

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Tuesday, 9th October, 2018

The House met at 2.44 p.m.

[The Deputy Speaker (Hon. Museku) in the Chair]

PRAYERS

Hon. Deputy Speaker: We have quorum? Mr. Clerk, proceed.

STATEMENT

Hon. Deputy Speaker: Hon. Members under this Order, we have two Statements; the first one will be done by Hon. Peter Mutiso on House Business Committee and the next one will be done by Hon. Cosmus Masesi. Hon. Peter Mutiso.

BUSINESS FOR THE HOUSE FOR 9TH TO 17TH OCTOBER, 2018

Hon. P.J. Mutiso: Thank you, Mr. Speaker. Mr. Speaker, I stand under Standing Order 41(2)(a) where during the statement hour, a member of the House Business Committee designated by the committee for that purpose, shall for not more than 10 minutes, present and lay on the Table a Statement informing the House of business coming before the House.

Hon. Speaker, the House Business Committee met on 9th October, 2018 and balloted business for this week pursuant to the provisions of Standing Order 151 as follows;

Tuesday, 9th October, 2018

Afternoon at 2.30 p.m.

- a. The Machakos County Finance Bill, first reading by Hon. Steven Mwanthi.
- b. Motion by Hon. John Musyimi MCA Kangundo North Ward that the County Government of Machakos liaises with Kenya Power and Lighting Company to move the electricity posts from the road reserve to allow grading of the road to improve transport and service delivery in Kangundo North Ward.

Tuesday, 16th October, 2018

Morning at 10.00 a.m.

Motion by Hon. Angela Munyasya, MCA Machakos County Assembly that this Hon. House discusses and approves that the County Government of Machakos, specifically the department of education, ensures that it rehabilitates, staffs fully and equips at least one vocational training center per ward to the standard of modern operational vocational training center.

Afternoon at 2.30 p.m.

No business was balloted to allow preparations of *Bunge Mashinani* on Wednesday, 17th October, 2018 in Kithimani ward.

Wednesday 17th October, 2018

Morning at 10.00 a.m.

- a. A Statement by Hon. Francis Kalumu, MCA Kithimani Ward on allegations that the Members of the County Assembly have been given funds for projects in the wards by the Governor of Machakos yet this is against the Constitution of Kenya as members of the County Assembly are charged with legislation while the executive is charged with implementation of development projects. Further, that Hon. Members should visit his office and beg for development resources in their wards yet it against the doctrine of separation of powers.
- b. Motion by Hon. Francis Kalumu MCA Kithimani Ward that the Machakos County Government;
 - i. Constructs bus parks in Kithimani, Masii, Kyumbi, Mwala and Mlolongo towns which are along busy highways in order to increase revenue collection and reduce incidents of traders doing business along the busy highway being run over by vehicles.
 - ii. Renovates and rehabilitates bus parks in Matuu and Tala towns to make them accessible especially during the rainy seasons and increase revenue collection.

Afternoon at 2.30 p.m.

No business was balloted to allow Hon. Members engage with the members of the public in an open forum.

Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Peter Mutiso. Hon. Cosmus Masesi.

STATEMENT SOUGHT

SUSPENSION OF 30 EMPLOYEES FROM THE DEPARTMENT OF ECONOMIC PLANNING ON
9TH AUGUST, 2018

Hon. Masesi: Thank you, Mr. Speaker for giving me this chance to draw my Statement. Mr. Speaker, I have noted that there is an error in printing; I am Hon. Masesi from Matungulu East Ward not Kangundo East.

Hon. Deputy Speaker: Noted and should be corrected; the office of the Clerk, you note that.

Hon. Masesi: Hon. Speaker, pursuant to Standing Order 41(1), I wish to seek the following statement; why the County Government of Machakos suspended 30 employees from the department of economic planning on 9th August, 2018. These employees were not given an opportunity to show because hence contravening the provisions of Fair Administrative Action Act. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Cosmus Masesi for that Statement on issues pertaining to employees and if there is any Hon. Member who would like to comment on it, I will allow two members from each side so that we can be able ventilate a bit on this before we go to the next one. Please, Hon. King'ori

Hon. King'ori: Thank you, Mr. Speaker. The said employees come from Mavoko and I wonder why those people are subjected to such inhuman manner of being sacked or being told there is no job tomorrow when they have families and also have friends who also depend on them. This is because we should practice what is there in law but the Machakos Government is literally not following any law when sacking people or employing people and it not allowed in the Constitution of Kenya.

