were very shocking and the experts informed me on what type of fertiliser to buy. The advice I got from the people who did the soil sampling for me was that I should not use any of the fertilisers that are traditionally sold in the market that is the NPK Fertilisers. I wondered if I can get such advise, how many of our farmers in the county are losing way in terms of agriculture and buying fertilizers that are not meant for our soils.

I got motivated to do a motion and luckily in Kenya our very able government; the Jubilee Government is coming up with a fertiliser manufacturing firm in Eldoret which was scheduled to be opened in August though I understand that it has been rescheduled to a later date.

I thought as a county we need to be aggressive and fore plan for the sake of our farmers so that we do soil sampling all over our county because our soil needs are different from one area to the other and then we document the same in our records or library with the executive and we had over the results to this new fertilise firm that's coming up so that once they start manufacturing we can have custom made fertilizer for this county.

Mr. Speaker, I have never been, for example, convinced that the NPK that we apply to our farms for coffee is CAN 26% Nitrogen. I have never been convinced that Murang'a soil is the same as the Meru or that the Meru soil is the same as the Vihiga soil. We should not have a standard fertilizer for our country, but we should have a fertilizer that is custom made.

Recently, you heard the Governor and the County Executive Committee (CEC) Member in charge of Agriculture for Uasin Gishu county advising the farmers not to buy the famous Diamonium Phosphate Fertilizer (DAP) which has a chemical component of 18460 because it is continually destroying that county's soil. True to that, the farmers recorded higher production in that area. These are some of the effects of a continuous use of standard fertilizers with our soil.

We also know that we do not grow the same type of crops; if you go to the lower part of Murang'a, you will find that we have coffee, fruits, rice and when you go to the upper parts, we have bananas and maybe tea. We should therefore have advice from these institutions, whether private or government, on our soil deficiencies so that we will have a fertilizer meant for our soils. Going forward, if we will be as aggressive as Uasin Gishu county, Murang'a county will in future be referred to as the breadbasket of our country as we usually refer to Uasin Gishu and others.

I therefore request the members to reason with me on this motion and support it because it means well for our farmers today and in the future. I also urge the Agriculture committee to enforce it further and capture it somewhere in law so that governments that will come 50 years from today will be in a position to actualise the dream of this Assembly. I humbly call my very able member from Gatanga ward, Honourable Muchina, to second this motion. Thank you Mr. Speaker.

Hon. Joseph Muchina: Thank you Mr. Speaker, since the mover of the motion has actually comprehensively expounded on the intent of the motion, I do not need to repeat what he has said. This issue of acidity of the soil had drastically reduced the production of our farmers in Murang'a county. You will find that many farmers have even abandoned their potential land because there is no maximum production. I therefore request members to support the motion and also request the CEC member to make sure that the concept in this motion will be conceptualised. I second the motion. Thank you.

(Question proposed)

Hon. Rebecca Mwicigi: Thank you Mr. Speaker, I am a nominated Member of County Assembly (MCA) and I stand to support the motion and the three prayers moved by the mover. We are lucky that we have KARI, a research institute within our Murang'a county. The prayers in the motion are very important. The government should facilitate that our soils are tested because giving them more fertilizer is like feeding a human being with wrong doses. This has come at a very important time when we are thinking of turning our crops into organic. The county government should also bring the neutralisation manure fertilizers which can neutralise the soils so that the plants can absorb the new fertilizers which will come.

Mr. Speaker, we are told by researchers that if the plants are fed with the wrong fertilizers for very many years, the veins, which are the roots, swell and when they do so, they do not absorb the fertilizers properly. We have areas in our county where we can also start manufacturing the organic fertilizer. We have land in Kabati which is idle but industrious. These fertilizers should be within the specifics of the soil in Murang'a county. We should also encourage those people who are making the organic fertilizers to come and establish fertilizer factories here while we are still buying the fertilizer according to what our soils need. It is very cheap if we are given the correct soils because the harvest will be more; hence have food security which is required in our county. I stand to support the motion. Thank you Mr. Speaker.

