

**COUNTY GOVERNMENT OF KISUMU**



**COUNTY ASSEMBLY OF KISUMU**

**THE HANSARD**

*Official Report*

**THIRD ASSEMBLY – FOURTH SESSION**

**Wednesday, 21<sup>st</sup> May, 2025**

**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): Clerk, can you take us through the order of the day.

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

**MOTION**

MOTION TO RESCIND DECISION OF THE HOUSE ON THE REPORT OF THE DEPARTMENTAL COMMITTEE ON LANDS, PHYSICAL PLANNING, HOUSING AND URBAN DEVELOPMENT ON THE PROPOSED SUB-LEASE OF LAND TO MED ADITUS FOR ESTABLISHING A PHARMACEUTICAL MANUFACTURING PLANT IN KISUMU AND SUPPORT FOR ITS CONVERSION TO A SPECIAL ECONOMIC ZONE

BY

HON. RATIB BOITONE, MCA, NYALENDA “A”

(CHAIRPERSON, LANDS, PHYSICAL PLANNING, HOUSING AND URBAN DEVELOPMENT COMMITTEE)

**The Speaker** (Hon. Oraro): Honourable Boitone.

**Hon. Boitone** (MCA, Nyalenda “A”): Thank you Mr. Speaker. I arise to move a motion to rescind the resolution of the House made on 14 May 2025, declining to adopt the report of the Departmental Committee on Lands, Physical Planning, Housing and Urban Development, on the Proposed Sub-lease of Land to Med Aditus, for the Establishment of a Pharmaceutical Processing Plant in Kisumu, and its designation as a Special Economic Zone.

Mr. Speaker, aware that, pursuant to the provision of Orders No. 47 of the Kisumu county Assembly, no motion may be moved which is the same in substance as a question which has been resolved, either in affirmative or in a negative, during the preceding six months in the same session, except that a motion to rescind the decision on such a question may be moved with the permission of the Speaker.

FURTHER AWARE THAT, based on the provision of Standing Order No. 47, this House is bound by its decisions unless there is need to move a motion to rescind such decision, which may be done only by the approval of the Honourable Speaker.

COGNIZANT TO THE THAT, in principle, respected chamber of a legislature such as ours is expected to take a decision on a matter having consciously applied itself to the substance of the matter and consequence on a decision it makes, one way or the other, Eskin May's Treatise on the Law, Privileges, Proceedings, and Usage of Parliament, 24th Edition, on page 426, as emphasizes this procedure as follows, that a question being once made and carried in affirmative or a negative, cannot be questioned again, but must stand as a judgment of the House.

ACKNOWLEDGE THAT, on the 14th May 2025, during a plenary sitting of the County Assembly of Kisumu, this Honourable House considered and resolved not to adopt a motion moved by the Chairperson of the Departmental Committee on Land, Physical Planning, Housing and Urban Development, regarding the Committee's report on the Proposal Sub-leasing of Land to Med Aditus for the Establishment of a Pharmaceutical Processing Plant and its designation as a Special Economic Zone.

AWARE THAT, the decision of the House was substantially influenced by material misinterpretation, factual ambiguities, and inconsistency within the Committee report, particularly concerning the identification of the parcel of land subject to the proposed sub-list, thereby undermining the ability of the House to reach an informed and constitutionally grounded decision.

RECOGNIZING THAT, the parcel of land referred to in the prayers of the original motion as R.L. No. Miwani-12-2 was consistent with the parcel documented in official instruments, namely Kibos 654-45, Grant No. 123371, and being a portion thereof measuring 10 acres, which is correctly referred in;

- a) The concession agreement entered between the County Government and Med Aditus.

- b) The Governor's application to the Special Economic Zone Authority by the letter referenced ZESA/DEVELOPMENT/MED ADITUS/VOL.1/2, dated 17 February 2023
- c) The survey report and forwarding letter from the CECM for Lands, Physical Planning, Housing and Urban Development with reference number CSK/KISUMU/VOL.1/12/020, dated 14 December 2024
- d) Conscious that the continued effect of the Resolution of 14 May 2025 would undermine legitimate public interest for a stressed constitutional obligation of the Assembly to facilitate equitable development and investment and compromise the integrity of legislative decision-making process. Acknowledging that the proposal to establish a pharmaceutical manufacturing facility and its designation as a Special Economic Zone hold significant socio-economic promise for Kisumu County, including but not limited to:
  - i. Creation of skilled and semi-skilled employment
  - ii. Enhancement of the county's industrial base and manufacturing capacity
  - iii. Reduction in the cost of and increased access to essential medicines.
  - iv. Increased revenue collection through industrial investment and land use optimization

RECOGNIZING FURTHER THAT, the Honorable Speaker, by a considered approval, P.12 request for rescission, did grant express permission for the rescission of the Resolution in accordance with Standing Order No. 47 (2) (a) having satisfied himself that the earlier decision was tainted by material misinterpretation, factual ambiguity and inconsistency.

Correct and clarified information is now available to aim the House reconsideration

1. The matter is of urgent public importance, significant economic implication and considerable constitutional interest under Articles 201 (d), 227 and 174 of the Constitution of Kenya 2010. Now, therefore, I pray that this Honourable House resolves to rescind the resolution made on 14 May 2025 rejecting the motion on the report of the Committee of Land, Physical Planning, Housing and Urban Development.
2. Proposed sub-lease of land to Med Aditus for establishment of a pharmaceutical processing plant and its designation as a Special Economic Zone.
3. Direct the Committee on Land and Physical Planning to table a correct and updated report reflecting clarified information regarding the subject parcel of land and associated documentation
4. Mandate that the correct report be subjected to renewed debate and consideration in plenary to enable the Assembly discharge its constitutional and legislative obligations effectively and in public interest. Honourable Speaker, having moved the motion, may I call Honourable Nereah Okombo to second? Thank you Honourable Speaker.

**Hon. Okombo** (MCA, Manyatta “B”): Thank you Mr. Speaker. Honourable Members, a motion has been moved to rescind the resolution that was made on the floor of the House. We

understand, Mr. Speaker, that when a question is put and carried on the negative, either negated or affirmed, then it ought not to come unless six months has passed or so. But, Mr. Speaker, as has been stated by my Honorable Chairperson, there are circumstances under which the decision of the House can be rescinded.

Number one, in the event that the decision so made is determined defective, just as my Chairperson has stated, that the decision was based on factual ambiguity. Mr. Speaker, the House can also rescind a decision once the House seizes new evidence that would inform a decision that was different from the evidence that it earlier had. Mr. Speaker, there was a confusion whether the parcel in question was in the name of an individual, the county, or an institution. Mr. Speaker, we just confirmed that the parcel in question belonged to the Great Lakes University.

Mr. Speaker, the county was acquiring it, is in the process of acquiring it, and Mr. Speaker, some amount has been paid out and we are in the process as a county to acquire that land. And so, the parcel does not belong to an individual. Mr. Speaker, there was also a question as to whether it was one parcel or three parcels, and the House was confused as to which parcel was being leased to this particular private developer.

Mr. Speaker, we got new evidence and now we know that the three pieces that were being talked about were actually two parcels of lands collapsed into one, and now the third one was now actually the 10-acre parcel that is being acquired by the county for the purposes of this lease. Mr. Speaker, we can also rescind our decision as the House to execute the House from a limbo resulting from an unconscious decision.

Mr. Speaker, if we as the House stand our ground and refuse to reconsider our resolution, then, Mr. Speaker, as a county, we may lose an investment of a lifetime. Mr. Speaker, I just got a new guideline that the Treasury just published dated 24th, and on this guideline, Mr. Speaker, the Treasury specifies the details that these Public-Private-Partnerships should include, and Mr. Speaker, some of these requirements are the names of the projects, project description, estimated costs, and potential stakeholder impacts.

All these, Mr. Speaker, I've heard my chairperson, speak of them, and Mr. Speaker, I can see that already, even before this circular by the Treasury was out, this particular private developer had, Mr. Speaker, aligned with the requirements so needed to undertake a proper public-private partnership.