I wonder why because we have labor laws, we have laws that govern this country and also those same laws stand for the County Government. It is not logical for anybody anywhere to wake up one day and suspend 30 people without giving reasons or no reasons at all because those people I have dealt with them they work very well and they were good people.

So, I do not know which criteria the Government of Machakos used to suspend them on allegations of misappropriation or whichever way which is not there in the constitution. They should have been given even the right to defend themselves if need be. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. King'ori. Hon. Patrick.

Hon. Kituku: Thank you, Mr. Speaker. I am in support of this Statement because actually what was done was inhuman. For instance, I happen to know two cases of the victims whereby one had applied for leave to go for exams and when the Governor gave out this statement that they should be suspended, this person had not reported back to work, so he was suspended when he was away.

Another one was a lady in maternity nursing her baby who was delivered before the due date and when this happened she had reported to work a day before. To her surprise.....the baby actually died so it was a big surprise to the lady because when this claim of whether they had done what they did which we are not aware, she had actually not participated but to her surprise, this thing happened and the fellow colleagues were wondering where this information was coming from.

So, this is something that needs thorough investigations and we need to get information on what happened because there are labour laws and again we as the House should not let things happen in a manner to suggest that we are not serious with our work. So, this one should be highly condemned with serious terms possible and information that is tangible be tabled to this House soonest possible. Thank you, Mr. Speaker.

Deputy Speaker: Thank you, Hon. Member. Hon. Mwanthi.

Hon. Mwanthi: Thank you, Mr. Speaker. Mr. Speaker, it is always good and prudent for this House to be getting some of this information. We have never been told any good reason as to why those employees were suspended and funny enough, the same positions were filled in the same same week that they were suspended. So, I am not sure whether it was suspension or those people were sent home. We had a similar case in August last year where over 400 employees were still sent home on such allegations. Some were returned and all of them are again doing the work they were doing.

Then the questions is; why were they suspended in the first place? We know this has been happening and it happens when there is a certain cover-up from the Executive so that documents may be worked on in.....we know that there some documents that are being processed to fulfill or fit someone's records. We are against this and it is good we get a good report from the Executive showing what had happened to the first employees and now again the ones who have left.

I want to believe some of them were away from office for like five months and they were getting payslips but their accounts were not receiving cash. We want to know who was receiving the funds because those people were receiving payslips meaning somebody was receiving that money for like six months. So, it is unfortunate and we want, if possible, as a House we are supposed to get a report of what happened to those employees. Thank you, Mr. Speaker.

Deputy Speaker: Thank you, Hon. Steve. Hon. Kisini.

Hon. Kisini: Thank you, Mr. Speaker. I want to commend the Member who has brought this Statement to this House because it was very unfair; these people were mistreated, chased out of offices without any prior notice. I think there are procedures; there is first warning, second warning and you cannot kill a whole department in the pretence that they have been bad. Where have you been when they were doing that?

So, in these employees, most of them are young people whose careers seem to be rendered useless; some of them where not even aware, it was the registry, the planning department and other departments that do not even deal with cash. So, I want to say this was very wrong and it is good as the Hon. Member has requested we go to the bottom of the matter and know why they were chased away like animals. Thank you, Mr. Speaker.

Deputy Speaker: Thank you, Hon. Member. Hon. Justus.

Hon. Kiteng'u: Thank you, Mr. Speaker. I will start by condemning the actions done by the Executive and I would say that it seems like a routine because we have the finance department in which we also have those workers who were also suspended and I remember they were reinstated again saying that the investigations had already been done but no action was taken. Mr. Speaker, I would like to talk on the Mavoko issue; as you know there are procedures and personally I met one of the ones suspended among the 30 and legally speaking these members were not heard.

Mr. Speaker, I saw a tweet which was stating that trying to condemn a certain member who is working with the decentralized unit department that there was some money which was

being sent to a certain number of which I requested the chairman finance that we try to follow up on that so that we can get that evidence because Mr. Speaker as you remember that up to now, they have not been reinstated but what is being said is that investigations are being done and we have the planning department where they could have.....if this is happening to the planning department in Mavoko department, then what about the rest; what is happening?

So, Mr. Speaker, unless this House stands firm and tries to investigate these matters, my take is that Machakos is going to rot and rot more and more.

Deputy Speaker: Thank you, Hon. Member. Hon. Kiilu.