Hon. Samuel Wandia: Thank you Mr. Speaker, I represent Muthithi ward. Looking at this motion while seated here, I must express my thanks to the Kenyan government for having thought of coming up with a fertilizer factory in this country. Looking at it, the level of acidity does not cut across the board; we cannot argue that the level of acidity within Murang'a county is the same, we will be cheating ourselves.

Mr. Speaker, the mover of the motion should have thought of coming up with a soil testing centre because we cannot tie the hands of the factory. Once we establish a soil testing centre in Murang'a, it will be for the individual farmer to approach the soil testing centre and have the soils tested for acidity. The mover of the motion cannot tell us that the level of acidity in his farm is equivalent to the level of acidity in Wandia's farm. That is wrong.

(Hon. Florence Nyambura rose on a point of information)

Hon. Florence Nyambura: Thank you Mr. Speaker, I want to inform the House that, if I remember very well, the chair for Agriculture moved a motion in this Assembly for the soil testing laboratory. Thank you Mr. Speaker Sir.

Hon. Samuel Wandia: Mr. Speaker, I was to come to that, I had not even gone halfway in my presentation, I should have refused the information. The way the motion is, it will be very expensive for the county to move from one farm to the other, for example from Muthithi to Kigumo then to Kandara. As Honourable Florence has said, we passed a motion

here that we should establish a soil testing centre in Murang'a. That motion was passed overwhelmingly by this Assembly.

Mr. Speaker Sir, the Implementation committee has failed us and I know that the members are here; they should have come out with a report and tell us the level they have reached because even without the establishment of the fertilizer plant in Eldoret, our farmers should be encouraged to have their soil tested so that they may know the type of fertilizer to apply irrespective of whether we are establishing a factory in Eldoret.

Further I would have been happier for the member who has brought this motion to have consulted the professionals in agriculture because we have them in this county, so that he could have brought a motion. I know there are members who will accept the argument and refuse the motion. We should encourage the farmers to go for soil testing in their respective capacity but not jointly because the level of acidity in my farm is different from that is in any other farm. Thank you Mr. Speaker

Hon. Danson Mburu: Thank you Mr. Speaker, although this motion was brought here some time back and whatever happened it was not implemented that would not hinder us from commenting since it is here with us. I want to emphasize the importance of soil testing; without soil being tested a farmer would not go very far in growing whatever kind of crop he or she grows.

When we say that production of coffee in Murang'a has gone down I am sure there are very few farmers who take their soil to be tested and the amount and the type of fertilizer they apply in their farms are the wrong ones. One should know the type of fertilizer to employ in the farm so that the production can be high. I am example and a coffee farmer where I have been farming coffee and getting very little production until I took my soil samples to Ruiru and I was given the best kind of a dresser to apply to my coffee. I sympathize with the others who do not do like that.

The type of diseases that coffee suffers if not given the proper and type of fertilizer is called die back; that is the one you will find when you move around and look at the coffee grown by the farmers. That disease has affected the coffee plant. I am emphasizing that acidity is in different areas and unless you know the amount of acidity in your farm even in growing maize, beans or any other crop it would not do very well. I would recommend that soil testing should be done. It was proposed that we have a testing centre in Murang'a county, since if you want your soil to be tested you go all the way to Ruiru which is in Kiambu. Since we want farming which is in Murang'a is a farming area if it were possible we should establish one here in Murang'a. I support.

Hon. James Kariuki: I support this motion although it complements an earlier motion that I moved in this House last year. I also agree with the spirit of the motion because as Hon. Danson Mburu has said, one of our greatest failure is because we are still stuck in the traditional methods of farming. We have applied fertilizers in farms for a long period since independence but if you ask most people 99.9% farmers in this county and in the country, they do not what type of soil they have in their farms. They complain about low production but they are not aware that the problem lies with the soil. The spirit of the motion is excellent because it is across the board because it includes coffee and tea bananas.