Mr. Speaker, in this regard, allow me a second the motion to rescind the decision that was made on this Floor to allow Med Aditus be allocated land to invest for the benefit of Kisumu County residents. Mr. Speaker, I second.

**The Speaker** (Hon. Oraro): Honourable Members, the adoption of the motion to rescind the decision of the House on the report of the departmental Committee on Lands, Physical Planning,

Housing and Urban Development on the proposed sub-lease of land to Med Aditus for establishment of pharmaceutical manufacturing plants in Kisumu and support for its conversion to Special Economic Zone have been moved and seconded.

Honourable members, though I want to make it clear that when I looked at the motion presented, the prayers are very clear, that number one prayer is to rescind the decision, number two is to allow this Departmental Committee to retable the report and to debate it effectively. Honourable Deputy Speaker, I'm just trying to guide you that the prayers are very clear. The prayer is not to give the land, the prayer is to rescind the decision and allow this House Committee to table afresh the debate before a decision is made. And by that, I want to propose a question, and I propose that the same motion is open for debate.

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

**Hon. Olima** (MCA, South West Nyakach): Thank you Mr. Speaker for the opportunity to contribute on this motion. From the onset, I want to oppose this motion. If what we have been given is called a motion because it has no authenticity of the committee in charge. The interest of who is behind this is not known, because I wish it was tabled to the committee so that we know the public interest as to why the decision that this House made is not pleasing the public.

Mr. Speaker, I believe that, we are conscious enough and this House has men and women Honourable enough that know what they are doing. If we just made a decision the other day, that is last week, that we don't feel it's right to lease our land to a private developer, then three days down the line we are informed that there is a public interest. Without even a petition to this House, without anybody bringing any document before us, that there is an interest which is public interest that we need to safeguard.

Mr. Speaker, from what we have been given by the Chairperson of this House Committee, if you look at the reasons as to why, it's only that the Speaker is allowed a leeway for a motion that is passed either in the affirmative or in the negative to be brought back to this House. No other reason apart from that, because the issues that were raised were very pertinent. As Kisumu County, what benefits are we getting by leasing land to somebody privately? By giving somebody land as Kisumu County, most of the Members in this House today are struggling to get public land, to buy land from private developers so that we can do public facilities.

Mr. Speaker, I want to state categorically here that I have done in my Ward four markets in private land and the County has not been able to pay for those parcels of land to date. It is now almost four financial years. Here we are, buying land, then leasing to somebody in the name of a private developer when we do not even know what we are going to gain as a County.

Mr. Speaker, in terms of employment, a matter which has been brought here, we cannot be certain that by a private company being in Kisumu, residents are going to be employed. We

cannot reinforce the employment to Kisumu residents alone. People will come from many parts of Kenya such as Siaya, Mombasa, and Turkana, among others.

Mr. Speaker, as Kisumu County, the interest that we serve is that of the constituents. We are concerned about what they going to gain by spending money to buy land. Then, we come back here and inform them we bought land and gave it to somebody to do his personal business! We want to see the contract that the County has with the developer.

Mr. Speaker, again we want to see the documents the County has with this developer. Because we have so many entrepreneurs, we have so many businessmen in this County who just lack land and if we could get this opportunity, we can bring so many of them to this county so that they can invest. If the county can be able to buy land for each and every private developer.

Therefore, Members, I want to ask you that unless some of us who are here to pass this Motion are insane, confirm to us so that we call, we bring that to the attention of the IEBC so that you are taken out of this House. However, if you are sane enough and you know what you are doing, let us not rescind our decision until and unless we get the rightful documents pertaining to this individual, the owners of that company called Med Aditus, who are they, what are they going to do, and how is the county going to serve with them? The land in question is leased for Kisumu County for 50 years.

Mr. Speaker, I have just heard the Deputy Speaker say we are still processing the title. The title is already on the WhatsApp group. I have seen the title that was processed on the 25th April, that is, last month. It means this is a very big interest and a private interest. We want to know this interest and who is championing for this interest. And therefore, before we rescind this decision, can we get to know the owners of this company? Who is this private developer? And what is his network and his connections with Kisumu County? And why must we give that land to this specific individual? Mr. Speaker, I object and I oppose the motion.

**The Speaker** (Hon Oraro): Yes, Honourable Tom Nyaoke.

**Hon Nyaoke** (MCA, North Nyakach): Thank you Mr. Speaker. The Mover of the Motion did explain to us the reason we have to present this prayer. It is true that on the 14th, this Motion did not go through because---

*(Loud consultations)*

**The Speaker** (Hon Oraro): Honourable Members, allow Honourable Tom Nyaoke to execute his case.

**Hon Nyaoke** (MCA, North Nyakach): Mr. Speaker, it is true that on the 14<sup>th</sup> may, 2025 this Motion did not go through because of certain issues that were also realized during that time that we were debating. Mr. Speaker, we are all aware that during the time that we were debating this Motion, quite a number of issues were identified by the Members. Those issues have been summarized in one of the paragraphs as material misinterpretations, factual ambiguities and inconsistencies within the committee's report.

Mr. Speaker, again, it is true that there are certain issues which were pinpointed at the time we had this debate. Mr. Speaker, up to this point, the Mover of the Motion has not requested that we proceed and give this land. However, he wants us to come back to that Motion so that the issues raised by Honourable Olima can be raised once this debate comes back to this Assembly with all the ambiguities that were seen and realized, revised.

Mr. Speaker, there are certain documents that were not attached to this particular report at the time we were discussing. Now that all those documents are now available, Mr. Speaker, it is my belief that, it will be prudent for us to come back to this report, look at it seriously and categorically and then we can be able to pinpoint whether we are going to approve or shoot it down. But with sufficient documentations that we expect to have, the prayers that the Mover of the Motion has given are only two prayers requesting the House to rescind the resolution.

The prayer, Mr. Speaker, is to allow this House to come to a proper decision. Therefore, whether we shall be rejecting or supporting the report, we shall only be able to do so with evidence and documents that shall have been provided before this House. Thank you, Mr. Speaker. I support the report. Thank you.

**The Speaker** (Hon Oraro): Honourable Kelvin Oraro

**Hon Oraro** (Kolwa Central): Thank you Mr. Speaker. I also rise to contribute in this special report before the House. I want to start by stating that, I am guided by Article 62 of the Constitution, especially 62 (2), where you know that county governments can also hold land or have land in trust of the people of Kisumu County. That is the reason as to why a county government can own a land. And while owning that land, they own it on behalf of the citizens of Kisumu County. For that reason, I do not know, but the point that comes out clearly from the Motion that has been moved is that we have two different issues that really needed the Assembly to make a good decision.

One, why do we need that land, and if that land, the other part of it, the issue of the investor. We have seen the special or additional information that has been given there. I have seen even the title deed that has been provided and the time it was availed. It means that the county already possessed that land. The worry that we had, the Motion that was discussed last week, it is clear

that the county possessed that land. However, the issue of the investor also is something that is not coming out clearly, according to me. I was privileged to be in the First Assembly where there was an investor, a serious one, by the name of Madam R. Enterprise who tried lobbying for Members. Honourable Ochele was lucky to fly to Germany to see what Madam R had.

Mr. Speaker, there were also a few members, almost half of the Assembly, I know, were here. Honourable James Omollo and the rest went to Germany on such an invitation of a private developer or investor and a lot happened only to realize that the channel was not good. Therefore, sometimes we are very innocent as Members as most such deals are done by the County Executive.

Mr. Speaker, those at the Executive have the details. They know a lot about anything they are pursuing. However, the moment it is brought to the Assembly, we are given little information about an agreement that will automatically make Members to disagree with some of this report. For example, this report and the way it is being moved and the speed and the interest that it elicited surprised me and I hope the majority of the Members will be okay with supporting the Motion just because the interest is so big. And for that interest we might bow down. But the point that we want to pass across is that anything that is pertaining to this county and will need an agreement that will take over 30 years should not be something that we can play with within 30 seconds or 30 minutes and say it is done.