Hon. Kiilu: Thank you, Mr. Speaker. Three things; one, it is unfortunate that we are dealing with a Governor who is acting on gossip and it is very unfortunate. Two, if we are talking about embezzlement of funds there has to be a source, a source from the most senior person.

I don't see the reason why you can clear the whole department because of just simple misappropriation of funds. Three, it has reached a point where Members we have to sit down and think; it is my proposal and I think we should also discuss the conduct of the Governor because, we cannot allow them to be doing such, humiliating people, tweeting and putting them to this kind of hopelessness.

We were being narrated about the case by a person who is actually not an employee but a relative of that lady who was mistreated. Imagine, she has been expectant, delivers a baby, the baby passes on and the following day on reporting to work, she is send home. It is very unfair and it is very important that we also think of discussing the conduct of the Governor. Thank you, Mr. Speaker.

Deputy Speaker: Thank you, Hon. Members for your ventilation on the subject. I would like to commit this Statement to a joint committee of labor, trade and finance; those three committees need to sit down, investigate this issue thoroughly and bring a report to this House on or before the 23rd October, 2018.

Some of the critical issues which you need to look at are; was the law followed in the suspension, was there proper handover. On matters concerning finance, you don't tell somebody to wake up and go without somebody else coming to take a handover. If it is receipts, cash in the box; was there proper handover done. It appears we are not learning from past mistakes as it has been said by a Hon. Member here on what happened before and you need to interrogate the CPSB as you are doing it for them to see the role they played in this as a Board where they have been involved in this and bring a comprehensive report before this House so that the House can be able to make a decision. Mr. Clerk, proceed.

BILL

MACHAKOS COUNTY FINANCE BILL No. 3, 2018

(First Reading)

Hon. Deputy Speaker: Hon. Members, under this Order, we have the Finance Bill No. 3 of 2018; Hon. Steve Mwanthi to do the first reading.

Hon. Mwanthi: Thank you, Mr. Speaker. Mr. Speaker, pursuant to Standing Order 119, I would like to present the Machakos County Finance Bill, 2018 to this Hon. House for the first reading. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Steve. Mr. Clerk, proceed.

(Order for First Reading read - Read the First Time and ordered to be referred to the Finance and Revenue Collection Committee)

MOTION

MOVING ELECTRICITY POSTS TO ROAD RESERVES TO ALLOW GRADING IN KANGUNDO NORTH

Hon. Deputy Speaker: Hon. Members, under this Order, we have one Motion by the Hon. John Musyimi, MCA Kangundo North.

Hon. Musyimi: Thank you, Mr. Speaker.

Mr. Speaker, that aware, that the Constitution of Kenya 2010 introduced the devolved system of Government to bring services closer to the people;

Further aware that Part 2 of the Fourth Schedule of the Constitution provides for the functions and powers of the County Governments which include County transport including County roads, street lighting, traffic and parking, ferries and harbors, excluding the regulation of international and national shipping and matters related thereto;

Mr. Speaker, that aware that roads are the most common means of transport used across the County and the Country at large;

Noting that many roads have been destroyed by the heavy rains that have been experienced in the Country lately;

Mr. Speaker, acknowledging that the County Government has embarked on an exercise of grading various access roads in the County; Noting the Kenya Power and Lighting Company has erected their electric post along Masewani-Kikambuani road which has made it difficult for the road to be graded and the road is in a pathetic condition;

Mr. Speaker, I wish to move the motion that the County Government of Machakos liaises with the Kenya Power and Lighting Company to move the electric post to the road reserve to allow grading of the road to improve transport and service delivery in Kangundo North ward.

Thank you, Mr. Speaker. Mr. Speaker, given that opportunity, I wish to call Mheshimiwa Johanne to second my Motion. Thank you.

Hon. Deputy Speaker: Hon. Johana, please.

Hon. Munyao: Thank you, Mr. Speaker. I stand to second the Motion. Thank you.

Hon. Deputy Speaker: Thank you, Hon. Johana.

(Question proposed)

Members, you may debate on the Motion. Hon. Tariq Mulatya.

Hon. Mulatya: Thank you, Mr. Speaker, Sir. First and foremost, I would like to strongly oppose this Motion. Mr. Speaker, it makes no sense for us to discuss a Motion of development by doing away with another development. We are talking about doing away with the KPLC and we are serving the same people. I think the Hon. Member can come up with another strategy but not to chase away the KPLC which is a very big company serving our people. So, to me this Motion is not proper. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Member. Hon. King'ori.

