

MACHAKOS COUNTY ASSEMBLY**OFFICIAL REPORT****Wednesday, 25th February, 2015**

The House met at 2.35 p.m.

*[The Speaker (Mr. Bernard Mung'ata) in the chair]***PRAYERS****Hon. Speaker:** Good afternoon Hon. Members. Let us proceed, Clerk.**MOTION****REPORT ON PHASE ONE ROADS PROJECT 2013/14****Hon. Speaker:** Hon. Members, this is a motion that was laid on the floor and its business continues and I will urge the chairman perhaps to refresh our memories on this motion.**Hon. Kasimu:** Mr. Speaker, I stood here in the morning requesting that Mr. Speaker you allow the Hon. House to discuss one Hon. Kathinzi from Masinga Sub County whose life, he claimed yesterday, is in danger. Thank you, Mr. Speaker.**Hon. Speaker:** Proceed, Hon. Kasimu. Proceed and begin the discussion.**Hon. Kasimu:** Mr. Speaker, Sir, as I had said, we cannot sit and continue with our business when one of us has claimed that he is very sure his life is in danger because we have to know how serious this matter is and what steps he has taken, which police station he has reported the matter and if the government has started the investigations.

We would also like the member to substantiate because he said there is a member in the house who has given a hundred thousand shillings to initiate or to take his life. Mr. Speaker, it is a very disturbing accusation and we cannot just sit and continue. I request that the member comes and tells us what exactly happened. I also request that the Hon. Members discuss the same. Thank you, Mr. Speaker.

Hon. Speaker: Is Hon. Kathinzi in the House? I am asking whether Hon. Kathinzi is in the House.**Hon. Maitha:** Thank you Mr. Speaker, Sir, and the rest of the House. Mr. Speaker, I am standing on a point of order that in the morning indeed we received communication from you

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that the member was to supply some information to you and up to now the member is not in the Assembly and this is not the first threat that we have heard has been issued to the members of this County Assembly. So I don't understand what is so special that now the members are requesting to understand what is happening from that particular one member while we have been seeking statements from this House from last year and even up to today and there is nobody who has come up even to introduce or to answer our statements.

I wish that being guided by the Speaker, we proceed with the business and then let the member who had the information give it through the Speaker because you had talked; let the information get to the Speaker first then from the Speaker you may guide us on how we can discuss it. If it is a threat, it is not the first one and neither maybe will it be the last one because there are many things which are going on with some of us---

Hon. Speaker: We have got your point. I think the Speaker had taken a position on the matter that we will hear from the Hon. Member. We expected the Hon. Member to be in the House this afternoon; he is not here and we will defer the matter until the Hon. Member appears. I have made a ruling on the matter that until we hear from the honorable member; the honorable member was to approach the office of the speaker this afternoon and since morning we have not seen him and we will endeavor to get in touch with him. We still have a session tomorrow and we shall deal with the matter. Let us proceed with the normal business, Hon. Deputy Speaker.

Hon. Nganga: Thank you Mr. Speaker for catching my eye. I rise to contribute on the report that is before the House and Mr. Speaker going through the comments and analysis---

Hon. Speaker: Point of order is taken.

Hon. Ngui: Thank you Mr. Speaker, sir. Mr. Speaker, I am wondering how the Deputy Speaker is already discussing the matter in the House when you had directed that I reintroduce the matter so that we can start discussion. Thank you.

Hon. Speaker: Proceed, Hon. Ngui you are in order. Proceed, yes?

Hon. Muthuka: Thank you Mr. Speaker, sir, and the rest of the house. I am seeking clarification from the Chair about the quorum and passing of motions and business of the house. During the morning session, by the time the motion had been introduced by Hon. Nduva, by the time it was voted, there was no quorum and maybe I need to be guided on the status of the quorum and if we are not following the Standing Orders.

If we check on Standing Orders 31 (1), 'a quorum of the Assembly or of a committee of the whole Assembly shall be one-third of its members.' And simple calculation means that for any quorum to transact the business of this house, the Assembly should be having about nineteen members. If you go further to Standing Order 32 (2), that is on page thirty four of the new

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Standing Orders, 'if on the count under paragraph (1) a quorum does not appear to be present, the Speaker or the chair shall cause the division bell to be rung as on a division, and if no quorum is present at the expiration of eight minutes

- (a) if the Speaker is in the Chair, the Speaker shall adjourn the Assembly until the next session without question put;

If you go to Standing Order 33, 'if from the number of Members taking part in an electronic voting or roll call division, it appears that the Members do not themselves constitute a quorum, the vote or division shall be invalid and the business then under consideration shall stand over until the next sitting and the Speaker shall proceed as if his or her attention had been drawn to the absence of a quorum but if after so proceeding the quorum is then present, the next business shall then be entered upon.'

Mr. Speaker, maybe I need some clarification on the threshold of a quorum of this Assembly, Machakos County Assembly for business to be transacted. Thank you.

Hon. Speaker: Thank you Hon. Muthuka. You are truly right because those are our Standing Orders and we should apply them to the letter. While this was not part of the business this afternoon, an issue of quorum was raised by Hon. Dominic and that issue was dealt with and the matter proceeded properly. In the meantime, let us proceed with the business of the day. Chairman proceed.

Hon. Ngui: Thank you Mr. Speaker. Mr. Speaker, before us is the report that I tabled in this House last week on Thursday and if you allow me so that I can bring members to the report, maybe you will allow me to read the observations then the recommendations. Maybe I read the recommendations and the conclusions of our report so that members can now catch up at where we left.

Members, the report we tabled in the House we went around the County inspecting the county roads that have been done by the county government of Machakos and we sampled out around twenty roads within the county and this reflects the other roads within the whole county. So maybe I will start with the observations we made and read. I will start with the comments and the analysis of our report.

Comments and Analysis

Mr. Speaker, the intention of the committee was to visit all the 42 roads identified for grading in Phase 1 in order to have a data that is representative. Unfortunately, within the time allocated it was impossible but the general picture of work performance is reflected in those few.

1. That the work done does not match the budget allocation.
2. That the needs and expectations of road users who are the taxpayers were not properly addressed and this discourages their economic efforts.