Therefore, Mr. Speaker, I join Honourable Gard Olima, by disagreeing with the Motion that this House rescinds the decision that it made on the 14<sup>th</sup> may, 2025. My take is that whoever is behind this and is really pushing for this to happen very fast, I wish he had a good reason why it failed like the developer would fail by the next month. But if it is something that is very straightforward, let everything be put in black and white. Let Members support something that will change the people of Kisumu County or the business or revenue of Kisumu County. But if there is nothing we are gaining from the agreement or the partnership, I do not believe that we should be in a hurry in trying to lure an investor by giving out a big piece of land and there is nothing we are going to gain as a county. Thank you.

**The Speaker** (Hon Oraro): Yes, Honourable Okoyo.

**Hon Okoyo** (MCA, Central Kisumu): Thank you Mr. Speaker. I am privileged to be one of the committee members of the Departmental Committee on Lands, Physical Planning, Housing and Urban Development. The Motion before this House is to ask the members of the Assembly to rescind the decision or the motion which was passed on the 14<sup>th</sup> of May, 2025. I do not know why we want to cross the bridge which we have not reached. The truth is, when this motion is passed to rescind the decision which was made on the 14<sup>th</sup> of May, 2025, it will allow us, the members of this House Committee, to dig deep into this matter and bring the correct report

which maybe some members are realizing that was not brought before the House so that we can discuss or table to this House and see if we can still reject the report or we can pass the report.

Mr. Speaker, in my knowledge, I believe that, it is correct to rescind or to allow the Motion to be brought back to this House so that we can know what really is contained in this report or what was not reported fully or was not included in this report. Mr. Speaker, allow me to ask my fellow Members that we are yet to reach to where you want to argue whether we need to reject the motion or approve the motion. Mr. Speaker, I thank you and I support.

**The Speaker** (Hon Oraro): Honourable Regina Kizito, proceed.

**Hon Kizito** (Nominated Member): Thank you Mr. Speaker. I am sorry I am under the weather which is why my voice is not so clear. However, Mr. Speaker, I rise to support the Motion to rescind the decision of a House Resolution made on 14<sup>th</sup> May, 2025. Based on the additional information that was provided in our WhatsApp page, I rise to support the Motion to rescind. In addition, Mr. Speaker, I have gone through the additional information and I have just found out that the land is in Miwani. That is, in Muhoroni sub-county. My reason to rescind is because the land is in Miwani, in Muhoroni sub-county. Thirdly, it is going to provide employment for our people. Therefore, I rise to support the decision to rescind the House Resolution because this is something that is going to help our people, the common man in Muhoroni. Thank you, I support.

**The Speaker** (Hon Oraro): Honourable Sammy Onyango.

**Hon Onyango** (MCA, Railways): Thank you, Mr. Speaker. I rise to support this Motion. From the report---

*(Loud consultations)*

**The Speaker** (Hon Oraro): What is it, Honourable Members? Why don't you give Honourable Sammy time to execute his debate? Honourable Sammy, you are protected. Proceed

**Hon Onyango** (MCA, Railways): Thank you Mr. Speaker. It is my belief that no one is perfect. So, at times, we have to be corrected. And the Chairperson of this House Committee has only requested for him to be allowed to rescind the decision of the House Resolution made on 14<sup>th</sup> May, 2025. So, I do not think there is any harm if you allow the Chairperson do so.

Mr. Speaker, I do not believe that this will only benefit one Sub county as Honourable Kizito had indicated. Remember that Honourable Kizito desires to contest as Woman Representative. If successful, she will be the representative for Kisumu County and not Muhoroni Sub County. I

support this because it will benefit to the residents of Kisumu County. Therefore, I support. Thank you.

**The Speaker** (Hon Oraro): Honourable members, I have noticed you... Okay. I wanted to give Honourable James Were because of seniority, he is back. However, let me first give Honourable K’Omudho then Honourable James Were will be next.

**Hon K’Omudho** (MCA, Muhoroni/ Koru): Many thanks Mr. Speaker. Once again, thank you very much. I am privileged this afternoon to contribute on this very meaningful subject. I call it meaningful because a number of times we tend to resist and actually object things based on false grounds or without doing much of investigation or groundwork. I rise here to support the decision to rescind the House Resolution made on 14<sup>th</sup> May, 2025. I was not there, particularly on the day that issue became chaotic or it was declined. However, Mr. Speaker, I can see good reasons. A number of times we are used to objecting things. A number of times we get to follow people blindly.

Mr. Speaker, I smell a rat. And the rat I smell is that we have to go by the things which are tabled. I have listened to the report which has been presented by the Chairperson and it makes a lot of sense. Honestly, we can only get changes when we allow the new people to come in. If we were to do things the same way, we would not be expecting different results.

Mr. Speaker, the new investors are coming along with the new opportunities for employment. The new investors shall actually not only be good for Kisumu, but for the whole region. If you may call that in Western, because I won’t believe huge potential of the employment opportunity which lies with the coming of new investors. Honourable Speaker, if we made a mistake, then we have realized. We get to get back and I support the Motion and we allow the process. Thank you.

**The Speaker** (Hon Oraro): Honourable James Were

**Hon. Were** (MCA, Nyalenda “B”): Thank you, Mr. Speaker. I also rise to support the Motion to rescind the decision that was made earlier. Mr. Speaker, the basis of rejection was about the parcel of land. Looking at the Motion, there was additional information and new evidence that is now correcting the matters that made Members to reject the earlier motion. Mr. Speaker, also if you look at the legal provision, our Standing Order, which gives us the basis now to discuss rescinding a Motion.

Mr. Speaker, I am supporting this on the basis of public interest. This is going to create employment opportunities for the sons and daughters of Kisumu County. It is my belief that, this is a matter of public interest. Secondly, I support because of the political interest. This project

has a political goodwill. This means it has the support of the county government. With the support of the county government, it is something that is going to benefit our people.

Lastly, I want to urge my colleagues that let the public interest supersede any interest. Let us put our heads and minds together so that we ensure this venture takes off. I, therefore, support this Motion. Thank you.

**The Speaker** (Hon. Oraro): Yes Honourable Adega

**Hon. Adega** (MCA, Kajulu): Thank you Mr. Speaker. the Chairperson of this House Committee has availed documents which are proof that it is a good process to support. Mr. Speaker, convincing investors or partnership is difficult. It takes time to convince the investors to come to and do a project in a county and you see very well our investors are coming to Kisumu. Let us welcome the investors; we get the opportunity of the jobs. As you see that project is coming along my ward at Kajulu, and currently I am constructing a Health Centre. We will get pharmaceutical commodities coming directly from the factory at the Miwani Road. I support the motion Mr. Speaker.

**The Speaker** (Hon. Oraro): Honourable Warindu, Miwani Ward.

**Hon. Warindu** (MCA, Miwani): Thank you so much Mr. Speaker for giving me the opportunity to also support the motion. Mr. Speaker, the motion did not go through because there were some reasons given. Mr. Speaker, unless there are other hidden reasons that we still do not understand.

Mr. Speaker, if you look at the information that was given, all the reasons that were cited at that point have been dealt with. How I wish that we could hold our horses, for those who are opposing the motion to rescind the decision that was made so that we go through and analyse the documents that will be provided to them and all the attachments. Mr. Speaker, I was privileged to be one of the attendees when the public participation for this was held, and all the people who were there were supporting the establishment of a pharmaceutical company at Great Lakes University. Sometimes, Mr. Speaker, it always compels us to look at the greater good. That which will come from this company after it has been established and I want to believe that it answers one of our cries of unemployment in our county. If this is given a chance to be established, I know and I believe that most of our youths from Kisumu County will be engaged in that company.

So, I urge and request this Honourable House to give this report a chance and analyse it critically and make an informed decision when that report will be brought to this House again. Thank you so much. I support Mr. Speaker.

