

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

SECOND ASSEMBLY – FIFTH SESSION

Wednesday, 03rd March, 2021

House met in the Main Chamber at 2:30 p.m.

(The Speaker (Hon. Elisha Jack Oraro) in the Chair)

PRAYERS

The Speaker (Hon. Oraro): Madam Clerk take us through the Order Paper of the day.

The Speaker (Hon. Oraro): Next order!!

COMMUNICATION FROM THE CHAIR

The Speaker (Hon. Oraro): Honourable Members, I have one communications to make to the Chairperson of Water, Environment, Natural Resources and Climate Change on a meeting with Agenda Mine which is a Community Based Organization working grassroot community, women, youth, children and PWDs whose common objective is promoting climate change, governance and human environmental rights aiming to enhance citizen involvement in civic education and engagement climate change, peace and conflict transformation, voter education, capacity building and advocacy initiative within Kisumu County.

There is a request to meet the committee on Thursday 4th March, 2021. Chairperson, please liaise with the Clerk to get the details and communicate back if possible and to your Members.

The Speaker (Hon. Oraro): Next order!

STATEMENTS

The Speaker (Hon. Oraro): Yes, Hon. Guya.

Hon. Guya: Thank you Mr. Speaker. Allow me to seek for a Statement under Standing Order No. 42.

The Speaker (Hon. Oraro): Please proceed.

Hon. Guya: Mr. Speaker. Yesterday, evening as I was going round the town, an incident happened in this County that is not good and it is worth some action. It was around 7:45 p.m. and a group of Law Enforcement Officers harassed motorists along Oginga Odinga Street to an extent of even taking the person and leaving his kids. His young kids were dumped there and were it not for the well wishes who were passing by then, the young children would be stranded in the street because they did not know where the dad was being taken to.

Mr. Speaker, I know that we have law enforcement officers in this County but anywhere, there must be times of work. I am not aware whether they are allowed work at night or not. This incident happened and it is really portraying the County in a bad light. I am sorry I had not shared with the representative of the minority in this Assembly and the person affected was a minority member of this County. I just want to bring to the attention of the Members that the incident happened at night and I don't think it was during the working hours. Thank you, Mr. Speaker.

The Speaker (Hon. Oraro): Honourable Members, I have seen the Chair of Administration of Law, Justice, Constitutional Affairs, Good Governance and Security. I don't want to open the matter for debate but I believe there is a Bill that was passed in this House. The Kisumu County Law Enforcement Bill which is already an Act. It prescribes how the law enforcement officers should work, when, where, how and charges for anybody working against the law. The committee should look into that matter and form a discussion in the near future.

Hon. Okumu: Mr. Speaker, the Hon. Guya brought a good Statement but he used Standing Order No. 42. That is Personal Statement. As a committee, we can only work on statements under Standing Order No. 41 (2) (a) or (b). We will oblige by your direction so that we can take action on the statement. Thank you.

The Speaker (Hon. Oraro): Yes, Hon. Linnet Muga.

Hon. Muga: Thank you Mr. Speaker. I rise under Standing Order No. 42. We are not students but Honourable Members. The House orderlies many a times have failed to bring to me the Attendance Register to sign. We need to sign the register at the entrance whenever we are getting in to the Chambers.

Hon. Guya: On a point of information. Thank you, Mr. Speaker. As at the time the list was going round, Hon. Linnet Muga had gone for breakfast. So, as she blames those people, I want to inform her that the list went round when she was out for breakfast. I think that can be corrected.

The Speaker (Hon. Oraro): What is it Hon. Steve Owiti?

Hon. Owiti: Thank you Mr. Speaker, it is not the duty of Hon. Guya to get to know who is present and who is not. It is not right for any Member to purport to be whipping people when that is not his duty.

The Speaker (Hon. Oraro): There is a Sergeant-at-Arm who normally provides the list for the Members to sign. Until we have the biometric register we will be using the manual list and as provided, Members who are present should sign because it is that list that will be used to prepare your dues. I want to direct the Sergeant-at-Arm to ensure that all Members who are present are given the list to sign. Thank you.

The Speaker (Hon. Oraro): Hon. Okumu.

Hon. Okumu: Thank you Mr. Speaker. Under Standing Order No. 42, I was perplexed when you arrived in the House with the orderlies but with only one table Clerk. I wasn't sure if we going transact any business in this Assembly and I don't know what will happen if the lady goes out relieve herself, then I don't know if the House will stop and wait.

The Speaker (Hon. Oraro): Hon. Seth Okumu, I will rule you out of order. For me to move to the House, it means that, I had checked and agreed.

Hon. Ogutu: On point of information. Mr. Speaker, Hon. Okumu is naked in the House.

The Speaker (Hon. Oraro): Sergeant-At-Arm assist Hon. Seth to go and dress properly.

The Speaker (Hon. Oraro): Next order!

COMMENCEMENT OF BUSINESS

MOTION

PLANNING, INDUSTRIALIZATION AND ICT COMMITTEE REPORT ON
BENCHMARKING WITH NAIROBI CITY COUNTY ASSEMBLY

BY

HON. GEORGE OLWAL

CHAIRPERSON, PLANNING, INDUSTRIALIZATION AND ICT COMMITTEE

The Speaker (Hon. Oraro): Hon. Ogutu.