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3. That the status report forwarded to the Assembly contradicts the reality.
4. That poor supervision is evident in the whole exercise.
5. That the mission of facilitating provision and maintenance of quality infrastructure is yet to be realized.

Recommendations

Mr. Speaker, for the purpose of effective oversight that satisfies the demands of the public, we as a committee hereby recommend the following:

1. Before payment is done to a contractor, members of this committee should be involved to evaluate and value the work after which they either authorize release of funds or repetition of work.
2. Technical expertise of Engineers to accompany the Hon. Members when doing road inspection to ascertain if work is done as per Bill of Quantities (BOQs).
3. Frequent monitoring of work in each road, if possible on monthly basis, until the end of contract work.
4. Contractors to strictly stick to timelines beyond which the contract is terminated and the work re-allocated.

Conclusion

Mr. Speaker, it is clear that the Department of Transport, Roads, Public Works and Housing budgeted and implemented Phase 1 road projects. The work output indicates a lapse in the monitoring and implementation process, a scenario that should not be repeated during the implementation of Phase 2 and 3, hence the belt of oversight needs tightening. Thank you, Mr. Speaker, Sir.

Maybe just to say a few words concerning the report, Mr. Speaker we went around the county inspecting these roads and my committee did a thorough inspection in the same roads and as per my report, it is clear that some of the works which were given to contractors were not done to satisfaction and I am aware that these roads have already been paid or these contractors have already been paid.

Therefore, I would want the Hon. Members of this Assembly to discuss this report and maybe give a ruling or action that is supposed to be taken to whoever is responsible for the poor works that has been done within our roads. So I welcome members for participation. Thank you very much Mr. Speaker, Sir.

Hon. Speaker: Thank you. Now we can have first contribution Hon. Nganga, Hon. Ndeto yes.

Hon. Nganga: Thank you Mr. Speaker and the House at large. Now Mr. Speaker, I start my contribution on page thirteen, subsection ten where we have the comments and analysis from the report that has been tabled in the House. Mr. Speaker, before I delve into the matters in the report, I will propose at the end my presentation that this report is incomplete and would want it to be referred back to the committee so that it can be further debated upon and the right recommendations issued.

Mr. Speaker, under subsection ten number one, the committee found that the work that was done does not match the budget allocation. This makes you think and ask yourself, who was in charge of issuing the contracts that were issued? And who is the person who was responsible in ensuring that the work that was done matched the budget allocation Mr. Speaker? And then you also go to number two and see that the needs and expectations of road users who are tax payers were not properly addressed and this discourages their economic efforts, Mr. Speaker.

Number three, the status of the report forwarded to the County Assembly contradicts the reality on the ground Mr. Speaker yet the report did not forward itself to this County Assembly Mr. Speaker, and if an officer in charge of implementation of budgets made by this county Assembly will forward a contradictory report to this institution, then that means he doesn't respect the constitutional authority that has been given to this House by the constitution, Mr. Speaker.

At the same time, that person seems also not to respect the mandate that has been given to account for the funds that were used in making these roads, Mr. Speaker. Giving this House an incomplete and contradictory report amounts to blackmail; that amounts to giving us the wrong information so that this House will keep on making a wrong decision, Mr. Speaker, and in that it compromises the integrity of this House.

The comments and the analysis that have been forwarded Mr. Speaker, I want to believe that they inform the recommendations that are supposed to come in the next page, Mr. Speaker. Mr. Speaker number four it is seen that there was poor supervision; is evident in the whole exercise Mr. Speaker. So these comments by themselves indicate that there was a lapse when somebody was doing their duty, Mr. Speaker.

Number five, the mission of facilitating provision and maintenance of quality infrastructure was not realized. Now with that gravity of observations, comments and analysis Mr. Speaker, I am not impressed by the recommendations that have been forwarded to this House by the committee because they are wanting, Mr. Speaker; they are not as deep as the cases that were found on the ground, Mr. Speaker because when I go to number four, if there was poor supervision Mr. Speaker, I expect the committee to recommend that action be taken against the person who was supervising rather than saying that before payment of contractors the committee should be involved.

Mr. Speaker, that is mixing and it appears there was a mix up because the Constitution explains the principle of separation of powers and the payment of contractors is not done from this arm of the government, Mr. Speaker and members of this House cannot be involved in the payment process of contractors. So this in itself would compromise---

Hon. Speaker: Sorry, there is a point of order that we may have to take.

Hon. Muthuka: Thank you Mr. Speaker, Sir. I am standing on a point of order that the member actually is so charismatic in articulating the issues but I wonder, being a member of that committee, how comes now he is disputing the kind of recommendations by this committee. That means that we have some members who do not attend the committees and that is why we are having the failure in this Assembly. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. I think that point of order is sustained; you need to explain to us why you are in disagreement with the report.

Hon. Nganga: Mr. Speaker, I registered my disagreement right from the committee stage and that is why I find the need to still continue registering the same with the House, Mr. Speaker.

Hon. Speaker: Now proceed.

Hon. Nganga: Thank you, Mr. Speaker.

Hon. Speaker: Order, we have a point of order here.

Majority Leader (Hon. Joshua Mwonga): Mr. Speaker, the Hon. Deputy Speaker who is a member of that committee has said he registered his dissatisfaction in the committee level. Was it captured anywhere in the minutes? Is it captured anywhere in the minutes? Also in the report, is it anywhere Mr. Speaker?

Hon. Speaker: Proceed, tell us---

Hon. Nganga: Mr. Speaker that is the work of the clerk of the committee. How do you expect a member of a committee to know whether that was captured or not, Mr. Speaker? That is the work of the clerk of that committee. Mr. Speaker, without due delays, I think you can allow me to continue and complete my submissions because of the unnecessary interruptions that are being waylaid on my way and expressing the interest of the people of my ward, Mr. Speaker.

Hon. Speaker: There is another point of order; you may have to bear with this.

Hon. (Ms.) Ndawa: Thank you Mr. Speaker. Mr. Speaker is the Deputy Speaker in order to say that the clerk did not record. Is it in order Mr. Speaker? Does it mean that the clerks who are in the committee of transport do not do their work? Because according to the way we have gone with this report, we have been with this report for almost a week or two and Mr. Speaker, I

can assure you the Deputy Speaker is not in order even to make his contributions here because he did not make them at the committee level Mr. Speaker.