The spirit of the motion is very good because our problems lies in the fact that our soil is very poor, we do not know why they are -and we do not want to find out. Two of the members here have given reasons why they think it is necessary because they have made a point of having their soils tested and that has made a difference in production.

If you look at tea that is grown west of the Rift Valley, one of the reasons why the tea in Kericho, Nandi Hills and western province is of low quality is because of the of the nature of

the soil even without application of fertilizers. Tea East of the Rift Valley is of better quality because our soil is better. I agree with the motion and its spirit.

The only problem that I have is that we should move from emphasizing on inorganic fertilizers and emphasize more on organic fertilizer. If we want to solve the problems of our soil, we should move to organic fertilizer but because we have not reached that level. I would not mind a fertilizer factory, even if it is organic that is going to solve this problem. We know different ecological zones have different needs and nutritional needs in their soils, it is therefore necessary for us to go that direction.

I would also like to inform this House that even if we do not have a permanent soil testing centre one in Kambirwa or elsewhere; presently we have mobile soil testing units, that can move around the county and the Committee Executive Member (CEM) for Agriculture needs to do is to find the cost of that soil testing vehicle so that we can have three for that purpose alone one for Kangema, Mathioya, Maragua, Kiharu and Ithanga in that order. It is not rocket science those mobile testing are already in the market.

The county executive member for agriculture should make the point of finding the cost for each so that if it is brought in agriculture committee, we shall pass that budget immediately. As I had said before I would personally encourage the mover of the motion, I know he is a tea farmer and they are used to organic fertilizers for example DAP and others I do not know which they use in their tea growing, they are stuck to those fertilizers and are not willing to move to the next level.

As a county, we should move to the organic fertilizer; I have used them in my farm and the production of maize went up by up to 400%. I have seen organic fertilizer used in Karatina, Nyeri; the production of coffee moved from 600kg to 6000kg in one year. If you go to Aberdare forest and check where the water comes from, you will find that the springs are very clean, with clean water and where that small spring emanates from and you disturb the soil structure, it cleans up very quickly because that soil is alive.

The soils that we have in tea growing areas are dead soils and are being fed on inorganic and if you do not do, it tea will not give anything. It is the high time as a county we think of-- I brought the motion of inorganic fertilizer ---but because we are not ---we need a lot of education on that one. I still support the aspect of soil testing because it is important could not understand what the member for Muthithi was talking about maybe he has not understood the motion; he was once a teacher and if he is not conversant with the English I will teach him a bit. Thank you Mr. Speaker.

(Hon. John Kiarie rose on a point of order)

Temporary Speaker (Hon. Bernard Kariuki): Hon. member for Kakuzi what is your point of order?

Hon. John Kiarie: It is very unfortunate the hon. member has run away because he has noted what I wanted to say. Is it in order for hon. member to attack another member in this House?

Temporary Speaker (Hon. Bernard Kariuki): He is out of order. Since they are good friends they will sort out when the Assembly adjourns.

Hon. Joseph Kimani: I rise to support the motion. I must say that this is a very good motion and we should not kill its spirit.

(Section expunged from the Hansard)

(Hon. Samuel Wandia rose on a point of order)

Temporary Speaker (Hon. Bernard Kariuki): Hon. Member for Muthithi what is your point of order? Take the microphone

Hon. Samuel Wandia: He is misleading the House because I have not told him I grow maize; he should stick to the point and argue properly in this issue without mentioning the name of Wandia.

Temporary Speaker (Hon. Bernard Kariuki): Hon. member for Ithiru you should not talk about the wealth of hon. member for Muthithi because it could go on Hansard, and you know Member for Muthithi will fill self-declaration forms in 2017. I think that part of wealth should be expunged from the Hansard. Member for Kamahuha you had a point of information.