Hon. Ogutu: Thank you Mr. Speaker. My Chair is out on official duty and he requested me to present the report on his behalf.

The Speaker (Hon. Oraro): Proceed.

Hon. Ogutu: Thank you Mr. Speaker. Pursuant to the provisions of the Kisumu County Assembly Standing Orders No. 193 read together with Standing Orders No. 194(2)(c) which mandates the House Committees to prepare programmes and activities to be undertaken in each Fiscal Year, the sectoral committee on Planning, Industrialization and ICT prepared its Annual Work Plan for the FY 2020/2021 detailing errands to be transacted which amongst them, was the approved study Tour to Nairobi City County Assembly for benchmarking purposes with our sister committee.

Following the approval by the Liaison Committee, the Speaker of the Kisumu County Assembly allowed the Committee to carry out the benchmarking to enable the two committees share and learn on best practices to adopt and achieve their mandates.

Establishment and Mandate of the Committee
Mr. Speaker and Hon. Members,

The Committee on Planning, Industrialization and ICT derives its mandates from County Assembly Standing Orders No. 193 (5) (a) Second Schedule. The mandates include the following:

- investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments
- study the programme and policy objectives of departments and the effectiveness of the implementation
- study and review all County legislation referred to it
- study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives
- investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly
- to vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 187 (Committee on Appointments)

- Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

1.2 MEMBERS OF THE COMMITTEE

Mr. Speaker and Hon. Members,

The committee on Planning, Industrialization and ICT as currently constituted comprises the following Members: -

- | | | |
|--------------------------|---|------------------|
| 1. Hon. George Olwal | - | Chairperson |
| 2. Hon. Nancy Owiti | - | Vice Chairperson |
| 3. Hon. George Ogutu | - | Member |
| 4. Hon. Aslam Khan | - | Member |
| 5. Hon. Pamela Odhiambo | - | Member |
| 6. Hon. George Abaja | - | Member |
| 7. Hon. Joseph Olale | - | Member |
| 8. Hon. Jennipher Obonyo | - | Member |
| 9. Hon. Gard Olima | - | Member |
| 10. Hon. Habil Nyasuna | - | Member |
| 11. Hon. Olga Aoko | - | Member |
| 12. Hon. Priscah Misachi | - | Member |
| 13. Hon. Johnson Guya | - | Member |
| 14. Hon. Kennedy Ageng'o | - | Member |
| 15. Hon. Victor Rodgers | - | Member |

Secretariat

- | | | |
|--------------------|---|------------------------|
| 1. Boaz Ouko | - | Senior Clerk Assistant |
| 2. Austine Ochieng | - | Clerk Assistant |
| 3. Patrick Okoyo | - | Hansard Reporter |
| 4. Kennedy Okise | - | Sergeant-at-Arms |

ACKNOWLEDGEMENT

Mr. Speaker Sir, profound gratitude goes to Members of the sectoral Committee on Planning, Industrialization and ICT for their time and input towards the development and production of this report.

Sincere gratitude also goes to the office of the Speaker and the Clerk of the County Assembly whose support and facilitation eased the production of this report.

Finally, we appreciate the Committee secretariat for the commitment and dedication that they offered in planning and coordinating all the activities geared towards culmination of this report. Objectives of the benchmarking exercise.

- i. To learn and appreciate the programme and policy objectives of the department and the effectiveness of the implementation
- ii. To learn and appreciate the achievements of our sister committee in line with their mandate
- iii. To learn and appreciate the challenges faced by our sister committee in delivering its mandates
- iv. To learn and appreciate how the sister committee study and review County Legislations referred to it.
- v. To help boost the ability of the committee members to do better in terms of legislation and oversight roles effectively as required by the Constitution of Kenya 2010.

Introduction

Mr. Speaker and Hon. Members, the interactions began with a word of prayer from the Chairperson of our sister committee, Hon. Anthony Kiragu Karanja. He then welcomed the Committee members and thanked them for attending such a crucial meeting, aimed at enhancing the performance of both committees in delivering their mandates. Hon. Karanja gave room for introduction through which both members and the secretariat got to know each other.

Roles of the Sister Committee

Mr. Speaker and Hon. Members, to begin with, the Chairperson of our sister committee Hon. Karanja opened the interactions by taking the members through the roles of the Lands, Planning and Housing Committee of the Nairobi City County Assembly. He informed the committee verbally that the sectoral Committee is established pursuant to the Nairobi City County Assembly Standing Orders 203(1) and performs the following functions;

- a) Investigate, Inquire into, and report on all matters relating to the mandate management, activities, administration, operations and estimates of the department.
- b) Study the programme and policy objectives of the department and the effectiveness of the implementation
- c) Study and review all County Legislation referred to it.
- d) Study, assess and analyze the relative success of the department as measured by the results obtained as compared with their stated objectives.
- e) Investigate and inquire into all matters relating to the department as they may deem necessary, and as may be referred to them by the County Assembly.
- f) To vet and report on all appointments where the constitution or any law requires the County Assembly to approve, except those under 196 (Committee on Appointments)
- g) Make reports and recommendations to the County Assembly as often as possible including recommendation of proposed legislation.