Hon. Speaker: Deputy Speaker you may have to wait; I think there is a lot about you here. Let us hear Hon. Maitha.

Hon. (Ms.) Maitha: Mr. Speaker thank you for catching my eye. I stood here sometime back Mr. Speaker, that was last week to second this motion; it is recorded in the HANSARD. As I supported this motion and this report I said clearly Mr. Speaker, we might not have done perfectly as members would have expected and I want to revert back to the motion that we have just had in the morning session, Mr. Speaker.

It was a motion that was weighty, that took a lot of time and I am kindly requesting honorable members, kindly let us not interrupt hon. members when they are contributing. Let us take this matter with a lot of weight; any necessary recommendations that might be forwarded, we should take them seriously. Because hon. Members, we will keep on interrupting, we will waste a lot of time but what are most important about this report are the recommendations that we are going to adopt as a House.

I kindly request you to go through the report, we make the submissions that we are going to make and then we come with tangible solutions to this report. We are human beings; we are not able to give what you expect, as a committee. Thank you.

Hon. Speaker: Thank you. Hon. Members I don't really understand what is happening with this. Can we take a point of order from Hon. Festus Ndeto there? Oh, not a point of order. Any point of order? It must be a point of order

Hon. Kitheka: Thank you Mr. Speaker. Aware that Hon. Deputy Speaker was in that committee which deliberated and came up with this document which is half baked and even I have seen from the report the number of the wards which have been tabulated are not even forty, if seriously he was in that committee and he raised some objections within the committee and it was recorded and there are even other members who might be dissatisfied with what had happened, why has the document made its way to the Assembly when it is half baked, Mr. Speaker?

We need some further clarifications because the issues we are seeing here, we are just seeing as if it is another afro cinema which is coming to this House. Please let the chairman give us the pattern in which they came to conclusion of this document to come into this House because maybe even the document was voted out in the committee stage. We have to know details about it. Thank you.

Hon. Speaker: Ok. Now I think at this point let us hear the issues; respond to the issues that have been raised. One about the clerk; how do you say the Clerk... just explain.

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Hon. Nganga: Thank you Mr. Speaker. I want to say that the member was not keen on my submissions, Mr. Speaker. I did not say the clerk did not register; I said it was not my responsibility at the committee stage to ensure that the clerk writes whatever is happening because that is the work of the clerk of the committee at that time.

The member alleging that I said the clerk did not register is quoting out of context and I think she should be ready listening to proceed with me to help her understand the depth with which this report should have been written and the recommendations that should be forwarded to this House for a significant action to be seen to be taken with instructions from this House. Mr. Speaker with your protection, I will need to conclude my submissions.

Hon. Speaker: Order, the Deputy Speaker is now under protection.

Hon. Nganga: Thank you, Mr. Speaker for your protection. As I proceed Mr. Speaker, under recommendations in page fourteen I was saying that payment of contractors after having done any job within this county is the responsibility of the County Executive of Machakos county government. That is not a role that can be played by the members of the County Assembly because the principle of separation of powers that is explicit in the Constitution does not give us that mandate, Mr. Speaker.

The role of the members of county assemblies has been clearly spelt out in the Constitution and also in the County Governments Act and even in other Acts that enable attainment of devolution, Mr. Speaker. So this recommendation Mr. Speaker does not fit to be within this report because it contravenes the law of this country and if it is approved Mr. Speaker, it will give a direct instruction of interference from the County Assembly on the ministry of roads when it is issuing payments for the works that have been done, Mr. Speaker.

So that recommendation by itself makes the committee, because it contravenes the Constitution and if this House approves a recommendation of a committee that contravenes the Constitution and national statutes Mr. Speaker, then by that point we will be going contrary to the law of this country and this House will look to be working from a point of misinformation, Mr. Speaker.

On to the second point Mr. Speaker that technical expertise of engineers should have accompanied the Hon. Members when doing road inspection to ascertain if the work done is as per the bill of quantities. Mr. Speaker, this is common knowledge; the Constitution, the County Governments Act and even the Standing Orders give a provision for members and committees to request an expert when they are dealing with a matter that is beyond their personal knowledge Mr. Speaker and therefore this is something that should have been noted by the clerk of the committee and the chairman of the committee and organize beforehand, before they went to the ground, to have these people with them so that the information that comes to this committee is significantly credible, Mr. Speaker.

Coming to tell us ‘I did not do what I was supposed to do because I forgot or because I would want to be allowed to do that’ yet the law allows you to do that before you go to do it Mr. Speaker then that in itself implies that the committee and the leadership of the committee did not go to the real depth as required by the Constitution and by the Standing Orders, Mr. Speaker. So with the second point also Mr. Speaker, it gives enough ground to have this report referred back to the committee for it to be properly written and re-tabled again in this House so that it can be consistent with the expectations of the law, Mr. Speaker.

Frequent monitoring of work in each road in number three if possible monthly until the end of the contract, this is the work of the supervising engineer of the roads that were being done Mr. Speaker. Mr. Speaker, in 2013 the Machakos County Public Service Board employed engineers under the ministry of roads and public works and these engineers have been deployed to every sub county, Mr. Speaker. It is their role, it is their duty because they are being paid with monies of the taxpayers of Machakos and the whole nation Mr. Speaker and it is their duty every morning when they wake up, when they report at the sites where they work, to go and inspect the work that is being done by these engineers.

It means, Mr. Speaker, the department of roads and public works is not doing its due diligence. If this House must go to the level of reminding it and reminding the engineers that they should on a monthly basis go to supervise the workings of the engineers yet Mr. Speaker it is an express expectation of the officers that have been employed by this county Mr. Speaker, I find that too shallow to be a recommendation of this committee, Mr. Speaker.

On to the fourth recommendation, Mr. Speaker, the contractors to stick timelines beyond the contracts. This is still the work of the same department, Mr. Speaker; it is a repetition for this House to go and approve a committee recommendation on matters that have already been expressed in law, in statutes and also in regulations of the national ministry of roads and public works, Mr. Speaker.