Hon. King'ori: Thank you, Mr. Speaker. I would also like to add some sentiments shared by our able Chief Whip that I shall not support this Motion on that the contractors are the ones who are supposed to do the changing of roads and not the County Government but the contractor on the ground; they are supposed to go to the KPLC and request for the same services. I do not think this is on our duty to do what is not supposed to be done. That thing should be done by the contractor on the ground. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Member. Hon. Mueni.

Hon. (Ms.) Mueni: Thank you, Mr. Speaker. I do not support the Motion because we know Kenya Power is the company which does all the work in Kenya not Machakos but when we are saying that we remove the people of power and not to be doing the work, we are very stupid in this House---

Hon. Deputy Speaker: Hon. Mueni, I would like you to use civil language in the House and request you to withdraw that statement please. These are Hon. Members.

Hon. (Ms.) Mueni: Yes Mr. Speaker, I withdraw but take the Mheshimiwa back to go and check what he can bring in the House. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Mwikali.

Hon. (Ms.) Mwikali: Thank you, Mr. Speaker, Sir and thank you for noting my interest to contribute to this Motion by Hon. John Musyimi. I add my voice to the opposers of this Motion; the simple fact is that KPLC is a very reputable company. A company that does everything that it does following the law and when we talk about a post that has actually been erected as it is written there by KPLC, I think we are not serious at all because every development that KPLC is doing, is what we actually require in our great County.

Therefore, I will just request Mheshimiwa to withdraw this so that he does not get this embarrassment that he is trying to bring upon himself. Mr. Speaker, it beats logic for anybody to say that there are people who are grading that road and that road where the post stands is where the development they want to do is. Have they finished every other road around there so that they will be saying this is the only place that is remaining?

Mr. Speaker, I think I am really disappointed by such a motion in this Hon. House. I stand to oppose it strongly. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Member. Hon. Kamitu.

Hon. Kamitu: Thank you very much our Hon. Speaker. Hon. Speaker, I think we should be very clear in regard to this motion. One, not even through experience, we have witnessed areas where proper survey of a road is carried out and not even the power lines. If in any case because in this motion, we should be asking ourselves; were those electrical posts erected in the right place because Hon. Musyimi is bringing a motion in light to this House that there are some posts which have been which we erected on access road.

So, our question is the only thing we can do is that maybe we should engage our roads committee and committee for lands and justice just to go and find out first before we start condemning ourselves whether if proper survey has been carried out, whether those posts are in there correct place and if they are in there correct place then that is the time when we can out because have also experienced and I want to give you an example.

The road leading from Tala to a road which passes in my area Kenya Power people came and you know put the posts but when the residents complained, the surveyors came and we found that the Kenya Power people were one who were at wrong and even they didn't even take a week; they came at their own time because there was no resistance, removed those posts into their right positions. So, we should be asking and we should not just stand and just oppose a motion because it has been brought by Hon. Musyimi but at a point just try to see whether the proper survey was carried out---

Hon. Deputy Speaker: Point of information from, Hon. Margaret.

Hon. (Ms.) Mwikali: Thank you, Mr. Speaker. Is our Minority Leader trying to put it that this House can oppose a motion just because a particular member has brought it? I think he should withdraw that with immediate effect, Mr. Speaker.

Hon. Deputy Speaker: Hon. Minority Leader, please conclude your statement please.

Hon. Kamitu: Thank you Hon. Speaker for seeing exactly the sense I am trying to put in that Hon. Speaker my standing here is that because we got have committees and this is an Hon. House that....let us go first of all check exactly the position of those posts because I know if the Kenya Power was at wrong, it has no problem and it can still remove those posts to the right position but for this information, if the road access is in the wrong place, then it a government to government and there will be no problem.

So, I am very sure when Hon. John Musyimi is talking of a road which is in his place, on that note, I think maybe the residents are complaining that maybe the Kenya Power and I am saying maybe so instead of having some questions marks we have a committee here for roads and they should go in those area check exactly what Hon. Musyimi is talking about and then if it is the department of roads which is wrong, fine! If it is the Kenya Power, they have no problem in putting the posts in the right place. That is my take Hon. Speaker. Thank you.

Hon. Deputy Speaker: Hon. Johana.