Subject area of the Committee

He added that the third schedule of the Nairobi City County Assembly Standing Orders provides that the committee is to consider all matters related to County Planning and Development, including Statistics, Survey and mapping, boundaries and fencing, housing and outdoor advertisement.

Means of discharging Committee Mandate;
Mr. Speaker and Hon. Members,

Having taken members through roles of the Committee, Hon. Karanja gave the vice chair Hon. Ng'ang'a an opportunity to take the committee further into ways through which the committee discharge its mandates;

Committee Meetings

The Committee was informed that the sister committee normally sits at least twice in every week depending on the availability of business to be transacted. Hon. Karanja, the Chairperson stressed that he has always tried to rally his members to attend each and every meeting. The Chairperson appreciated the implication of members' co-operation in Committee matters in regards to the performance of the Committee. He appreciated his members for always attending committee meetings and ensuring that they are part and parcel of each and every decision that the committee undertakes.

Site visits

He defined a site visit as a form of inquiry/fact finding through which members gather information regarding a matter under consideration. He mentioned that the committee undertakes the following before embarking on such a mission;

- i. Make a resolution to conduct a site inspection visit
- ii. Agree on dates and time of the visit
- iii. Agree on the purpose/objective of the visit
- iv. Record the resolution documented in the minutes of the sitting in which the decision to undertake the visit was discussed and resolved

He added that in undertaking such a visit, the committee is guided by the provisions of the Nairobi City County Assembly Standing Order 174 that relates to sitting outside the precincts of the Assembly. He concluded by mentioning that the site visits have always helped them prepare quality reports that are not based on hearsay.

Public inquiries

The meeting was informed that Public Inquiries is one of the tools at the disposal of the committee to do comprehensive fact finding on a topic that falls within the scope of the mandate of the Committee. Such topics may be out of the committee's initiative or on referral of the Assembly for consideration.

He went on to explain that in the same regard, the committee chooses a topic and draws a plan for conducting the various activities and events. The committee has always ensured that the plan is flexible enough to allow for address response to changing circumstances.

Review of legacy reports by previous committees

Hon. Karanja informed the meeting that the committee has always been keen on the reports that were prepared by the First Assembly. In his own words, the committee has borrowed a lot from some of the best reports that were prepared during the first assembly by the same Committee.

2.2 Achievements of the sister Committees

The benchmarking exercise continued with the sister committees looking into each other's achievements in line with their mandates.

The Committee on Planning Industrialization and ICT noted one major achievement of the sister committee in form of a report;

Report on Githurai Ward Petition.

The Githurai Ward residents submitted a petition on the grabbing of Public Social Hall, Football Pitch and Land meant for a dispensary. The petitioners' prayer was that the Nairobi City County Assembly investigate and inquire into the matter with a view of finding a solution to the illegal possession of the said Public Land and Property through faulty allocations to unscrupulous individuals. The Committee carried out investigations including site visits that were marred with challenges of hostility.

In the end, the committee recommended the following in their report;

- i. That the County Government in collaboration with other National Agencies would within 90 days determine the exact size of the original land owned by the Githurai Tinganga Company and determine the size of the land that had been allocated to the community (Githurai Primary School), Githurai PEFA Church and Githurai Catholic Church.
- ii. That in the event land that was meant to the community and Githurai Primary School is found to have been grabbed, the County Government would institute a process of reverting it back to the community and the school.

The chairperson of our sister committee concluded the explanation by acknowledging that there has been peace since the report was posted in the Public domain.

The Chairperson of the sectoral committee on Planning, Industrialization and ICT, Hon. George Olwal also had a chance to share with the members of Nairobi City County Assembly about our recent report on the Koguta Land Issue. He informed the members that our committee faced almost similar challenges when investigating on the Koguta Land Issue but the committee beat all the challenges and came up with a report on the same.

Challenges Faced

Mr. Speaker and Hon. Members, during our deliberations on the challenges faced by the committees, we established that the committees face similar challenges that includes:

- a) Hostility; Hon. Karanja informed the meeting that the committee has on a few occasions faced hostility during site visits especially when investigating issues of land.
- b) Inadequate resources; Investigations on land are both time and resource consuming.
- c) A dysfunctional follow up regime; This has always been a thorn in the flesh for the committee. It has resulted to the committee tackling issues that were already looked into by the previous assembly.

3.0 Recommendations from the Benchmarking Exercise

1. Capacity enhancement: The Assembly should continuously enhance the capacity of the members and the secretariat of the Committee on Planning, Industrialization and ICT on programmes aimed at achieving their mandates. This can be done through training, professional skills, exchange programmes, and study opportunities. Such interventions will assist the committee to effectively and efficiently carry out its mandates.
2. Building institutional memory: unless there is underperformance, Members and support staff of the sectoral committee on Planning, Industrialization and ICT ought to remain in the same Committee in order to build institutional memory and for easy tracking of resolutions.