I find this report based on the recommendations that have been forwarded to us too shallow to be allowed to continue to be approved by this committee and I want to propose Mr. Speaker, because we have seen the analysis that has been made that work was not done as per the money that was issued, could be there be somebody who was given some money by the contractors and then they went ahead and did some shoddy work on the road, Mr. Speaker?

Therefore with that Mr. Speaker, I would want to propose that this report is incomplete, is inconclusive, is not as comprehensive as it should have been done and for this House to be doing its duty as we sought to do Mr. Speaker. I want to propose that we demand that the chair of the committee takes back the committee to inspect the roads with engineers again as they would want to wish and then bring a report with tangible recommendations, Mr. Speaker.

(Applause)

If Mr. Speaker somebody did not do the work as per the budget allocation, we should be aware, was there corruption Mr. Speaker that happened within the implementation of that---

(Loud consultations)

Hon. Speaker: Order, Order Hon. Members, I said the Deputy Speaker is protected. Proceed.

Hon. Nganga: Thank you Mr. Speaker for protection. We have investigative bodies within this country Mr. Speaker which if as members we are unable to unearth whatever happened during the implementation of these roads, then we can invite those agencies. Public national government agencies that have been mandated by the law to undertake these investigations Mr. Speaker so that they can bring to us a conclusive report which will be brought through the committee and we shall sit here as members and approve whether a legal or judicial action should be taken against the implementing persons who made this county not achieve what we wanted to achieve, Mr. Speaker. And with those remarks Mr. Speaker, I would want to call one Honourable---

Hon. Speaker: You are now out of order. Are you amending the report?

Hon. Nganga: Mr. Speaker, I was proposing referral of this report back to the committee for the committee to do its work conclusively and be able to have significant---

Hon. Speaker: Order, order now; you are now not protected, have your seat.

(Laughter)

Hon. Speaker: Let us hear the owner of the motion first; I think it is only fair. It is his motion that is being mutilated.

Hon. Ngui: Thank you Mr. Speaker, Sir, and the House at large. Mr. Speaker, I want to bring to your attention that as Hon. Stephen Muthuka of Ndalani has just said, the failure of this Assembly is coming because some of the members do not attend committees. Mr. Speaker, I would propose that the clerk of transport and public works do bring the last two minutes of the previous meetings when we were compiling these reports because the Deputy Speaker did not attend. He should have made those comments he is making here today at the committee stage, Mr. Speaker, Sir. Then again, Mr. Speaker, protection Mr. Speaker.

Hon. Speaker: Proceed.

Hon. Ngui: Thank you Mr. Speaker. Again, I think the work of the committee is to go down, inspect the roads and bring their recommendations and observations for this House to make the final decision. So this House is mandated to---

Hon. Speaker: Okay, okay. There are points of orders I must take; now have a seat. Let me hear the Hon. Member at the back.

Hon. (Ms.) R. Nduku: Thank you, Mr. Speaker.

Hon. Speaker: And maybe it is important for the House that you begin by telling us whether you are a member of this committee.

Hon. (Ms.) R. Nduku: Of course.

Hon. Speaker: Okay proceed.

Hon. (Ms.) R. Nduku: I am Hon. Rachel.

Hon. Speaker: You are a member of this committee?

Hon. (Ms.) R. Nduku: I am a member of the transport committee.

Hon. Speaker: Okay. Proceed.

Hon. (Ms.) R. Nduku: Mr. Speaker I am burning within me because of what is happening here in this Hon. House because one Mr. Speaker, we have been discussing reports here every now and then and personally I have not been seeing the fruits of these reports.

(Applause)

We have been taking long and many hours, one Hon. Member after the other and we discuss many issues from different committees or many reports from different committees. I am speaking this because of what has been happening within our committee, the transport committee, because it is a sensitive committee in this Assembly; I can say so because of infrastructure in Machakos County.

According to me, this report and the work which has been done here, I cannot tell what this ministry has been doing. Even if we repeat again, even if the chairman calls us and we go round again, I don't think whether we will ever see the work being well done in this county as far as infrastructure is concerned.

(Applause)

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The recommendations which are in this report Mr. Speaker, I don't know and I am not sure whether whatever we write here, whatever we discuss here, is being implemented by the Executive. According to me Mr. Speaker, and sometimes I am sorry, sometimes I come here and I sit here and I don't contribute because I feel so bad to contribute something and when it leaves this House it is forgotten, Mr. Speaker.

(Applause)

So I want to be assured whenever I stand here to contribute to any report from any committee Mr. Speaker, I want to be assured that whatever is in the report will be implemented in our wards, be it health facilities, be it ECDE centers, be it roads. Hon. Members we are taking long to discuss things whose end results we cannot see. Thank you, Mr. Speaker.

(Applause)

Hon. Speaker: Thank you. I want to hear somebody who has not spoken but on the matter of implementation of reports, that is a subject for us tomorrow. There is something that will be communicated tomorrow. Let us hear Hon. Matheka.

Hon. Matheka: Thank you Mr. Speaker, Sir, and the House at large. I stand here to second the proposal by the Deputy Speaker that this report be referred back to the committee so that they can do a substantive work which can be discussed by this House. Mr. Speaker, sir, I am saying so because on the comments and analysis that is page thirteen, the comment is that the intention of the committee members was to visit all the forty two roads identified for grading in phase one. Mr. Speaker, Sir, we understand it is only twenty roads or twenty wards which were visited. So I think the report is half baked and that is why I am supporting the proposal by the Deputy Speaker that the report be referred back to the committee. Thank you.

Hon. Speaker: Okay. Thank you. Let us hear Hon. Raphael. Let us give members who have not contributed.

Hon. R. Mutuku: Thank you Mr. Speaker, Sir. May I just start by applauding the Deputy Speaker for his observation and Mr. Speaker the report before the House, I would have expected a minority and a majority report since the Deputy Speaker who is a member of that committee has disputed that there are some concerns and the report that is before the House is a report of the majority while we have a member who belongs to that committee whose name is captured at number eight and he is disputing the report.

We cannot expect a report that is majority while we are expecting a majority and a minority report to be brought into this House. Mr. Speaker, again doing some clarification on

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page four, the committee is talking of they went out to inspect these roads because of a public outcry. It is captured; they are saying that the committee for transport, public works and housing had occasionally received complaints from the public and some members. Mr. Speaker, this clearly tells us that the money that is collected from the taxpayers was not used in the proper way.