**The Speaker** (Hon. Oraro): Honourable Ken Ouko.

**Hon. Ouko** (MCA, West Kisumu): Thank you Mr. Speaker. Let me also give my view on a decision to rescind the decision of a motion which was presented by the Departmental Committee on Lands, Housing, Physical and Urban Development. Mr. Speaker, I beg to disagree so that later on, as a Member of the County Assembly and a person who is in charge of the oversight. I am not against an investor coming to Kisumu County but, truly before we allow any investor to invest in Kisumu County, we need to do a thorough due diligence. We need to be thorough on the kind of papers brought to the Assembly. For one, now we do not know the company called *Med Aditus*. It would have been a very good...

*(Hon. Nyaoke interjects with a Point of Order)*

**The Speaker** (Hon. Oraro): What is the point of order, Honourable Nyaoke?

**Hon. Nyaoke** (MCA, North Nyakach): Mr. Speaker, It is my belief that the Honourable Member is misleading this House as I can see, because the motion now is not about giving or verifying the facts of the matter. The motion before us is just to rescind. That is what is supposed to debate, Mr. Speaker.

*(Feet thumping)*

**The Speaker** (Hon. Oraro): Honourable Ken Ouko...

*(Hon. Onditi rises on a Point of Order)*

**The Speaker** (Hon. Oraro): What is it Honourable Tom Onditi?

**Hon. Onditi** (MCA, Ombeyi): Mr. Speaker, thank you. I just wanted to inform Honourable Nyaoke that he needed to be keen when a member is presenting his opinion. I think Honourable Nyaoke seemed not to be getting English language correct.

**The Speaker** (Hon. Oraro): Honourable Tom Onditi, I rule you out of order.

*(Feet thumping)*

**The Speaker** (Hon. Oraro): First, when a member has raised a point of order, it is only advisable that you dispense off with the point of order before you allow another point of order. However, I gave you time because I saw you were insisting that you want to say something. I want to say that Honourable Nyaoke is right. We are discussing the motion by the Departmental Committee

on Lands, Housing, Physical and Urban Development through their Chairperson to rescind the decision that was made on the 14th of May. His prayers are very clear. For the sake of moving, I want to repeat again that, the prayer of this House Committee is that we rescind that decision. The decision was that their report was rejected. So, they want us to rescind it.

Secondly, they want this House Committee to table again a corrected and updated report based on the findings that he has mentioned that they are new information, and that they have made some resolution.

Thirdly, the number three prayer is the House Committee be mandated to subject the report to a new debate. That is what we are discussing. If the House agrees with this, then it means we give them the prayers. They will have to table afresh the report and we discuss. If the House rejects this motion, then Standing Order No. 47(2)(b), does not allow, or will not allow Honourable Boitone to again bring a motion to rescind the decision of this House today. So, you only have one chance, that we either agree with this motion or reject it. But that will come at the end of the debate, and I want to repeat that if you agree with it, then they will have to bring a new report. That new report will be debated just like you had never seen it before. If you disagree with the report, then it dies a natural death, and we wait for how many months? Six months. Unless we are near the next session is when it can be less. Assuming you are in October, then the next session starts in February. Then that is not six months. But if it is within the session, it has to wait for six months. So Honourable Ken Ouko, I believe you are guided.

**Hon. Ouko** (MCA, West Kisumu): Thank you Mr. Speaker. Truly, I am guided. If you are given an opportunity to look into the report, assess, make a conclusive decision, which is in favour of our people. Mr. Speaker, I support.

**The Speaker** (Hon. Oraro): Honourable Tom Onditi. I have seen you Honourable... I know, Honourable Ochele, but I believe that you stood after I had noticed Honourable Onditi. So, I will give you next.

**Hon. Onditi** (MCA, Ombeyi): Thank you Mr. Speaker. Mr. Speaker, I would have loved to support the rescinding of the motion of this debate but I think...

**The Speaker** (Hon. Oraro): Honourable Tom Onditi, we are not rescinding the debate. We are rescinding the Resolution of the House made on the 14th of May 2025.

**Hon. Onditi** (MCA, Ombeyi): Thank you for that correction. Mr. Speaker, I would have supported the rescinding of the resolution, but I also acknowledge the fact and everything that has been said here, including the fact that this proposed pharmaceutical company, when established, will create jobs. I am also made to understand that it is likely to create jobs for the

people of Muhoroni, which are also likely to be the beneficiary because I also come from Muhoroni. However, Mr. Speaker, I also would have loved to support this motion because it is giving an opportunity...

*(Hon. Samuel Onyango rises on a Point of Order)*

**The Speaker** (Hon. Oraro): What is your Point of Order Honourable Samuel Onyango?

**Hon. Onyango** (MCA, Railways): Mr. Speaker, I want to inform the Honourable Onditi that the project belongs to Kisumu County, not Muhoroni Sub-County. Thank you.

**The Speaker** (Hon. Oraro): Honourable Onditi.

**Hon. Onditi** (MCA, Ombeyi): Mr. Speaker, this is the disadvantage of people who are not listening. How I wish Hon. Samuel listened to my statement very well. I said I have been made to understand that the people of Muhoroni are likely to be the beneficiary. Mr. Speaker, I would have loved to support this motion because the prayers, if granted, will provide an opportunity for this report to be presented afresh, so that it gives members another opportunity to debate this report, Mr. Speaker.

However, Mr. Speaker, it is my opinion that, I am opposing the decision to rescind the resolution on the ground that people should be serious before presenting such an important document to this House. Because why is it that after the report was defeated, is when additional, which are classified as important documents or materials, is when being presented? What was happening then? Why could not they present all these things? That means this House Committee was not serious with this job. So, Mr. Speaker, I am opposing this decision so that this becomes a lesson to other House Committees that when they are dispensing with important matters, let them take their time and bring important matters, so that such important reports are not defeated on the grounds of inconsistency and misinterpretation of facts. Otherwise, thank you, Mr. Speaker.

**The Speaker** (Hon. Oraro): Honourable Moses Ochele.

**Hon. Ochele** (MCA, East Kano/Wawidhi): Thank you Mr. Speaker. Mr. Speaker, I am privileged to be a member of the Departmental Committee on Lands, Physical Planning, Housing and Urban Development. Mr. Speaker, I contributed immensely in coming up with the report which was shut down by this Honourable House. I did not shed tears, I did not laugh, but I thought that was the best at that time. Mr. Speaker, today, I am getting a new terminology which I have never got in this House that we are rescinding our earlier resolution to shoot down a report which was reserved for six months. Mr. Speaker, the word to rescind, going by the meaning by Oxford Dictionary, it is revisiting your earlier mistakes, going back to the mistakes you did

consciously or unconsciously. Going by Collins-James Dictionary, it is condemning your mistakes, the mistakes you did in the past, and struggling to correct them. Or, condemning your earlier position on a matter. That is the meaning of rescinding.

So, Mr. Speaker, today, this very Honourable House, on 14th of May, are moving a motion that the entire membership of this House was not sober, was not keen, was not patient enough to go through all that was tabled by this House Committee. The Departmental Committee on Land, Physical Planning, Housing and Urban Development, to an extent that they shot down what they did not understand, and today, miraculously, we are being made aware that, indeed, we should not have shut it down. Mr. Speaker, this report, as it came from the Departmental Committee of Lands, Physical Planning, Housing and Urban Development, it came through a serious managerial committee called House Business Committee, chaired by the number one Member in this House, Mr. Speaker. This House Committee, Mr. Speaker, went through the report, considered all matters of threshold, and approved it that, indeed, it satisfies the threshold to be debated in this House. No matter was raised, it never referred back this report to this House Committee.

Today, Mr. Speaker, from 14th of May, that was Wednesday, last week, House Business Committee has just sat once. That was yesterday. Mr. Speaker, procedurally and legally, this matter should be born out of a sitting from the Departmental Committee on Lands, Physical Planning, Housing and Urban Development. I have never seen a notice, to that effect, constituting a sitting of that House Committee. So, I am wondering today, Mr. Chairperson Departmental Committee on Lands, Physical Planning, Housing and Urban Development do you know this, tackle matters of the committee in your House that you woke up in the morning, then you say, here I am, I brought a report to rescind your early decision, and this report is tabled today and to be discussed. And if that notice is there, Mr. Speaker, I want my Chairperson to table it, because this report is our report. When did we sit? We did not sit yesterday? Well, yesterday is when we made the calendar and we have it here.