CONCLUSION

The Committee on Planning, Industrialization and ICT has a big role to play in consideration of all matters related to County Planning and Development including Statistics, Survey and mapping, boundaries and fencing, housing and outdoor advertisement. The committee should therefore aim at improving in all aspects having in mind that the development of the County is partly dependent on its performance. Moreover, the Committee in cooperation with other relevant institutions, should ensure that Land Injustices like illegal allocation of Public Land are settled once and for all.

Mr. Speaker and Hon. Members, it is therefore my honor and privilege on behalf of the Committee on Planning, Industrialization and ICT to table this report before this respectable House for consideration and adoption. I would like to call upon Hon. Nancy Owiti to second.

Allow me to call upon Hon. Aslam Khan to second. Thank you.

The Speaker (Hon. Oraro): Yes, Hon. Khan.

Hon. Khan: Thank you Mr. Speaker. I rise to support the report by the Planning, Industrialization and ICT Committee on its Benchmarking with the sister Committee of the Nairobi City County Assembly. The two committees shared a lot as we can see from the report. Remember, we had an issue similar to Githunguri as said in the report and that is the Koguta Land Issue in Muhoroni Sub- County. I want to urge the Members to adopt this report because it is a good one. Thank you.

The Speaker (Hon. Oraro): Honourable Members. The Report by Planning, Industrialization and ICT Committee on its Benchmarking with the sister Committee of the Nairobi City County Assembly has been presented by Hon. George Ogotu on behalf of Hon. George Olwal and seconded by Hon. Aslam Khan. I now want to open it for debate.

The Speaker (Hon. Oraro): Yes, Hon. Paul Okiri.

Hon. Okiri: Thank you Mr. Speaker. It has been a tradition in this House to meet some few Members to brainstorm on a report before it is brought in the House. I am a bit disturbed today because the said Member who has just read the report never mentioned anything when we met over lunch. I have gone through the report page by page and I don't find it worth to be discussed in this House. This report is from the ICT Committee....

Hon. Guya: On a point of order. A senior Member, Hon. Paul Okiri. A person whom so much respect in this House who has been elected twice by the residents of West Kisumu Ward is telling this House that whenever he supports a report in this House then he is being bought lunch....

The Speaker (Hon. Oraro): What is it Hon. Caren Ny'angoya?

Hon. Nyangoya: Mr. Speaker, I want to inform you that the Honourable Member on the Floor is naked.

Hon. Guya: Mr. Speaker, there is an English term in this House that has been misused. Being naked and improperly dressed should mean two different things. I am not naked.

The Speaker (Hon. Oraro): Hon. Guya, you understand how we should dress in this House. Sergeant-at-Arm, please help the Member out to dress properly. You will proceed after.

The Speaker (Hon. Oraro): Yes, Hon. Paul Okiri.

Hon. Okiri: Thank you Mr. Speaker, we are all aware the Kisumu County Assembly has gone paperless and it is recognized all over Kenya that Kisumu is doing a very commendable job when it comes to ICT. Mr. Speaker, if you come here for the first time, you will read a report in hardcopy format and especially the Chairperson reading the report is the Chairperson for ICT.

Mr. Speaker, the Committee is egoistical and this is a Committee that is saying that it should not be changed because they are saying that in the area of ICT that is the Committee that they are supposed to occupy until their term in office is over.

Mr. Speaker, if they are talking of Capacity Building, they should be capacity build in various fields and not only in the field of ICT and it's for this reason that I am saying that, they are inconsiderate. I don't see the reason why they should be capacity build if the committee itself has accepted to stagnate.

Mr. Speaker, the Committee is talking of tracking. If a whole Chairperson comes to this House and say that these things will accord them easy time to do tracking. They must be aware that we are not doing tracking using the old system and it's the reason we are taking the ICT route. So, I believe that the Committee has decided that the allocation to their Committee is lapsing, and they think that, let us go to the House and present something that looks like a report and people like Hon. Okiri will oppose it, and the "ayes" and the "nays" will be called upon, then we will have a way of doing it. I know the Leader of Majority is on my neck, I want to assume that I am not seeing him.

Hon. Khan: Point of order Mr. Speaker.

Hon. Okiri: Yes, I was anticipating that.

The Speaker (Hon. Oraro): Hon. Khan, who do you want to inform?

The Speaker (Hon. Oraro): Serjeant-at-Arms, please assist Hon. Khan.

Hon. Khan: Thank you Mr. Speaker. I would like to inform the Hon. House and the Member who was on the floor. Mr. Speaker, this report is about a Benchmarking Exercise with the sister committee of Nairobi City County Assembly and the Committee of Planning of the County Assembly of Kisumu whose objective is about Lands, Planning and Housing. It had nothing to do with ICT and on top of that, we are discussing issues to do with Lands and Planning as opposed to the ICT Issues.

The Speaker (Hon. Oraro): Yes Hon. Okiri.