Mr. Speaker again if you go to the recommendation in the conclusion, they are talking of what was done in phase one should not repeated in phase two and three. What was used in phase one was public money; we cannot allow a situation whereby public money is used, we forget it and we proceed. We cannot keep on giving warnings. Mr. Speaker, I would propose that this report goes back to the committee and they come up with the best recommendations that will hold the officers accountable because this is public money which is being used. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you. For members who have not spoken, Hon. Mueni

Hon. (Ms.) Mueni: Thank you Mr. Speaker, Sir. I think this committee did its best and they brought what they saw from the ground. So you are telling them to go and come to cheat us? So what is here is what they saw. So the roads are bad, everything is bad.

Hon. Speaker: Hon. Members, allow Hon. Mueni to finish. Order. Hon. Mueni finish.

Hon. (Ms.) Mueni: Mr. Speaker, protect me please.

Hon. Speaker: You are protected.

Hon. (Ms.) Mueni: Yes. Please Hon. Members, you be respecting the opinions of Hon. Members. That is what I am seeing; you are telling this committee to go back and come to cheat us. What they saw is what they saw. So what are we telling them to go and bring? Thank you.

Hon. Speaker: Alright, before we hear those other points that are being raised, the chair on roads and transport perhaps you can draw near to the podium. I will urge that perhaps you answer this question that your report was on a majority of the members of the committee.

Hon. Ngui: Sorry?

Hon. Speaker: Was the report of the majority members of the committee?

Hon. Ngui: Yes Mr. Speaker, Sir.

Hon. Speaker: Were there some members of the committee who dissented with the report?

Hon. Ngui: No. We all agreed to present the report the way I have tabled it today.

Hon. Speaker: So there was no necessity of a minority report and you still maintain that your report is complete?

Hon. Ngui: Yes, Sir

Hon. Speaker: and you want to support it?

Hon. Ngui: Yes I want to support it, it is very complete.

Hon. Speaker: Okay , debate continues.

Hon. Ngui: Thank you.

Hon. Speaker: Hon. Members I think we need to give members who have not contributed the first opportunity to do so. How many points of orders do I have? Is yours a point of order?

Majority Leader (Hon. Mwonga): Mine is not a point of order, Mr. Speaker.

Hon. Speaker: Let us hear Hon. Ndawa first.

Hon. (Ms.) Ndawa: Thank you Mr. Speaker. Mr. Speaker, before I give you my point of order, I want to bring to your attention that we had an agreement with Hon. Raphael Mutuku and this agreement was very serious and he has not honoured it. We agreed that he must put a socks to that leg and he has refused and he told me it was a promise if he doesn't I should report him to you that he is not properly dressed in the House. Mr. Speaker I have witnesses who can confirm that. So Mr. Speaker now I can make my contribution.

(Laughter)

Hon. Speaker: Just proceed. I am trying to understand that but proceed.

Hon. (Ms.) Ndawa: My point of order was Mr. Speaker, Hon. Felix Ngui said this report was complete and some members do not attend committee sittings and that is why they are complaining. Mr. Speaker, I want to put to the attention of the Hon. Member that this report was

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supposed to be in this House at the beginning of this financial year. That maybe should have been here by August of last year.

The committee has not given us the evaluation and money paid to the contractors. According to the report they are quoting this work was done twenty percent, thirty percent, we don't see where they are saying the contractor was fully paid or he was paid half of the money. Mr. Speaker we also don't see where it is featuring the fifteen million we had budgeted for the first financial year. So honestly the transport committee is not doing its work. Mr. Speaker, protect me because that is the truth.

Hon. Speaker: Just conclude you point of order.

Hon. (Ms.) Ndawa: So Mr. Speaker it is very clear that this report has been cooked in the corridors of this Assembly.

Hon. Speaker: I think you are being unfair to the committee.

Hon. (Ms.) Ndawa: No I am not being unfair Mr. Speaker because it is very clear Hon. Members who have wards, Mr. Speaker---

Hon. Speaker: Hon. Ndawa I direct that you make the same point with better language.

Hon. (Ms.) Ndawa: Okay Mr. Speaker. I want to say this report, I will not use the term cooked but it was not prepared to the

Hon Speaker: I can assist you. Thank you, you have done it. Proceed.

Hon. (Ms.) Ndawa: Thank you Mr. Speaker. Mr. Speaker, I have gone through the report and I am wondering what Hon. Ngui and Hon. Dominic are defending because even I am actually kind of thinking that these two guys maybe they were given some money and that is why they are protecting the report, Mr. Speaker.

Hon. Speaker: Order, Order Hon. Ndawa. I am saying there be order.

Hon. (Ms.) Ndawa: I smell a rat, Mr. Speaker.

Hon. Speaker: Hon. Ndawa is protected but I demand that the word guys be withdrawn.

Hon. (Ms.) Ndawa: The honorable members.

Hon. Speaker: Apologize to the committee.

Hon. (Ms.) Ndawa: They are not guys but honorable members.

Hon. Speaker: You said you have evidence of bribery?

Hon. (Ms.) Ndawa: Mr. Speaker, I have heard---

Hon. Speaker: I think there is a better way of saying it, maybe you fear.

Hon. (Ms.) Ndawa: You are helping me Mr. Speaker. I actually fear maybe they have been seen aside.

Hon. Speaker: Proceed.

Hon. (Ms.) Ndawa: Mr. Speaker, on several occasions we sat in that committee; we requested the chair to find out what is happening with these contractors. What is happening because there is really nothing going on in our wards? The committee on transport has sat back for almost a year and half; this is actually the second year coming to an end and this is the time they are bringing us half-baked reports.

Mr. Speaker, it will be wise for this House to send the chair of this committee and his committee members back to the field, bring a report of forty wards and show us a clear report of what the fifteen million for each ward has done. Without that report Mr. Speaker, the Hon. Member will be lying into this House and I know he is going to defend himself but I believe what hon. Rachael said; this Assembly has failed because we do not differentiate the work of the Executive and the work of the County Assembly.