Mr. Speaker, it has been done in a hurry that worries some of us, because if there was interest in this matter, then it is my belief that the procedure should have been followed. A schedule is made, the House Committee sits, membership is invited, we sit and we agree as a House Committee that we propose and we are ready to table a motion to rescind that early decision. That was not done, and if we go by that, Mr. Speaker, it is like we are beating our own reasoning of defending the rule of law. Mr. Speaker, it is easy to say that we have gotten new facts. It is easy to say that we need employment. Mr. Speaker, it is easy to say that it is a new dawn, Kisumu County is receiving new investment. In Muhoroni Sub-County, and Muhoroni people, they are happy, but some of them are listening. However, today I want to say this, because the public is watching us, that Mr. Speaker, procedurally, the motion should not have been tabled,

because this House Committee did not sit. Number two, Mr. Speaker, I cannot tell those who elected me that I am a fool. I made a decision without considering.

*(Hon. Okoyo rises on a Point of Order)*

**The Speaker** (Hon. Oraro): What is your Point of Order Honourable Okoyo?

**Hon. Okoyo** (MCA, Central Kisumu): Mr. Speaker, allow me to correct what my senior Honourable member, Honourable Ochele is saying to this House. Honourable Ochele, is misleading this House because I remember very well, we had a meeting as a the Departmental Committee on Lands and Physical Planning, and this agenda was brought. We discussed it, and we realised that we could not get time to look into this report keenly before it was brought to this House. So, I want to inform this House that we had a meeting, and I remember we signed for that meeting. So, if Honourable Ochele was not in that meeting, then he should be informed that we had a meeting before this report was brought to this House. Thank you, Mr. Speaker.

**Hon. Ochele** (MCA, East Kano Wawidhi): Thank you, Mr. Speaker. Mr. Speaker...

*(Hon. Adega rises on a Point of Order)*

**The Speaker** (Hon. Oraro): Just a minute, Honourable Ochele. What is it, Honourable Adega?

**Hon. Adega** (MCA, Kajulu): Thank you, Mr. Speaker. I heard my colleague and my senior, Honourable Ochele, saying that he is not a fool, and this House, we are not fools, but only fools do not change their minds. Thank you, Mr. Speaker.

**The Speaker** (Hon. Oraro): Please proceed Honourable Ochele.

**Hon. Ochele** (MCA, East Kano.Wawidhi): Mr. Speaker, allow me to make my points because I was quiet when others were debating, and I think I have already digressed. I am still within the limits of the debate.

**The Speaker** (Hon. Oraro): Honourable Ochele, be informed that, I am keeping watch of your time.

*(Hon. Olima rises on a Point of Order)*

**The Speaker** (Hon. Oraro): What is your point of order Honourable Gard Olima?

**Hon. Olima** (MCA, South West Nyakach): Thank you Mr. Speaker. Honourable Ochele is right to say that the Chairperson runs this House Committee from his house because no member signed. We are being informed that new information was given. Did the House Committee adopt this new information, and where are the minutes and signatures of adopting? How sure are we that the documents that are brought now are genuine? Who certified these documents as genuine documents of this particular issue? And that is why I want to support what Honourable Ochele is saying, that this thing must have gone through the committee.

**The Speaker** (Hon. Oraro): Your information is given, Honourable Gard. Your information is passed.

**Hon. Olima** (MCA, South West Nyakach): And may Honourable Okoyo get it fully.

**The Speaker** (Hon. Oraro): I want to help you Honourable Olima. You are eating into the time of Honourable Moses Ochele. What is it, Honourable Nereah? I want to rule on the orders that have come.

**Hon. Okombo** (MCA, Manyatta “B”): Mr. Speaker, you can rule, but I just wanted to correct my Honourable colleague, Honourable Gard, that what the Chairperson of the Lands and Planning Committee presented is not a report, but a motion by the Chairperson of this House Committee based on a discussion that was held here in the chambers between the House Committee of lands and Physical Planning and the house leadership, Mr. Speaker. Thank you.

**The Speaker** (Hon. Oraro): That is what I wanted to present, that what we have, and it has to be clear that in the House Business Committee, yes, we scheduled for motions, reports, and bills. Let me say we scheduled for activities of the House. So, thank you Honourable Deputy Speaker.

This is a motion and any Member can bring a motion, whether it's from this House Committee or not. But I believe that, the Honourable Chairperson has been informed and I don't want to get to that one, that there was a meeting. But again I want to request, we are not discussing the report.

We are discussing a request by an Honourable Member, which could have been done by any member any way. The Leader of the Majority could have brought the motion or any other member requesting that we rescind the decision that was made on 14<sup>th</sup> May, 2025. So please, I want us to bias ourselves only, to restrict ourselves on this motion.

**Hon. Ochele** (MCA, East Kano/Wawidhi): Mr. Speaker, I have not even gone to the report, I'm just on rescinding. So allow me to continue and sometimes your own House can amaze you and you can be perplexed to find yourself in strange territories. When the House Committee membership, my colleagues in the Departmental Committee on Lands and Physical Planning,

one is saying we sat and we signed, Mr. Speaker. And the senior most Deputy Speaker says we didn't sign, we didn't see it, and it was a motion by the Chairperson. Now Honourable Speaker, there is this contradiction which amazes me and he tells you that the motion before us today is not appropriately before this house.

Honourable Speaker, the reference and even when you were giving room for debate, you said it is a motion brought forth by the Departmental Committee of Lands, Physical Planning, Housing and Urban Development. And that is what we are debating. But right now, we are talking of a motion Sponsored by the Chair of Physical Planning. Not true, but I believe the direction we want to take is very clear. Nonetheless, it is a dangerous one and it seems some of us have made up their mind and forgotten the reasoning bits of their mentality.

Mr. Speaker, if we were reasoning enough, we would have realized that just last week, we shot down this motion. We should have given time, even to the House Committee or the Chairperson, as he was sponsoring this, is it not even courteous for the Chairperson to notify his Members that on behalf of you, Members of this House Committee, we are rescinding that decision and I am sponsoring the motion as a Member of the Assembly. Could that be courteous enough? Mr. Speaker, I will summarize by saying that I'm not castigating my earlier decision.

I supported the motion. If I say I'm not supporting today, then it means I'll be contradicting myself. If you go to the Hansard, I supported the motion, then with the reservations. If I say now that I'm rescinding, then I'm referring to myself that I'll be a fool of the highest order. Because rescinding what he didn't say is contradictory and doesn't make sense. And for those who did not support the motion, I believe they are very few, you can rescind.

But majority, I don't know how you will reason, but let it take the direction its taking. But remember, what we are doing today, anybody listening can take this and challenge it in Court and all these things we are rushing can come back to us. Let's be patient, follow the law, do what is right at the time God has given us to do the right to this County.

I'm not against any development, but I'm against hijacking procedures which gives loopholes for litigations. This county, Mr. Speaker, we are overwhelmed by litigations and Kisumu County residents are very happy in the court corridors. Any gap, they'll pick it. And this matter is not just a simple matter. It is a serious matter and I believe very senior people in this county are watching us and they are reading these loopholes.

Mr. Speaker, are we rushing because we want to please somebody? If we are not pleasing somebody, let's do correct things at the right time and eventually, because the land has been secured procedurally, this *Medi Aditus* will get land. But before it gets land Mr. Speaker, Who is the owner of this *Medi Aditus*? Could it be some people in this County going to register a

company in America and coming back so that we buy them land to do that? That is a story for another day, but let's respect procedures and the rule of Law. Thank you, Mr. Speaker.

*(Hon. Okombo rises on a Point of Order)*

**The Speaker** (Hon. Oraro): What is your point of order Honourable Okombo?

**Hon. Okombo** (MCA, Manyatta “B”): Thank you Mr. Speaker. Allow me to inform the House that rescission of resolutions is not being foolish. Mr. Speaker, that is why it is provided for, under our Standing Orders and when I was seconding the motion, Mr. Speaker, I gave three conditions under which a resolution can be rescinded.