Hon. Okiri: Thank you Mr. Speaker. It may not be in order to challenge a senior Member like I. Mr. Speaker, he must be made aware that whether it is issues to do with land that they were benchmarking on, and this was undertaken by which House Committee. Whether it was land, if the same was done by the Lands, Industrialization, Planning and ICT, then the report itself, must

have touched on the issues to do with ICT. In fact I am worried of this issues of bringing a report to the House in hardcopy format while the Committee knows that this Assembly has gone paperless. Mr. Speaker, it is only that I don't want to go into details...

The Speaker (Hon. Oraro): Hon. Khan,

Hon. Khan: Thank you Mr. Speaker. Our Committee in Kisumu is incorporated depending on the line Ministry or Department within our County and our standing Orders...

The Speaker (Hon. Oraro): Hon. Khan, I believe that the information is not relevant because the mover of the motion is available and I am certain that he is taking notes and he will reply as appropriate. So, Hon. Okiri, please conclude your debate.

Hon. Okiri: Thank you Mr. Speaker. You are aware how I respect your chair a lot and when you say that I conclude, I have concluded. Thank you.

The Speaker (Hon. Oraro): Yes Hon. Ojuok.

Hon. Ojuok: Thank you Mr. Speaker. I have look at the Membership of this House Committee and I cannot doubt their competence. In fact if there is a Committee that has a Chair that fits that particular Committee, it is this House Committee. Mr. Speaker, because of that, I cannot be able to forgive them for the level of incompetence that has been demonstrated in this particular report.

Mr. Speaker, I want to take this opportunity to oppose this report. My good friend Hon. Ogutu, but it's him who is presenting this report and you know that friends look at alike and they do the same things. Mr. Speaker, I want to say that, this is not the Hon. Ogutu that I know. This report is extremely shallow and it has nothing to do with ICT. Further, I want to inform them that it is not depended on how the other Committees are constituted on the other side, because they had the opportunity of meeting the other Committees covering the ICT which I believe that they did not do.

Mr. Speaker, from the look of things, I believe that the Committee Members were just lethargic on that particular day...

(Laughter)

The Speaker (Hon. Oraro): Hon. Olima, whom do you want to inform?

Hon. Olima: I want to inform Hon. Ojuok.

The Speaker (Hon. Oraro): Hon. Ojuok, Hon. Olima wants to inform you? Is that okay with you?

Hon. Ojuok: It's okay.

The Speaker (Hon. Oraro): Please proceed.

Hon. Olima: Thank you Mr. Speaker. I just wanted to inform him that, we as Committee Members are not lazy as has been insinuated and I believe that he should withdraw the statement of us being lethargic and apologize. I don't know whether he can substantiate how becoming lazy by bringing a report to the House is evaluated.

The Speaker (Hon. Oraro): Hon. Ojuok.

Hon. Ojuok: Thank you Mr. Speaker. I want to withdraw and apologize because their interpretation of the word lazy but I was simply trying to demonstrate the report in my possession and the level of competence that I am aware that is in that House Committee. So, it cannot be explained on the basis of competence, it just means that the material day, they were not ready to deliver.

Mr. Speaker, one of the emotive issues in this County is the issue of the Valuation Roll. The Committee visited the City of Nairobi a city that has been there since time immemorial and there is no better place to go for as study tour as Kisumu County and that is one of the things they needed to go there and find out. They went there, they came back they did not find anything about the Valuation Roll and this is one thing that is making us not even talk in funerals. The Valuation Roll. The Committee visited Nairobi, they did not even remember anything about that and came back. The Committee did not ask anything about ICT, they came back here. Mr. Speaker, to add salt to injury when they came back here, they could not even send us this report in softcopy.

Mr. Speaker, this is a demonstration of so many things. I believe that I know the competence of Members of this Committee. The best thing to do as friends, I know the Committee can do a better job. Let us sent the report back to the Committee, they do a better job and bring back this report to the House. Thank you.

(Applause)

The Speaker (Hon. Oraro): Hon. Olima.

Hon. Olima: Thank you Mr. Speaker. I rise to concur with this report. As a member of the Planning Committee, I want to state here that, when we visited Nairobi to benchmark, we had our specific goals and the issues on Valuation Rolls that is being raised by Hon. Philemon Ojuok was not part of the mandate. I believe that the committee still has time to do so or even go back on a benchmarking exercise specifically on the issue of Valuation Roll.

Hon. Ojuok: A point of information Mr. Speaker.

The Speaker (Hon. Oraro): Who do you want to inform?

Hon. Ojuok: Hon. Olima.

The Speaker (Hon. Oraro): Do you want to be informed by Hon. Philemon Ojuok?

Hon. Olima: Sure.

The Speaker (Hon. Oraro): Proceed Hon. Ojuok.

Hon. Ojuok: On A Point Of Information. Hon. Speaker, when doing these things, it is not a matter of a committee sitting to decide what to do because there is the aspect of value for money which should be demonstrated in the work done here.

(Laughter)

The Speaker (Hon. Oraro): Yes, Hon. Gard Olima.

Hon. Olima: Thank you Mr. Speaker, this committee cuts across almost four departments and when on a mission as the last benchmarking exercise, it wasn't meant for the committee to handle all issues as the report dealt majorly on the issue of ICT. I heard what Hon. Paul Okiri said about...