It is because, I believe, on several occasions I have sat with the chairman of transport and the minister for transport but they have not been able to do their work and somebody somewhere has been compromised, left, right and centre. So we will not get anything better than this Mr. Speaker, I assure you

Hon. Speaker: Order, order, Hon. Members. Hon. Members, I think I need to give direction here. When you look at this report page 13, everybody has a copy of the report, however much the chairman says he is ready, when you go to page 13, item number 10.0 on comments and analysis it says, 'Mr. Speaker, the intention of the committee members was to visit all the 42 roads identified for grading in phase one in order to have a data that is representative. Unfortunately within the time allocated it was impossible.' Let me just stop there.

Then you go to point number one that the work done does not match the budget allocation. This House should not be treated to such a shoddy statement.

(Applause)

That the status report forwarded to the Assembly contradicts the reality. Again, surely even that other report ought to be annexed and this House will be able to surely compare the two reports. It looks like what the committee lacked was time. It is important that this House gives that committee the time it requires.

Then the direction I offer is that this report be referred back to the committee to enable a fully comprehensive report to be brought before the House for deliberations. And I will urge one of you take up my point and perhaps make the preposition. Order, order let us hear Hon. Kalunde.

Hon. Kalunde: Mr. Speaker, Sir, I think what the House was expecting as a direction from the chair has been done properly. Let us all agree to go back to the committee and finalize this report conclusively. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Let us hear the proposal from the Deputy Leader.

Hon. Nganga: Thank you Mr. Speaker, Sir, and the House at large. Mr. Speaker, it is me who has raised the need for us to refer this report because of constitutional issues and the mandate of the committee, Mr. Speaker. Issues that I had myself seen and I proposed that because out of the two issues that the Chair has ruled about, this report treats this House on a very shallow situation and any report that comes to this House should carry a lot of weight and integrity with it Mr. Speaker.

All investigations done with regard to any matter that should come to the House should be incisive and complete as possible. They should not be half baked Mr. Speaker; they should not look like they are agreements that were made by two or three people that had compromised on some situation, Mr. Speaker.

Mr. Speaker with that observation I made the proposal and I am restating the same as it has been advised that this report, with the support of all the Hon. Members of the House because I know even some are pained by the report but they cannot speak, and I am ready to speak on their behalf because this matter is critical---

Hon. Speaker: Order; Order. Did I hear you say paid? What did I get there?

Hon. Nganga: Mr. Speaker I said that with the opportunity that I find for proposing this report, this report pains quite a number of members Mr. Speaker and because it is that painful Mr. Speaker.

Hon. Speaker: It is a point of information. We cannot have two points of information.

Hon. Nganga: It is Mr. Speaker so I continue, thank you for that ruling. Mr. Speaker therefore, with this I am sure if somebody did not supervise the implementation of a road, that person was paid that day and was paid actually having not done his work.

If some money were allocated to do a project and the person who was in charge of seeing whether the amount of money allocated for that project is equivalent to that work done Mr. Speaker, then that person also must be accountable and responsible for the action that was done because this House must rise to the occasion and do its duty, Mr. Speaker.

The officers that we have tasked with a duty must ensure they do the right work, Mr. Speaker. If there is a report that was sent as required by the law, every department of the county government should send a report to this Assembly in a given interval as required by the law Mr. Speaker and if they send reports that contradict---

Hon. Speaker: Order. I appreciate your energy today but conclude.

Hon. Nganga: I am winding up; thank you Mr. Speaker for that appreciation and Mr. Speaker as I wind up, I say that if there is any department, any officer, who sends contradictory reports to this House, that means that person in his capacity disrespects the authority of this institution, Mr. Speaker and the authority of this institution can only be reclaimed when these people can feel the action that would come from this House for sending a wrong report, for misinforming this House and misguiding it to make wrong observations, Mr. Speaker. Therefore with those remarks Mr. Speaker, I would want to call Hon. Alphonse Wambua to second my proposal, Mr. Speaker. Thank you Mr. Speaker

Hon. Speaker: Hon. Members, let us hear those in support of the matter that the report be referred back to the committee for reconsideration. Let us first hear those. Let us hear the point, yes Hon. Dominic.

Hon. Maitha: Mr. Speaker, as much as we want to refer the report back to the committee, there is one thing I want to say Mr. Speaker; we are preaching too much water and drinking wine. I was the first Hon. Member to complain about the status of my road. Mr. Speaker we need to assess the essence of the problems that we have about the first phase implementation of the roads project.

The first thing Mr. Speaker, I even said in this House and some members who are now hitting the tables round the corner, objected to what I said. The first thing and I even said clearly and it is even on record, these road projects were not advertised. It was not advertised anywhere; the contracts were awarded under the table, Mr. Speaker and that is why---

(Loud consultations)

Hon. Speaker: Order; Order.

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Hon. Maitha: Mr. Speaker, protect me.

Hon. Speaker: Now you are not protected, take your seat. Yes?

Majority Leader (Hon. Mwonga): Mr. Speaker, Mr. Speaker---

(Loud consultations)

Hon. Speaker: Order, order. If you must consult, consult in low tones as per the Standing Orders.

Majority Leader (Hon. Mwonga): Mr. Speaker, already you have given your directive but that notwithstanding Mr. Speaker, I represent to a ward despite being the Leader of Majority and the representative of the government in the house. Mr. Speaker, I want to congratulate the committee on transport for the report that they have brought to this House and Mr. Speaker I would urge this member to listen to me attentively: if the committee had not brought this report Mr. Speaker, we would not be where we are Mr. Speaker. What would we be discussing Mr. Speaker? I am not saying this is a good report or a bad report but we should... Mr. Speaker I think the Leader of Majority is going to be accorded that protection the Deputy Speaker has been accorded.

Hon. Speaker: You are protected.

Majority Leader (Hon. Mwonga): Thank you Mr. Speaker. With that protection Mr. Speaker, I want to agree with the committee on transport on the issues they have raised here. On the comments and the analysis, this is the true picture of what is on the ground, Mr. Speaker. I am wondering when members are saying that we throw this report through the window, what will they get when they go on the ground Mr. Speaker? It is the same thing which is on this report Mr. Speaker and Mr. Speaker you have based your ruling on page thirteen---

Hon. Speaker: Order, order. The Majority Leader is protected; proceed.