Mr. Speaker, if you allow me, I said that number one is, in the event that the decision so made is determined to be defective. Number two, when the House is seized of new evidence and number three, is to remove the House from a looming limbo.

Mr. Speaker, if all procedures were deemed perfect and that no rescissions were allowed, then it wouldn't have been provided here. So, Mr. Speaker, I want to say that this motion is properly before the House and that there is no illegality that is being done here warranting any legal... Thank you, Mr. Speaker.

**The Speaker** (Hon. Oraro): Your information is home.

**The Speaker** (Hon. Oraro): Yes, Deputy Leader of Majority.

**Deputy Leader of Majority** (Hon. Owade, MCA, South East Nyakach): Thank you, Mr. Speaker. I rise to support the motion. Mr. Speaker, the Deputy Speaker, when she stood up, explained circumstances under which a motion can be rescinded. One being that, by the time the report was brought, they were lacking information and those information can now be availed. It is for this reason that when it is rescinded, then this House Committee will go back and peruse those documents and probably bring them before the House when the motion is brought and they are tabled, as members are saying, they do not have the details of the members of the original owners of Med Aditus. Those are the things that will be brought once this report is rescinded.

Mr. Speaker, there was information that was lacking in regard to the title deed. It is in the common knowledge, we know, that on that day it was appearing to be three title deeds. It has been established from some quotas that the original title deed was LR number 654/45. That was the parcel of 50 acres.

*(Hon. Oraro rises on a Point of Order)*

**The Speaker** (Hon. Oraro): Honourable Oraro, what is your point of order?

**Hon. Oraro** (MCA, Kolwa Central): Thank you Mr. Speaker. We have agreed and from your direction, you have said that this was an individual motion from Honourable Boitone and it is not considered under House Committee. Because if it was about a House Committee, some of those things he is saying was going to be confirmed and they speak in one voice.

However, you have said that this is a motion by the Chairperson of the relevant House Committee, meaning that most of the things that are brought have not been confirmed. But if the Chairperson can confirm on behalf of the House, then, he has that authority, without the House Committee, then you can give direction, so that Deputy Leader of Majority do not mislead us.

**The Speaker** (Hon. Oraro): Honourable Kelvin, I believe the Chairperson or the Mover of the motion is taking notes and will have time to reply. Honourable Owade please continue.

**Deputy Leader of Majority** (Hon. Owade, MCA, South East Nyakach): Thank you, Mr. Speaker...

*(Hon. Ochele rises on a Point of Order)*

**Hon. Ochele** (MCA, East Kano Wawidhi): Mr. Speaker, I was just bringing the history of what was lacking then that made the motion or the report to be rescinded. These are some of the information that will come now in this House officially to show that when it was brought here, it had three titles, yet it was one being subdivided into two. When it was subdivided, one was Miwani Parcel No. 12 of 2. That is what has been given...

*(Hon. Boitone interjects)*

**The Speaker** (Hon. Oraro): Honourable Boitone, do you want to clarify?

**Hon. Boitone** (MCA, Nyalenda "A"): Mr. Speaker, I want to inform the House that the documents that we have before us, that my junior is reading, are not authenticated by this House. No committee has sat to approve those documents he is talking about and therefore, unless you want to assure that he is the owner of those documents and he can be charged to be knowing those documents, what we are having are papers that can be from anywhere.

The title deeds can be made even in River Road and anywhere. We want somebody who has authenticated and that's why we wanted the committee members to sign for authentication of those documents so that we can own them as a House. Thank you.

**The Speaker** (Hon. Oraro): Honourable Owade.

**Deputy Leader of Majority** (Hon. Owade, MCA, South East Nyakach): Mr. Speaker, I really fail to understand which direction this debate is taking. The debate here, Mr. Speaker, is to rescind this decision because they were lacking information that when we rescind this decision, those information that were lacking will be brought in this House. I'm just hinting to you that to prove to you that those documents that were lacking will be brought.

I am not here to table them, but I am informing you to wait and see those reports brought here and say I am lying. Those are the reports that you should wait and be brought and convince you otherwise. Yes, that is what we are talking about.

Mr. Speaker, we are talking about the information that was lacking. They are going to be provided, including those who want to know who the Med Aditus are. This House Committee will sit down, even interrogate and even call the Med Aditus, and when they report in this House, they will give a report to that effect that this Med Aditus, they are so and so then we call them.

Mr. Speaker, If that is not brought in this House, then you will be given an opportunity to debate on this, either to reject or to approve. What we want is this decision to be taken back. This House Committee will sit and bring those convincing reasons that were not there to make us move. Mr. Speaker, no one amongst us here is against investment. In any case, the National Government, the County Government, spend a lot of money going out to look for investors. In Rwanda, investors are seduced by being given free land to develop.

The County Government of Kisumu has gone ahead to buy land and give to investors. What do we benefit? Someone asked how we are going to benefit from this. We will benefit...

**Hon. Ochele** (MCA, East Kano Wawidhi) Mr. Speaker, the co-mandate of County Government is to honour, respect and execute its own development initiative. In matters of land, Mr. Speaker, the County Government have projects lying on lands which are contested. Mr. Speaker, it has taken ages for such kind of lands to be paid and the titles be formalized. Mr. Speaker, take for instance Nyahera....

**The Speaker** (Hon. Oraro): Order!! Honourable Ochele I will not allow you to find yourself back into the debate unprocedurally. Because what you are trying to do is to steal your hour back into the debate unprocedurally. And I will not allow you to do that. Deputy Leader of Majority, please continue.

**Deputy Leader of Majority** (Hon. Owade, MCA, South East Nyakach): Thank you Mr. Speaker. Be it as it is, Mr. Speaker, I want members to be honest with themselves. So that, they

are aware that, we are not making a decision today. We want the truth to come out and that is the reason we are deciding so that this House Committee will provide to this House all those grey areas that were not brought to this House. Thank you, Mr. Speaker.

**The Speaker** (Hon. Oraro): Okay, Honourable Odari.

**Hon. Odari** (MCA, Chemelil/Tamu): Mr. Speaker, thank you very much. Let me add my voice to this debate before this House. However, I've listened very carefully for the guidance that you gave and now that I'm happy, the report will be brought back for discussion. But now my question, when will it be brought back? I'm saying this because what is going on out here is that, we, the County Assembly made a wrong decision for not adopting the report. Therefore, this company, Med Aditus, they will go to Embu in the course of next month.

Now I'm wondering, when will we discuss this report again? Mr. Speaker, it is very unfortunate for the first time I'm hearing that we are rescinding the decision which was made by this Honourable House. And these people are learned. They are not tomfoolery. But now we are being told and forced to...

**The Speaker** (Hon. Oraro): Honourable Odari, I think you need to withdraw that. That is unparliamentary. We are not forcing any member. This is a debate. You will take your position, the other member will take their to, and then we'll come to putting a question and when we put a question...

**Hon. Odari** (MCA, Chemelil/Tamu): Thank you, Mr. Speaker. I withdraw and I apologize.

**The Speaker** (Hon. Oraro): What is it Deputy Leader of Majority?

**Deputy Leader of Majority** (Hon. Owade, MCA, South East Nyakach): Mr. Speaker, my worry, and I thank the Selection Committee for giving me opportunity to be in a member of the Departmental Committee on Trade, Tourism Industry and Marketing. Since I joined to that House Committee, there is a land, each and every Financial Year, there is appropriation of some funds to purchase land and it has not been bought. That land costed around Kshs 100 million or Kshs 200 million.

Mr. Speaker, today, the Industrial Park has been allocated money each and every financial year and it has not been bought, this one has just taken 2-3 months to be purchahsed. Where are we going to? Mr. Speaker, I agree that if this report will be discussed another day, then I support it and if it will not be discussed, then I'm not in support of it. Thank you.