Hon. Munyao: Thank you, Mr. Speaker. I wish to state that during the rural electrification programme, Kenya Power sub-contracted some companies to do the works and it is not only applying to the area in question. We know as a law, if an electric line is passing through private land, there is always consent which is sought to allow the line to pass through such parcels and where it comes to especially roads, there is always a survey where there electricity lines are supposed to pass.

During that very intensive program, we witnessed errors in some areas; I also have some cases in my place and if this is true that here are electricity lines which are obstructing access or are making some roads impassable not only to this area, it will only be prudent for us to stand and correct whatever is wrong because it is for the sake of.....we agree electricity is development and roads are also development and we would wish to have both and not even to compromise either of the two.

So, if it is true that there was an error that was done, I would stand to support that a correction is done on the same. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Judas.

Hon. Ndawa: Thank you, Mr. Speaker, Sir. I want to support the motion which has been brought here by Hon. Musyimi. If a member brings a motion, it means there is a gap which needs to be sealed or to problem which needs to be solved. Mr. Speaker, the constitution of Kenya allows what we call inter-governmental intervention; the national government and the county government to come together and solve a certain problem. The Kenya Power is a function of the other side of the government; it is a National Government function but as a county, the roads belong to the county.

So, Mr. Speaker, I am very sure that before a line is erected, there are some steps which are followed. Somebody will go to apply for that power, an engineer will be sent from the office to go and draw that line and then another officer will be sent to go and have consent be given by those owners of the land that the line is going to pass. Then from there, once you have made the payment, a contractor will be sent to go and do that line.

So, Mr. Speaker, it happens in most cases, some officers will not use what we call due diligence; they just go and erect a line without looking the map or even without consulting the design drawing which was done by the person who was doing the design. I want to set an example of my area which borders Kithimani; in Kimangu area, there was a line which was been erected from Kimangu to the Chiefs camp to Kalukuni and the land which they were using is my land.

Instead of coming to me to give consent, they just went ahead and erected those posts right inside the land. I came to realize when the line was already there and I was forced to protest and that line was re-routed; they removed from posts and put them in the right place. So, Mr. Speaker, I think is in order to assist the Hon. Member to have those poles placed in the right place so that when the grading is been done here is no problem.

Mr. Speaker, I kindly request the Hon. Members of these Hon. House, because this is a problem, let us assist that member to solve that problem and we are not assisting the member we are assisting the electorate and the people of that particular area. So, I call upon members kindly and I use the word kindly let us---

Hon. (Ms.) Mueni: Point of information.

Hon. Deputy Speaker: You were concluding?

Hon. Ndawa: I was concluding.

Hon. Deputy Speaker: Let him conclude please.

Hon. Ndawa: I am using a polite word 'kindly.' Hon. Members, let us save this Hon. Member. In fact, this is the first motion he has brought to this House and it will be unfair we shoot down this first motion. Kindly!

Hon. (Ms.) Mueni: Point of information.

Hon. Deputy Speaker: Thank you. Hon. Steve Mwanthi.

Hon. Mwanthi: Thank you, Mr. Speaker. Mr. Speaker, I want to understand that KPLC is just a parastatal function that always cooperates and to my understanding, this is an issue that can just be handled by the member and KPLC. I didn't think we have or he has brought dispute having talked to them and they refused to change the lines. If we bring all such cases in this House I want to tell you Mr. Speaker we will always be sitting and debating on such like small matters.

So, what I can say is let the member go and meet those people and I think they will change the lines; we cannot be involving the government in each and every simple thing and again, I notice there is a member who said that you need to commit the same to some House committees yet as you know as at now, all committees are very busy and again you cannot commit an issue or a motion that has not been passed in the House.

So, we should wait for the House maybe either to pass or shoot down the motion then that is when maybe we can commit. As I conclude, Mr. Speaker I am also requesting the other divide of the House, it is good even if some motions are hot to remain in the House and do it until we finish the motions. It is unfortunate when so many members have walked away just because a motion has been out. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Peter Mutiso.

Hon. P.J. Mutiso: Thank you, Mr. Speaker. I really concur with the Hon. Member from Ekalakala because this is not the first case. I had such a case that was in March, this year and I settled the matter with the people of KPLC; they are not bad people and they are good people. What I know is that they do not erect or put those posts before they consult; there must be a surveyor in the first place and that is what I was told.

So, if the mistake is there, it was from the surveyors but not the KPLC so it is a matter that can be handled outside the Assembly then if they will be adamant, Hon. Musyimi can bring the motion to us then we will discuss about it. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Justus Kiteng'u.