Hon. John Gitau: Mr. Speaker, before I inform the hon. member for Ithiru, I would want to welcome my youngest school in Kamahuha ward; Igikiro mixed under the leadership of *Mwalimu* Mbogo, welcome to the Assembly. I would like to inform the hon. member for Ithiru that the hon. member for Muthithi, who is in fact my in-law, is a rich man and he has more than three hectares and he grows coffee and in monetary value...

Temporary Speaker (Hon. Bernard Kariuki): Order! Member for Kamahuha, member for Muthithi has requested for his privacy as far as his wealth is concerned. Member for Ithiru continue.

Hon. Joseph Kimani: Thank you for that guidance. What I was coming to is that, we have seen so many pieces of land where we belong and we have even seen the types of crops that come out of these land and the spirit of this motion is very important and as Hon. Mwicigi has said, this one will help us have food security once this is done and I am sure once this is done, people will be able to get enough food and we shall not be having any problem on food security.

It is also very important as the mover has said that those reports which will come out of the testing will be available and used in the future and may be reviewed from time to time. Although we have seen it will differ for different areas because of type of crops grown, I think it should be very important for our people. I also know we have agricultural officers in our county and I know with the help of the County Executive Member (CEC) which I believe is logistics, they should be able to do this work and once we pass the motion the other part will be the work of the CEC. So I stand to support the motion.

Hon. Charles Kirigwi: Thank you Mr. Speaker and the members for the overwhelming support to my motion except for my good friend, whom I was thinking to make my personal assistant once I become the Member of Parliament (MP) for Kigumo, Hon. Wandia. I take it is just out of ignorance or just to create opposition to the debate.

I want to put it clear that the hon. member for Muthithi, I know he has attended several classes one of them being statistics and probability where he was taught to do sampling----

(Hon. Samuel Wandia rose on a point of order)

Hon. Samuel Wandia: The point of order I want to push at this juncture is that I contributed to the motion and I gave my views so I should not be referred as a subject for discussion this afternoon and I still maintain my words that soil testing should be on individual farmers not across the board.

Temporary Speaker (Hon. Bernard Kariuki): Order! I want to guide you, ordinarily in the procedures for motions, a motion should be moved and members to debate, but before the motion is closed the mover is called on to respond. The member cannot respond to Hon.

Esther, who never participated to the debate, so he has a right to respond to your concerns which is very good, very healthy because you represent people.

He is not speaking to you. Order! When the Speaker is speaking you freeze----He is responding to your concerns and I think it is fair, only that he should confide himself to the motion. Thank you.

Hon. Charles Kirigwi: I think the Hon. Member for Muthithi is guided, he had reservations on the mode of sampling and I was advising him from what he learnt from school the other day; there is what we call population size, the CEC will determine the population size and the mode of sampling and it doesn't mean that all the farmers from Muthithi will have their soils sampled, but the samples can be drawn from various farmers and that will give an overview of how the soil of a certain particular area looks like.

I don't want to talk about the previous motion that was brought here about the soil sampling centre which I supported and still support but I want to draw for the member of Muthithi that once this soil is tested by whoever, and we have been informed by the chair for agriculture that there are even mobile facilities that can assist us on this, we have the results documented and this is a one- off exercise and we can do the soil sampling of this county in one week. And we not need to do it next week so we don't need to invest in those vehicles, maybe we do it this year and we repeat it next year then we document that. We have fertilizers made towards our soils needs.

I am very saddened by the fact that we are alluded that the exercise will be very expensive and the farmers should meet that cost. As the government, our role is to facilitate our people nearer where they are and I wish in the gallery we had people from Muthithi to hear how he argues their cases when they are brought to the floor; and it would be very unfortunate.

Lastly the motion had the notion that we should bring in professionals. It is very clear in English where; one, initiate soil sampling exercise. I believe that one itself is saying it will be done by professionals because Kirigwi is not a professional, Hon. Wandia is not a professional. The issue that was brought there was out of place. Generally I am very happy for the support this motion has had on this floor. Thank you so much.