**The Speaker** (Hon. Oraro): Yes the Chief Whip.

**Chief Whip** (Hon. Kanga, MCA, Market Milimani): Thank you Mr. Speaker. I rise to support this motion by the Honourable Boitone Oketch, Member of the County Assembly, representing Nyalenda “A” Ward. This is a motion to rescind an earlier decision which was made on Wednesday 14<sup>th</sup> May, 2025. I believe last week.

Mr. Speaker, before I debate on the motion, I want to make a few remarks on the decision which was made on that day. Mr. Speaker, the decision which was made on that day, I believe is a blessing in disguise to this House and the Honourable Boitone Oketch, as a Member and the Chairperson of that Departmental Committee where I sit. I have seen his wisdom after consulting with the leadership of this House to bring this motion for the House and the House Committee to consider this matter based on inconsistency ambiguity.

Mr. Speaker, it's only today, for your information, when we were sitting as the leadership of this County, which the Governor chaired, when we were talking about issues to do with land. And, Mr. Speaker, Members who served in the Second Assembly, I look Honourable Olima, Honourable Oiko Pete, who are very religious attendees of this House, are aware of this. We transferred two parcels of land, one to CPF that is the County's Pension Fund, that's Anderson Fund, Makasembo, based on a rush.

Mr. Speaker, today, we are still transferring another estate that is on Ondiek Estate, to the same institution, that's National Housing Corporation based on a rush because we didn't dig deep unto why we are transferring these estates, and we are in a quagmire at the moment. That's why I'm saying that the decision of the House not to pass that motion on that day is a blessing in disguise, so that we go and dig deeper again to know who the directors of this company are.

How many people are they intending to employ? Because, Honourable Warindu, we were told during that time that the Prime Minister and the President were supposed to come and launch those estates. We need to rush and pass the motion. We passed.

Right now, go to Makasembo, so that one person is employed in that place. You will be seen as a person who doesn't want investments to come in this town. So, going further, Mr. Speaker, to dig deep and know how this company is going to operate, and who are the directors, because you will find that this land was bought by the country Government from that University, The Great Lakes University Why did they decided to buy that land and when was the public participation done? The decision to buy land from Great Lakes University. This land was bought by the County Government from that university that is Great Lakes University.

Mr. Speaker, there are several critical questions that need to be addressed. Where was the decision made to purchase this land? Why was that specific parcel of land—owned by Great

Lakes University—chosen? Was there any public participation in the process? These are the issues that this House Committee chaired by Honourable Ratib must investigate thoroughly. It is imperative that we understand where, when, and how this decision was reached.

Mr. Speaker, I appreciate your wisdom in allowing this matter to be brought to the floor under Standing Order No. 47. It is through such mechanisms that we prevent ourselves from repeating the mistakes of the past, particularly those of late 2021 and 2022. We must also summon those involved—especially those from the Department of Lands and Physical Planning and related agencies—to appear before this House where all Members can participate in the inquiry. This is now a matter of public interest. The people of Kisumu County are watching closely. They want answers. They are concerned about who is being employed, what types of chemicals or drugs will be used, and the potential environmental degradation that might result.

Honourable Oraro has consistently raised concerns about pollution flowing into River Nyando and River Ombeyi. How will these effluents be managed? These are the questions that must be answered once this House Committee has completed its investigations.

Therefore, Mr. Speaker, I rise in support of this motion. I commend Honourable Gard Olima for raising these vital issues, and likewise Honourable Kevin Oraro for his continued advocacy. I am confident Honourable Pete will also contribute valuable insights. Let us allow this House Committee to continue its work and bring back a thorough, comprehensive report to this House. Thank you, Mr. Speaker.

*(Hon. Olima rises on a Point of Order)*

**The Speaker** (Hon. Oraro): Who do you want to inform? What is your point of order?

**Hon. Olima** (MCA, South West Nyakach): Mr. Speaker, I want to provide reasons as to why I was seriously opposing this motion.

**The Speaker** (Hon. Oraro): Honourable Gard Olima, I will not allow you to find your...

**Hon. Olima** (MCA, South West Nyakach): No, no, I'm just providing reasons.... From what the Chief Whip has said... Mr. Speaker, if you allow me...

**The Speaker** (Hon. Oraro): Honourable Gard Olima, Order!! Please resume your seat. The Honourable Chief Whip has only praised you for having brought very pertinent issues. He has not mentioned you negatively to allow me to give you a comeback.

**Hon. Olima** (MCA, South West Nyakach): Mr. Speaker, what I wanted to say...

**The Speaker** (Hon. Oraro): Honourable Gard Olima Order!! You want to steal yourself back into the debate, I know.

**Hon. Olima** (MCA, South West Nyakach): Mr. Speaker, I rise to revise the position I had previously taken, following the remarks made by the Chief Whip. His contribution has brought important clarity to the matter.

Mr. Speaker, earlier, I opposed the rescindment of this motion because, according to our schedule, the motion is already slated for discussion tomorrow. Given the limited time between now and then, I was concerned that we would not be able to gather all the necessary information from the investors.

However, if the Chief Whip is now confirming that this House Committee will go back to conduct a thorough review and collect all the required details, then I am satisfied with that approach. On that basis, I am now in support of the rescindment so the House Committee can carry out its mandate properly and provide us with the information we need. Thank you, Mr. Speaker.

*(Loud laughter)*

**The Speaker** (Hon. Oraro): Honourable Gard Olima, I do not wish to set a precedent of allowing Members to return to a debate that has already concluded. You still have an opportunity to express your position through your vote. If you had wished to oppose the motion, you could have done so during the debate. At this stage, the only avenue available to you is during the voting process. Allowing Members to revisit debate after closure would set an undesirable precedent, and I must be firm on that.

*(Hon. Oraro rises on a Point of Order)*

**The Speaker** (Hon. Oraro): Honourable Olima, you see, now you have given me the problem. Honourable Oraro, whom do you want to inform?

**Hon. Oraro** (MCA, Kolwa Central): Mr. Speaker, I wish to inform the House that when the Leader of Majority speaks in this Assembly—especially considering that this is an ODM-dominated House—their words often carry the weight of the party's position. As such, we tend to interpret their remarks as the voice of the party itself.

That is precisely why Members of the leadership are entrusted with such roles—they represent the collective stance of the party. In this context, Mr. Speaker, it is understandable that my colleague is now reconsidering his position in light of the Leader of Majority's remarks.

**The Speaker** (Hon. Oraro): Honourable Kelvin, please be informed that the Leader of Majority and the Honourable Whip serve as the government's representatives in this House. However, their statements should not be seen as preventing you from expressing your own views. Therefore, let it not be reported or misunderstood that the Honourable Whip is compelling you to follow a particular direction. If you wish to change your position, you are free to do so during the voting process. Now, what is it, Honourable Lumumba? You already had your opportunity to debate.

**Deputy Leader of Majority** (Hon. Owade, MCA, South East Nyakach): Mr. Speaker, I just want to inform the House that, I've realized something very important.

**The Speaker** (Hon. Oraro): Honourable Olima, you see the situation you've placed me in? Now every member wants to find a way back into the debate, yet the Standing Orders are very clear on this matter. If you have a point you'd still like to raise, Honourable Lumumba, you may speak to a member who has not yet contributed to the debate. For instance, I see Honourable Pete is on his feet—you can share your concerns with him, and he may choose to present them on your behalf.

**Deputy Leader of Majority** (Hon. Owade, MCA, South East Nyakach): Mr. Speaker, I just want to inform my brother, Honourable Olima, that it seems all it takes to convince him is a word from the Whip. Everything he has now agreed with had already been stated several times by the Whip. Nonetheless, thank you, Honourable Olima, for finally listening to your Whip. Thank you.

**The Speaker** (Hon. Oraro): Yes, Honourable Oiko Pete.

**Hon. Oiko** (MCA, Kabonyo Kanyagwal): Thank you Mr. Speaker. Mr. Speaker, this is a very important debate for this House. The County Government of Kisumu is seeking to bring in an investor to undertake a major project—something that should be seen as a positive step.

Mr. Speaker, the decision that was made last week brought us to where we are today. What's becoming clear is that the County Government may not have sufficient public land available to offer to private investors, and therefore must purchase land to make such investments possible. That, in itself, is understandable.