Hon. Kiteng'u: Thank you, Hon. Speaker. Mr. Speaker, I would wish to give an advice to the member who just brought the motion that in Kivaa ward, KENGEN is located in my ward and it happens that they have encroached part of the land in my ward whereby for example somewhere called Masaku-Ite DC they have encroached that area and we have churches and schools and homes on everywhere but Mr. Speaker, what we did is we formed a committee which we are undergoing negotiation with Kengen where we can be able to negotiate and see who did what or who did the mistakes.

Mr. Speaker, as you know that this House has been chasing and going around trying to request the executive to implement all the motions which have been passed in this House and Mr. Speaker, you realize that not much or nothing has been done in exactly most of the wards. In this House, we passed a motion whereby all the roads should be graded and you realize that nothing in our roads has been done.

When the Hon. Member brings the motion that he needs the KPLC to move the posts and again all the graders and everything has been grounded, it is like this House has become a shell where we are passing everything and we have not seen anything being done in this Machakos Central where the Assembly has been located, we have not seen in my ward Kivaa where nothing has been done in terms of implementation of grading of the roads and the graders are there, money we have given and everything we have given out to the executive and again here we want to commit again another business to a certain committee.

Mr. Speaker, the Hon. Member I gave him the vice chairmanship of roads and transport and I was the vice chair; my chair is Hon. Mbevi and up to the time I gave him that duty nothing, you have not even.....Hon. Member, you have not even pushed the executive to do anything in terms of development. So, Mr. Speaker, I would wish and I request this Hon. House to pin this motion down, Mr. Speaker----

Hon. Deputy Speaker: Point of order from Hon. Kamitu.

Hon. Kamitu: Thank you very much, Hon. Speaker. My point of order is to the Hon. Deputy Majority Leader is that is he in order to say now that, is like he is putting us.....is he in order to tell us that this House from tomorrow because some motion have not been implemented, we are not going to pass motions here because that is the implication he is trying to bring to this House.

Is he in order that from today henceforth, no motion should be brought to this House? Thank you, Mr. Speaker, Sir.

Hon. Deputy Speaker: Hon. Justus, you may conclude your debate please.

Hon. Kiteng'u: Thank you, Mr. Speaker. What I am saying just that I am not saying that no development motion should come to this House but I said this motion for moving the posts. Mr. Speaker, I started by advising the Hon. Member that there is a committee and I gave out the channel whereby what he should be able to do instead of bringing this....because we have even myself I can bring that one for the land taken by Kengen but it will not be in order because everybody has issue.

It is like a family matter, Mr. Speaker. So, mine is I oppose the motion 100 per cent and Hon. Members, I request 100 per cent we put it down we can go out for another business. Thank you.

Hon. Deputy Speaker: Thank you, Hon. Member. Hon. Members, let me now put the question; could I have the mover to reply please.

Hon. Musyimi: Thank you, Mr. Speaker for giving me this chance to reply to the motion. Mr. Speaker, Sir, the motion actually has its own meaning not the way I have seen members trying to divert its meaning. Mr. Speaker, Sir, this motion was not intended to fight the company that is the Kenya Power and Lighting Company, but actually it was meaning to correct a mistake which was done by erecting those electric posts.

So, Mr. Speaker, as I am replying this, I strictly mean that this motion was not intended to fight the company and Mr. Speaker, this issue was not for personal gain; this was intended to facilitate the work on the roads which is a public place or which is a public thing being used by anybody in the country.

So, Mr. Speaker, I say that I am not wishing to withdraw but I request you to use your powers that you may advise this House that this issue is very important and has a very good meaning and we should not personalize things when actually we brought the issues here in this Hon. House. So, Mr. Speaker, Sir, I wish you defend this motion to be passed. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you Hon. Member for your response on this.

(Question put and negatived)

(Hon. Members stood in their places)

DIVISION

No problem we can go into division if you want division let us go to division. Okay, so let sit down, I would like. So, what we will do now is because we have quorum in the House, I would like one Clerk to count the YES and another Clerk to count the NOES and then we finish this as quickly as possible.

(Question negatived by 20 votes to 9)

(Applause)

ADJOURNMENT

Hon. Deputy Speaker: This house adjourns to Tuesday, 16th day of October, 2018 at 10.00 a.m. Enjoy your evening.

The House rose at 3.40 p.m.