Majority Leader (Hon. Mwonga): Mr. Speaker, you have raised your directive based on page thirteen but you have read it halfway, Mr. Speaker. Starting from where you stopped it says: 'unfortunately within the time allocated it was impossible but the general picture of work performance in these few.'

This means even if we tell this committee to go back to the ground, they will bring the same, same report. Mr. Speaker I want to agree with this committee; the report they have brought to this House is the reality on the ground and as Hon. Mueni had raised, do they want this

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committee to just bake and say the roads were done in the proper way yet they were not, Mr. Speaker?

Hon. Speaker: I agree, have your seat; I think debate on this matter has taken a different direction that the issue before us is that this report should go back to the committee and I was asking for those in support of that position to address me on that only. On whether the matter should go back for reconsideration, and then you need to be brief.

Hon. Nganga: Thank you Mr. Speaker and the House at large. Mr. Speaker I begin by appreciating the direction of the chair and on the same situation, Mr. Speaker I heard the Majority Leader correct the ruling given by the chair which by the Standing Orders is unprocedural, Mr. Speaker. Having gone through the observations, the analysis and the comments, the chair made a ruling but the Majority Leader went ahead and said that the Chair did not read the whole section of the comments and that was out of order; it was improper because the Chair had made a ruling.

Hon. Speaker: I concur, I concur that to that extent the Majority Leader was out of order. Proceed.

Hon. Nganga: Further, I want to appreciate that what we are saying in proposing this report to go back to the committee is not because the report is wrong but the recommendations that have been given after the observations are wanting, Mr. Speaker; they don't have the gravity to address the issues raised, Mr. Speaker.

You also raised the matter that a report was sent to this House which contradicted what was found on the ground, Mr. Speaker. That is enough ground for this committee to recommend a further serious action on the person who sent an erroneous report to this committee so that the House can take a position on a more substantive report, Mr. Speaker. One member said she has a problem with commenting and supporting reports. It is because the recommendations made are shallow and cannot be implemented, Mr. Speaker. Let us make recommendations that are significant and can be acted upon. Mr. Speaker. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. We have heard you. Let us hear Hon. Ndeto there then Muli and Hon. Munyaka.

Hon. Ndeto: Thank you Mr. Speaker for this opportunity. I was to contribute immediately after the Deputy Speaker but due to the events I was not able.

Hon. Speaker: Sorry about that, proceed.

Hon. Ndeto: I want to differ with this House; when we say the report be taken back to the same committee, I don't see this committee doing anything different from what they have done. I agree with Majority Leader then I come with one point in which I suggest to this House because this is a serious matter, not an ad-hoc. We recommend for a forensic audit of the report that was done, and I have a reason for this; we know this work was done and time has passed, it has rained, people have been going through these roads and unless a forensic audit is done, we will not get information on the status of those roads.

Two, whoever gave that report which was not annexed to this, which contradicts the state on the ground, should be surcharged; whoever it is and the contractors who did this job because we know what is done, should also be blacklisted by this House. So those are the three things which this Assembly should think about: a forensic audit, surcharging of the officer in charge, and also blacklisting of the contractors who did this kind of work. Thank you.

Hon. Speaker: Thank you. Hon. Kasoa?

Minority Leader (Hon. Thomas Kasoa): Thank you Mr. Speaker. I sit in this committee and what we are saying I wish to concur with the Deputy Speaker that what we need as a committee is only to go back and give another recommendation because as you are aware Mr. Speaker, the ministry for roads and transport cannot quantify the money allocated for phase one and there are officers who should be held responsible for this. I think what we did as the committee is only that in the conclusion of the committee, we never gave the right recommendations. So I propose that this report goes back to the committee and we give proper recommendation. Thank you.

Hon. Muli: Mr. Speaker, because much has already been exhaustively discussed, I have a point whereby I would request if it is possible through this committee to form an ad hoc committee with the members who are very serious and also have an active chairman to work with the current chairman of transport Mr. Speaker because we need a very comprehensive report on this issue.

Hon. Speaker: I have taken the point of order.

Hon. Muli: Protect me Mr. Speaker.

Hon. Speaker: Let me take the point of order from the chairman.

Hon. Ngu: Mr. Speaker is it in order for the Hon. Member representing Ndithini, Hon. Mulito say that we have an acting chairman when we still have a chairman in office? Is it in order Mr. Speaker, Sir?

Hon. Speaker: I demand clarity. Kindly clarify your remarks.

Hon. Muli: Mr. Speaker, Sir, an ad hoc committee has a chairman.

Hon. Speaker: I agree.

Hon. Muli: And also the reason Mr. Chairman why I wanted reinforcement of that committee to be handed Mr. Speaker, is that with these recommendations which have been brought here, the relevant person who brought the report from the Executive side Mr. Speaker, sir, should be put on his toes. This is a very serious matter. Mr. Speaker issues on infrastructure in our wards are very pathetic especially Mr. Speaker, an area like Ndithini whereby there is no single road which can be passed by these small cars apart from lorries. Mr. Speaker, this is a serious thing which should be addressed very vigorously. Thank you.

Hon. Speaker: So in conclusion you are saying that the matter be referred back for reconsideration?

Hon. Muli: Be referred back and also under an ad hoc committee and if it can be referred back to that committee Mr. Speaker, to propose to have a chairman to reinforce the chairman who is on the floor because Mr. Speaker this should be very serious matter.

(Laughter)

It is not a matter which should be addressed lightly. Therefore Mr. Speaker, I recommend by saying Mr. Speaker this is a very brief and very bullish report and should be taken back, Mr. Speaker.

Hon. Speaker: Okay. Let us go at the back; let us hear Hon. Nzoka, then Munyaka and then you be brief and then back there Hon. Ngunzi.

Hon. Nzoka: Thank you Mr. Speaker sir, thank you for catching my eye. What I can say is when we talk of transport and roads it is cry in the wards and it has to be done perfectly. There is a person who has messed in this issue; what I want with the committee which was sitting is, according to what we saw there in comments and analysis, it seems as if after they went to the ground and saw what they saw on the ground, they did not task the CEC roads and transport to come clearly and mention one by one in the wards who was the site engineer here; they come before the committee then they interrogate those people as we are doing on Thursday tomorrow to some ministers. Where I am, things are tough.