(Question put and agreed to)

SUPPLEMENTARY ORDER PAPER PAPER

REPORT ON PETITION ON KAHUTI WATER AND SEWERAGE COMPANY

Hon. Joseph Machiri: This petition came to the attention of the committee on 18th July 2016, when it was received by this Assembly and it was committed to the Committee of Water on 18th of July 2016. The terms of reference for the committee as it is in the files of the respective members of the Assembly for them for their perusal and I hope they have gone through their mandate, our mandate was to gather the views----

Temporary Speaker (Hon. Bernard Kariuki): Point of order, member for Gatanga and chair for Budget.

Hon. Joseph Muchina: Is it in order for the chair to move a motion whereas he is supposed to lay the paper?

Temporary Speaker (Hon. Bernard Kariuki): Hon. member, the petition came to the Assembly under the old standing orders but we have new standing orders; even though I am very sure that the old standing orders resemble the new standing orders. The honourable chair for water is supposed to table the report and give a few comments on the report so that in terms of elaborating to the members how the petition went and how they concluded as a

committee and also members are invited and give comments few comments after he has tabled and made his comments. Thank you, continue chair for water.

Hon. Joseph Machiri: Thank you, the law allows we discuss for 20 minutes for the petition and the member does not know this.

The committee was to gather the views of the parties involved in the petition and we did that. To establish the major contentions outlined in the petition, to summon parties and record evidence pertaining to the allegations and we did that, report on the findings and recommendations of the committee.

Without much ado on September 2, 2016, my committee sat and agreed unanimously on the resolutions herein. Pursuant to standing order 206 (2), I now have the honour and pleasure to present this report to the County Assembly for notification and to the petitioners for their action.

Petition on Kahuti Water Company which serves the entire Kiharu sub-county and its environs had the following prayers; that the company management be investigated and prosecuted for misleading the community of Gitui, that the management be summoned by the County Assembly of Murang'a to explain why they failed to give water for domestic use to the residents of that region despite completion of the project and that the House resolves to remove board of Kahuti Water Company and its Chief Executive Officer on account of incompetence.

When this petition was committed to my committee, we called all the petitioners and respondents. One was Catherine Wangui petitioners' representative; Kennedy Kamau Kiura who was CDF manager Kiharu, Freshia Kamau respondent and chairperson to the board and Ephantus Kamau respondent and General Manager Kahuti Water Company.

Petitioners had several submissions as indicated in the report and the respondents Freshia Kamau Chairperson KAWASCO and Ephantus Kamau General Manager were sworn and testified before the committee.

After thorough investigations the committee came up with the following issues for determination;

1. Whether or not the issue of misleading residents of Gitui can be proven.
2. Whether or not Kahuti Water Company Limited board and its chief executive officers are incompetent.
3. Whether or not the petition had merit.

And the committee findings were;

1. On whether or not the issue of misleading residents of Gitui, the petitioners could not provide any document on any of the allegations on the petition.
2. With the evidence produced the committee noted that Kahuti Water Company had high rankings as per the Water Services Regulation Board (WASREB) sector performance report marked as appendix F.
3. It is to be noted that there was no specific timelines on the project.
4. By the time of doing this report my committee had only received documents from Kahuti Water Company.
5. It could not be confirmed if there was any meeting held in 2015 as purported by the petitioners.
6. There was no feasibility study done on water project to Gitui village.
7. Gitui community was allocated 180, 000 shillings instead of 500 million as claimed by the petitioners.
8. The committee observed that KAWASCO did not have enough funds to continue with the project as per the evidence adduced, that money was for labour Mr. Speaker,

digging and fitting of the pipes. Contrary to what petitioners had said that it was for buying pipes.

In conclusion, with evidence produced and committee having listened to all sides committee resolved that petitioners did not have a valid case against the said company. The committee resolutions and recommendations;

1. That the petitioners' prayer number one is dismissed for lack of evidence.
2. Equally their second prayer is dismissed as the petitioners' claim was successfully rebutted by respondents.
3. Prayer number three is struck out for lack of merit.
4. Petitioners' evidence is riddled with inconsistencies and misrepresentation of facts.
5. The petitioners claim is dismissed by my committee in its entirety as it failed to meet the merit and failed to adduce the evidence to support any claim. Thus making the whole petition troublesome, mischievous and guided by undertones of mischief.