Mr. Speaker, what we are asking for is transparency. We need all the relevant information laid on the table—particularly, who these investors are and the nature of the proposed investment. These are legitimate questions, and it is our responsibility to ask them.

When reports are brought before this House, it is our duty to scrutinize them—examining both the pros and cons—before making an informed decision. This is not a rejection of development,

but rather a demonstration of the maturity of this Assembly. We support the County Government's efforts to acquire land to attract private investors. At the same time, we expect the Assembly to exercise due diligence whenever such matters come before us.

As we move forward, I trust that this House Committee will address all the concerns raised by Honourable Members so that we are well-informed and confident in the decisions we make. This is not about opposing the House Committee decision—far from it. We simply seek clarity and accountability. That is all I wanted to say, Mr. Speaker. Thank you.

**The Speaker** (Hon. Oraro): Yes, Honourable Jennifer.

**The Deputy Majority Whip** (Hon. Obonyo, MCA, South West Kisumu): Thank you, Mr. Speaker. Mr. Speaker, going by the mood of the House, I wish to call the mover to reply.

**The Speaker** (Hon. Oraro): Well, Honourable Ratib, you have enough time. I think as per the Order Paper, you are the one who has the most number of minutes to reply.

**Hon. Ratib** (MCA, Nyalenda “A”): Thank you Mr. Speaker. Mr. I will not take much of the House’s time, especially since I’ve observed that during the course of this debate, some Honourable Members have already raised many of the points I intended to bring up.

Mr. Speaker, this debate—whether the contributions were in support or opposition—has been rich with information, and I must say, we welcome all of it. It has been one of the most thoroughly interrogated and well-debated motions to come before this House, and I commend the Members for their active participation leading us to a collective understanding.

Mr. Speaker, allow me to clarify: this special motion was brought to the House by me in my capacity as Chairperson of the Departmental Committee on Lands, Physical Planning, Housing, and Urban Development. Contrary to claims made by one member, this motion did not originate from a personal or private interest. I did not sit at home with my family and draft a motion for this Assembly.

Rather, this motion was the outcome of a formal plenary meeting held here in this Assembly, chaired by you the Speaker, Mr. Speaker, in conjunction with the Departmental Committee on Lands, Physical Planning, Housing, and Urban Development. Following that meeting, I took the initiative to table the motion before the House.

Mr. Speaker, it is disappointing that, some Members of the very House Committee involved—who attended the session and even signed the attendance register to receive their sitting allowance—are now denying their participation. This is deeply regrettable. If a member signs for

a sitting, then later claims they were not informed or present, that conduct must be addressed. I urge the House to take such matters seriously moving forward.

Mr. Speaker, today's motion is not about reintroducing the report that was rejected by this House on 14th May 2025. Rather, it is a prayer seeking time for this House Committee to gather and present the additional information that was previously lacking. This would allow the House to rescind its earlier decision and give room for a revised motion to be brought forward—complete with all the necessary facts and documentation.

Mr. Speaker, key concerns raised—such as issues around employment, land acquisition, public participation, clarity in timelines, the process of transferring the land to the County Government, and the speed at which the acquisition occurred—will all be comprehensively addressed when the revised motion is reintroduced.

Mr. Speaker, I sincerely thank the Honourable Members. From the mood of the House, it is evident that the prayer to rescind the resolution made on 14th May will be supported.

Mr. Speaker, I am grateful for the House's understanding and continued diligence. Let this be the standard moving forward: that all reports brought before this House will undergo serious scrutiny, with proper documentation, before being tabled for debate. With that, Mr. Speaker, I formally reply. Thank you.

**The Speaker** (Hon. Oraro): Honourable Members, now that a motion, that is adoption of a motion to rescind the decision of the House on the report of the Departmental Committee on Lands Physical Planning, Housing and Urban Development on the Proposed Sub-lease of Land establishing a Pharmaceutical Plant in Kisumu and support for its conversion to a Special Economic Zone was moved seconded and debated as per our standing orders I want to put a question.

Honourable members, however before I put a question I want to refer Members once again to the provisions of Standing Order No. 47 which has severally been quoted and make it clear that Orders No. 47 (2) (a) gives the provision for a special motion can come to the Assembly and I read;

*“A motion to rescind the decision on such a question may be moved with the permission of the Speaker and, a motion to rescind decision on a question, on a special motion shall not be allowed again.*

So I hope you understand what it means that the Standing Orders provide an opportunity to rescind a decision made in the House. Now, this is a special motion so once we vote on this

motion there is no any other opportunity to bring a special motion to rescind this special motion. That's the interpretation of the standing order.

So, I proceed to put a question on a motion to rescind the decision of the House on the report of the departmental Committee on Land Physical Planning, Housing and Urban Development or the Proposal of Land to Med Aditus for establishing a Pharmaceutical Manufacturing Plant in Kisumu and support for its conversion to a Special Economic Zone.

*(Question put and agreed to)*

**The Speaker** (Hon. Oraro): Honourable members, the motion, adoption of the motion to Rescind the Decision of the House on the report of the Departmental Committee on Land Physical Planning, Housing and Urban Development on the Proposal of Land to Med Aditus for establishing a Pharmaceutical Manufacturing Plant in Kisumu and support for its conversion to a Special Economic Zone have been adopted today Wednesday the 21st of May 2025 at 1620 hours.

Honourable members, going forward the meaning of that are that this Honourable House has;

1. Resolved to rescind the decision made on 14th May 2025 rejecting the motion on the report of the Departmental Committee on Land and Physical Planning on the Proposed Sub-lease of Land to Med Aditus for establishing a Pharmaceutical Processing Plant and its designation as Special Economic Zone to the committee.
2. Additionally, the Departmental Committee on Lands, Physical Planning, Housing and Urban Development is hereby directed to table a corrected and updated report reflecting clarified information regarding the subject Parcel of Land and associated documentation
3. Further, the Departmental Committee on Lands, Physical Planning, Housing and Urban Development is hereby mandated by this House that the corrected report be subjected to renewed debate and a consideration in plenary be made to enable the County Assembly to discharge its constitutional and legislative obligations effectively and in the public interest.

I so rule. Thank you.

**The Speaker** (Hon. Oraro): Honourable members, I further wish to issue the following directive:

1. THAT, the Departmental Committee on Lands, Physical Planning, Housing and Urban Development is hereby granted permission to hold special sittings to deliberate further on this matter and thereafter present their findings to the House Business Committee for appropriate scheduling.

At the same time, I want to urge all Honourable Members to make use of committee platforms to thoroughly interrogate reports. Let this not apply to this departmental Committee alone—this message is for all committee Chairpersons and members.

Honourable members, when your House Committee is assigned a task, I urge you to take it seriously. Whether the outcome is positive or negative, your responsibility is to bring a comprehensive report back to this House. I say this with concern because, we previously engaged with the Departmental Committee on Lands, Physical Planning, Housing and Urban Development on this same matter, which was first brought before the House on 04th December 2024.

Upon reviewing the Hansard, it is clear the matter was to be concluded within 21 days—well before the reopening of the House. My records also confirm that I granted this House Committee permission to sit during recess to address this issue. Yet, here we are today, still dealing with it.

While I acknowledge that some of the concerns have been addressed and others are still pending, I remind all respective House Committees that, the time to act is during committee sessions. Please deliberate thoroughly and bring your resolutions—positive or negative—back to the floor of this House in good time.

Lastly, I would like to request a brief meeting with the House leadership after this session. I'm referring to the Honourable Chief Whip, the Honourable Deputy Leader of Majority, Honourable Jennifer, Honourable Pamela, and if present, Honourable Okombo. Let us kindly meet for about 10 minutes before we adjourn. Thank you.

### **ADJOURNMENT**

**The Speaker** (Hon. Oraro): Honourable members, be upstanding. There being no other business in the order paper to transact, the House stands adjourned until Thursday, 22 May 2025 at 2.30 p.m.

*(House rose at 04.32 p.m.)*

**Addendum**

**The Hansard Team**

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