The Speaker (Hon. Oraro): Hon. Gard, I just made a ruling on Hon. Aslam Khan, who is sitting in for the Leader of Majority. When the matter was raised on whether it was an ICT issue but you said it wasn't. Consequently, on page 5 part 1.4 of the report; Objectives of the benchmarking exercise, the chairperson mentioned the areas that were to be covered. Refer to the same page 5 and part 1.4 of the report.

Hon. Olima: Thank you Mr. Speaker, I want to refer you to page 9 of the report; Recommendations, which clearly shows that the committee focused on Building Institutional Memory and Capacity Enhancement. Number two talks about underperformance due to lack of institutional memory, one which Hon. Philemon termed as laziness. I know people like Hon. Philemon would wish that we kill two birds with one stone but, that would not be in favor of the committee's informed report. Mr. Speaker, now that the issue of Valuation Roll has been brought up by Hon. Philemon Ojuok, can you allow us to have another visit for the same to satisfy the quest for it?

Hon. Paul Okiri didn't read through the report because he was opposing something that is not part of the report. I therefore urge him to do so on the mandate and objectives of the report. Finally, I want to emphasize that the issue of ICT and industrialization are enormous especially for a city like Kisumu and therefore urge members to adopt it for these particular objectives. The issue of Valuation Roll that deter some of us to address people in public functions such as funerals should therefore be looked into as the committee sets to have information on the same in the near future when they visit Nairobi county. With the on-going growth experienced in Kisumu, the committee needs much time to address issues of planning the town as alluded by Hon. Pamela Odhiambo, MCA Manyatta Ward because all that falls under the committee's mandate...

Hon. Okiri: Point of information Mr. Speaker.

The Speaker (Hon. Oraro): Whom do you want to inform?

Hon. Okiri: I want to inform this House Mr. Speaker.

The Speaker (Hon. Oraro): Proceed.

Hon. Okiri: On a point of information. This a respectable House and whatever we do, is portrayed us either positively or negatively and this is in response to my fellow senior member on language being spoken in this House. My information to the House is that; as Hon. Gard Olima is talking about his committee being given time to bring up a more pleasing report to this House is quite a misleading statement. Therefore, as Hon. Philemon said and as I had initially reiterate, the committee should be given enough time to go and write a formed report to bring back to the House and show the value for money. Thank you.

The Speaker (Hon. Oraro): Hon. Paul Okiri, I believe that you had discussed and persuaded members to reject the report. Let's give Hon. Gard chance to persuade members otherwise and listen to the reasons for his quest for members adopting the report.

Hon. Ojuok: Point of information Mr. Speaker.

The Speaker (Hon. Oraro): Whom do you want to inform?

Hon. Ojuok: I want to inform the House Mr. Speaker.

The Speaker (Hon. Oraro): Proceed.

Hon. Ojuok: On a point of information. Mr. Speaker, I am glad you referred to part 1.4 of the report because reading through that part, gives more reason to reject this report entirely. It talks about; *To learn, appreciate and programme a policy objective of the department and the effectiveness of implementation.*

To learn and appreciate the achievements of our sister committee in line with their mandate; you can imagine their mandate because there is industrialization and they are the fathers of industrialization. We are currently talking about the Lakefront Development and how we can transform our industries and where to put them up, but, the committee never saw the sense in including or looking into that.

To learn and appreciate the challenges faced by our sister committee in delivering their mandates; What kind of things did they do? Mr. Speaker, I am insistent on placing this as one of the worst times to pass such a report because of the kind of havoc it brings.

The Speaker (Hon. Oraro): Hon. Philemon Ojuok are you trying to find your way to debate again on the same?

Hon. Ojuok: No, I know he is trying to persuade you in some kind of way so I just had to find a way of countering it.

(Laughter)

The Speaker (Hon. Oraro): You had already persuaded members to reject the report so let's allow Hon. Olima to finish.

Hon. Olima: Thank you Mr. Speaker, I want to finalize my contribution on this but I am not certain with Hon. Philemon's understanding of the objectives of a department. I had earlier said that, this committee cuts across four departments, so we went to look at the objectives of that department and learn from the programs of that department. Is it the issue of Lakefront Development that Hon. Ojuok is referring to, and if that's the case then I believe he knows that there are no lakes in Nairobi?

Hon. Ojuok: Mr. Speaker, he is trying to hide under an umbrella so maybe you should allow me to inform him on which one specifically I referred.

The Speaker (Hon. Oraro): Hon. Ojuok, you are re-inventing yourself into debating again.

Hon. Ojuok: No, Honorable Speaker, he needs clarification on what he is talking about.

The Speaker (Hon. Oraro): Hon. Members, I believe that when the mover of the motion will be responding to all requests, he will decide to donate his time for the clarification if need be.

Hon. Ojuok: He will likely be responding to the wrong thing because he doesn't know what I was talking about.

(Laughter)

Mr. Speaker, what I mean is that as a committee of Planning, Industrialization and ICT...

The Speaker (Hon. Oraro): Hon. Olima, do you need clarification from Hon. Ojuok?