My committee observed that the petition was politically instigated. That is what committee came to conclude and recommend.

Hon. Charles Kirigwi: Thank you Mr. Speaker and I must thank the committee for the good work in the petition. I would propose that in future because general public of Murang'a have a lot of confidence in this Assembly, of late we have been receiving a lot of petitions showing public confidence in the Assembly is growing day in day out.

Hon. chair for water should bring a motion in this Assembly so that the recommendations thereof can be tasked to a specific County Executive Committee [CEC] Member so that even if the members of public will not be comfortable with the recommendations the CEC responsible will be answerable to this House to update us on implementation. If we just give the feedback to petitioners and just sit there we as an Assembly we may be challenged in future.

The other day there was a petition on lands brought by Kinyona people about Gituamba land and they were asking me, "Now that we have gotten this report what next?" I advised them that we will bring the motion in this Assembly to resolve that the recommendation of that committee be sent to a particular CEC so that we create a link between the committees and recommendations for implementation that are made thereof.

I remember the same chairperson brought in this Assembly a petition on Uni- Women sacco and there were recommendations ranging from ensuring that there were new elections as we sit here do we know whether there is somebody who is implementing that. We should have a motion to compel cooperative commissioner and CEC to implement the will of the assembly. I thank you.

Temporary Speaker (Hon. Bernard Kariuki): Member for Kamahuha and you restrain yourself to current petition.

Hon. John Gitau: I congratulate the committee for the good work under the stewardship of the able chair Hon. Machiri. I think they ought to have invited the Hon. M.P for Kiharu or his personal assistant who is mentioned here.

If you look at the petitioners' prayer, number four is not addressed by this report. If you look at the spirit for this petition these people are crying for water and that has not been addressed in the report.

Prayer number four states that following a feasibility study carried out in the petitioners' village, KAWASCO had pledged to provide residents of Gitui with piped water. The spirit of the petitioners' is to get water and that is why sometimes I have had problems with water providers; these water providers that end with Sewerage Company (SCO) there is Kahuti Water and Sewerage Company-KAWASCO, Murang'a South Water and Sewerage Company (MUSWASCO) and Murang'a Water and Sewerage Company (MUWASCO). Those people

are the water providers, I remember the Committee Chairperson brought a motion here urging us to amalgamate these water and sewerage companies and come up with one provider.

I have had challenges with MUSWASCO, anytime I pursue them to give people water; they come up with frivolous reasons. There is a big pipe in Kamahuha installed by the Chinese, up to now we have not been able to take water. When I enquire from the company, I never get convincing answers. I urge the chairman for water to fast-track these amalgamation since with the current organizations Murang'a people will not get water. This is a good report but I will urge the committee to do more so that we will get the final product which is to give our people water.

Temporary Speaker (Hon. Bernard Kariuki): Public petitions are allowed under Article 77 of the Constitution that members of the public can petition any public authority. Our standing order 21 says that when a petition comes to the Assembly, it is committed to a sectorial committee which in this case was committed to water committee. Within 60 days, the committee should do a report which should be laid on the table of the Assembly as has been done. Standing order 216 (2) says that no debate in relation to the report will be allowed, but the Speaker may in exceptional circumstances allow comments or observations to the petition for not more than 20 minutes, if the Speaker feels that the two comments are okay. Under standing order 216 (3) which says that the Clerk shall within 15 days of the decision of the Assembly in writing notify the petitioner of the decision of the Assembly on the petition. So there is no question to be put. Thank you members.

ADJOURNMENT

Temporary Speaker (Hon. Bernard Kariuki): There being no other business, this House stands adjourned until Tuesday 9:30a.m.

The House rose at 3:58 p.m.