Hon. Gard: Mr. Speaker, I do not need clarification from Hon. Philemon please. Thank you, Hon. Philemon for your time. Mr. Speaker, as I am finalizing, I want to add that when we say that we met a sister committee in Nairobi, all these things that Hon. Philemon and Hon. Okiri want us to give them; I want to say that we did not have time. We only had four days which were not enough, to do what we did. We only worked on the specified issued listed there. I want to urge them to read the recommendations contained in the report.

We are not saying that this committee is going to be disbanded tomorrow, so that we cannot do what they are requesting us to do. I believe that, if we rest such like issues i.e. Lakefront Development, the planning and all that. We still have time and we can do them. So, please, Mr. Speaker, I want to urge this Honourable House and ensure...

(Hon. Caren consulting loudly)

The Speaker (Hon. Oraro): Just allow him to conclude, I can see he is concluding. Or whom do you want to inform? Hon. Gard?

Hon. Gard: No, I do not need the information please.

(Hon. Caren speaking off the microphone)

The Speaker (Hon. Oraro): Sergeant-at-arm, give her the microphone.

Hon. Caren: Thank you Mr. Speaker sir. I want to give this information.

1. It has come clear that Hon. Gard Olima, has put it before the House that the time they had, could not allow them to give the report that we were expecting from them.
2. He has said that he himself is not even convinced by this report.

I therefore want to request this House not to adopt this report.

The Speaker (Hon. Oraro): Hon. Caren: I thought you wanted to give information. You have not even debated, so, you could have waited for your time.

(Hon. Caren consulting loudly)

The Speaker (Hon. Oraro): Hon. Caren, just write down your notes because I know that you have not debated so that when you will stand to debate, you will include all the point.

Hon. Olima: Thank you Mr. Speaker, I do not know why there are zeal and the cries from my colleagues but then...Mr. Speaker as you said on this report, and I am also saying and repeating that this committee is not a single department committee. On that note, we only had five objectives which were very few. If we were to write the objectives and the mandates of this committee alone, we can have more than twenty objectives. We narrowed them down to five and came out with two recommendations to this House.

Again, I want to urge those who were not listening properly like Hon. Caren that, please listen to me. I own this report and I want to say as a committee member that whatever we did in Nairobi is what is brought to you here.

Whatever you wanted us to do since this was not done out of a statement requested by a member of this House but rather a benchmarking exercise by the committee. So, if it was a statement that somebody requested for, and then we did not answer the question, then it could have been another issue. However, in this case, we wanted to learn from the sister committees on what they are doing in their department which we are saying that we concentrated majorly in ICT. So if we need land and planning issues, we can still do another benchmarking and give a report.

Otherwise, I want to urge Hon. Members that we support this report and adopt it. Thank you.

The Speaker (Hon. Oraro): Yes Hon. Pamela Odhiambo. I thought Hon. Caren would now have time to debate but I have given chance to Hon. Pamela Odhiambo.

Hon. Pamela Odhiambo: Mr. Speaker, I wanted to call the mover to reply because the report has been deliberated upon and now we are just waiting to adopt it. May the mover of this motion be called upon to reply?

The Speaker (Hon. Oraro): I want to say that the information has been misused because Hon. Caren has confirmed to me that she wanted to contribute.

The Speaker (Hon. Oraro): Yes Hon. Caren.

Hon. Caren: Thank you very much Mr. Speaker sir for your consideration. I have a few issues to put before the House to explain why I am rejecting this report. Mr. Speaker, it is true that the authors of this report are not satisfied with what they have brought before this House.

As I was going through this report sir, when I look at the achievements, that is; page 7, 2 (ii), they say that the benchmarking continued with the sister committee comparing achievements in line with their mandates. As they say this, the committee noted one major achievement of the sister committee inform of a report. To me what they were noting as an achievement is what came out on a report on Githurai Ward Petition. Of which they are talking of lands that they had also done in the Koguta land.

By this, we are seen as if there was no big achievement of their tour to the Nairobi County with the sister committee.

Mr. Speaker, when we go out, we do that to learn more but not about what we had already known. Therefore, I want to say that there is no way I am going to support this report. Because I am not convinced, thank you so much.

The Speaker (Hon. Oraro): Yes Leader of Minority.

Leader of Minority (Hon. Oiko): Thank you Mr. Speaker sir. The report has brought some mixed reactions whereby some members want it to be supported; others want it to be opposed. But, what is the content of this report? Does it have any substance? What is the role of this committee and what have they enumerated for us here to understand?

Mr. Speaker, I am saying that we may not be experts in report writing but, at times we can struggle to give out some little facts on what our role is as well as the role of our sister committees.

On page five, when you look at the objectives of benchmarking, which have also been dwelt on by the members; then you crosscheck the role of the sister committee, the picture given by some Hon. Members is that they are irrelevant. They do not add up.

However, I want to tell this House that when we go to page 7; the achievements of the sister committee. They have enumerated for us what the Lands Committee at the Nairobi County Assembly has done - The report on the Githurai Ward Petition. A land that was being grabbed, the public made a petition to the Assembly. The Assembly in turn took it upon themselves, the matter was discussed, it was interrogated and the public got back their land.

The same way when the Koguta land issue was brought here, this Assembly discussed it, summoned the Government officers and I believe that records were looked into and there was truth that this land had originally belonged to the Koguta people. I hope that despite the challenges, the Kalenjin want to grab it because if after that it appeared in paper when they were claiming that land belongs to them. It is my hope that the Koguta people would finally own that land. The committee has also told us the challenges that are faced and this one falls on the Land Committee when you look at the challenges faced. We are being told that Hon. Karanja informed the committee that on a few occasions they encountered hostility during site visits especially when investigating on the issues of land. That is very normal because a land issue is very emotive.

Mr. Speaker, again, inadequate resources are a problem that is faced across by all the committees in the Assembly. We know very well that we will take up a matter start following up, when this Assembly comes to an end then the next Assembly may not follow it up. These are normal things that we know happen and these ones are appearing in this report.

Mr. Speaker, Capacity enhancement and building institutional memory are very good theories that should be captured in any report. It is my considered opinion that the committee has tried and with the challenges they are facing here, they will improve on their report writing. Thank you.

The Speaker (Hon. Oraro): Hon. Pamela.

Hon. Pamela Odhiambo: Thank you Mr. Speaker I wish to call the mover to reply.

The Speaker (Hon. Oraro): Yes Hon. Ogutu.

Hon. Ogutu: Thank you Mr. Speaker. I rise to reply. I am very happy with this Committee of Planning, Industrialization and ICT because as it was correctly said by Hon. Philemon that this committee has got good brains. That is a fact and I know this committee has brought very beautiful reports in this House. There was a report recently in this House that when the person who was replying came out to reply on the same, he said that he regretted how our Hon. Members do not go through the reports which are supposed to be discussed in this Assembly. I can confirm today that most of our Members do not read these reports to their conclusion so that they are exactly aware of what is under discussion. I would want to go straight to what took this particular committee to Nairobi and there is some mix up with some Hon. Members. I believe that it was stated clearly by Hon. Khan that in Nairobi County Assembly they do not synchronize Planning and ICT and this is a fact.

Mr. Speaker it is not easy when you are going to Nairobi to again call another committee to sit with you and it is a very big challenges that the Hon. Members cannot run away from. Mr. Speaker we did not have time to invite the Committee of ICT so that we can meet them and we concentrated on the land issue in Nairobi. I believe that our Hon. Members should be educated on this.

Mr. Speaker, It is also good because Hon. Okiri is saying that this particular committee should not read physical things but, I am really surprised because Hon. Okiri was recently reading a report here. I don't think he used it through the internet but he was just using the physical report which he had and I believe that he has also put it clearly that Kisumu County is now paperless and it is paperless because every communication is being done through the walls. I am inclined to believe that, this physical report is just for the Hon. Member who is presenting this report to the House to go through. But they can as also refer to their WhatsApp platform in their phones because it is uploaded there.

Mr. Speaker I don't have much to say but you know there is a vocabulary which our Members only came across recently called Valuation Roll. This is a new term and in fact they are right because they don't know about Valuation Roll. It is the responsibility of this committee to educate them on what Valuation Roll is all about. You have heard from them, they are asking us that you give us more time for us to educate them on the Valuation Roll. Mr. Speaker I believe that you will give this particular committee time so that they can dig deep on the Valuation Roll to educate the Hon. Members so that the likes of Hon. Philemon can know exactly what Valuation Roll is all about. With those few remarks I ask the Hon. Members to at least support this particular report so that we can go ahead...

The Speaker (Hon. Oraro): Hon. Philemon you need to look at our Standing Orders. The Hon. Member is replying, so the next thing is to just put a question and vote.

Hon. Ogutu: Mr. Speaker I believe that you have witnessed it right now. With those few remarks, I urge the Hon. Members to support this important report. Thank you.

The Speaker (Hon. Oraro): Hon. Members, now that the Committees on Planning, Industrialization and ICT report on a Benchmarking Exercise with the sister committee on a benchmark with Nairobi County Assembly has been presented by the committee through Hon. Ogutu on behalf of the Chairperson, seconded, debated as per our Standing Orders; I therefore want to put a question on the adoption of the same.

(Question put and agreed to)

The Speaker (Hon. Oraro): Hon. Members, the Committees on Planning, Industrialization and ICT report on a Benchmarking Exercise with the sister committee of Nairobi City County Assembly is hereby adopted today 03rd March 2021 at 1601 hours. I direct that the recommendations therein be communicated to the relevant departments and sections as presented

and the implementation committee to take action in follow up on the actions recommended by the committee.

The Speaker (Hon. Oraro): Next Order!

ADJOURNMENT

The Speaker (Hon. Oraro): There being no any other business to transact, the House stands adjourned to tomorrow Thursday 3rd March 2021 at 2.30 p.m.

(House rose at 4.05 p.m.)

Addendum

Hansard Team

Zablon Otiende - In-charge, Senior Hansard Reporter

Edward Odanga - Reporter

Fanuel Okode - Reporter

Patrick Okoyo - Reporter

Jesca Otieno - Reporter

Dennis Onyango - Reporter

Jacklyne Otieno - Reporter