(Laughter)

So if they had interrogated these officers, the site engineer, the county engineer, the Chief Officer, ministry of transport and the CEC himself, they could have come with a good report because they would have told us exactly this is the person who is to blame and then we make a ruling we sack people.

(Applause)

Because we cannot stay here with looters; yeah, and be surcharged. When you look at this report here it is written like Matungulu north, they say Kola ward, telephone number is that one, the amount of money is that one; there is no money which is spent. If you check it clearly, there is no money which is spent and there is the contractor there. And again whoever has messed up on our roads, that contractor must be blacklisted. That is the only solution where you can get the head of this problem. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you. Very briefly Hon. Munyaka

Hon. Nzeki: Thank you Mr. Speaker, sir. I stand in defense of my besieged chairman. Mr. Speaker, sir, I am defending my able chairman.

Hon. Speaker: Hon. Members we consult in low tones and you don't answer a member on the floor. Proceed.

Hon. Nzeki:: Thank you Mr. Speaker, Sir. In fact we were mandated to investigate and report on the state of the roads in Machakos County. I was one of the members who went to the ground; I remember the Deputy Speaker never attended all the sittings which---

Hon. Speaker: Order Hon. Munyaka. I think the direction we have is, are you in support that the matter be referred back for reconsideration?

Hon. Nzeki: Mr. Speaker, Sir, what I just support is that the Assembly should engage or employ an engineer of roads so that we be moving with the engineer when we are going round.

Hon. Speaker: Hon. Munyaka, as a committee you can be supplied with an engineer or an expert on request. So I find your request a little bit misplaced. Proceed.

Hon. Nzeki:: So Mr. Speaker, Sir, what I support is that the department of roads and transport, that is the engineers who are based in the ministry, be surcharged because I can't see any road which was constructed satisfactorily.

(Loud consultations)

That is what we recommended here. So Mr. Speaker, Sir, the report we have brought here we have not said the contractors should be paid.

Hon. Speaker: Thank you. Can we hear Hon. Ngunzi and then from there we can now come to whoever has not spoken. Let us hear Hon. Ngunzi first.

Hon. Ngunzi: Thank you Mr. Speaker. I want to support that this report be referred back to the committee but as they do so, I am asking the committee or advising the committee, pick the forty BQs for the roads. I know I am afraid that as they went out, they went out without the BQs; now we must know what was allocated for what road, was it fixed like they are saying in a particular road here that gunny bags filled with soil were used in place of culverts.

So how much was lost there if no murrum was used and in the place of murrum, red soil was used; how much was lost in that process? Then we continue like that, see whether a drift was to be built, whether grading was properly done, the size of the road and let us get if it's my road in Kibauni, how much was lost so that as we surcharge because at the end of the day somebody will be surcharged because shoddy work was done all over the county and nobody can defend that.

So we want to get a comprehensive report Mr. Speaker. If the committee is not able to come up with that kind of report that we want to hear, then can we get a specialist through the committee to do the work and give us a comprehensive report the soonest; because we do not want a report that takes a whole year to reappear again in the House. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. I think finally we can hear the chair again. The chairman of transport committee. Before the chair we can hear Hon. Kasimu just one minute.

Hon. Kasimu: Mr. Speaker, Sir, before the chair continues with the report, I was of the opinion that the report goes back to the committee but as we continue discussing, I am realizing that the committee has done its work and they have gone to twenty something roads and what the chair and the committee realized is that the same problems are going from one road to the other. So they thought instead of going to all these forty roads, the engineers have failed, the contractors have failed, let them bring the report to the House for the House to know the way forward. They have realized from ward to ward, from Matungulu East to Matungulu North to Matungulu West, the same problems are there in our roads.

Mr. Speaker, Sir, the report shows clearly that we have a problem in the ministry of roads and the committee has come here to bring the report to the House to know the way forward and the step to be taken for us to rescue our resources. And rescue...Mr. Speaker, Sir, protect me.

Hon. Speaker: You are protected.

Hon. Kasimu: It doesn't matter whether the committee goes back or doesn't go back; the same problems will arise and they will come with the same observations and the same recommendations will also arise. I wonder Mr. Speaker, Sir, when a Hon. Member of that committee is complaining about the recommendation and he was there to represent the House and bring his recommendation; he failed in his duty as a member of that committee and now he wants us to go back and they will bring the same recommendations because he will not be in that committee.

Mr. Speaker, Sir, we have a problem in the ministry; we need to protect the chair of this committee and take this recommendation and see the way forward. The county is in problems and the county roads have problems, we need the way forward. Thank you Mr. Speaker, Sir.

Hon. Speaker: I wanted to hear the chair, transport; I wanted to see whether we can get some additional wisdom from the chair. I was thinking if chairman we can give you ten days to go back with the report, reconsider it, invite all the MCAs and report on every ward and now you can give us a substantive report that we can debate. Is that achievable?

Hon. Ngui: Mr. Speaker before I come to that, I want---

Hon. Speaker: No, you must deal with this first. Is that achievable?

Hon. Ngui: Mr. Speaker, you know the matter has not been referred to the committee yet so before I come to how much time we will need, I want to believe that ten days will not be enough because going round forty two wards with an expert with all the BQs, going road by road, ten days will not be enough. So maybe Mr. Speaker, I want to appreciate the efforts of the members in the contribution of this report and say that Mr. Speaker that I am convinced that my committee under my chairmanship did our work properly, because we went to the ground, we did our inspection and we have tabled what we found on the ground. I want you maybe to direct this House Mr. Speaker, once a committee goes out, comes with a report in the House, is it not possible for more recommendations to be included in the report? Why is it that the committee has to go back to make other recommendations when this House has got the power to make more recommendations on the report? Thank you Mr. Speaker, Sir.

Hon. Speaker: Let us take one, two, yes let us hear you.

Hon Nganga: Thank you Mr. Speaker and the House at large. Mr. Speaker, the role of committees is to do the junk of the work that is supposed to be done by this House and before reports are brought to this House Mr. Speaker, they should be as conclusive as possible, Mr. Speaker. With the history of Assemblies, the reason why committee works was introduced to Assemblies was for that to ease the work of the House in drafting recommendations, Mr. Speaker.

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Mr. Speaker to task this Hon. House to sit here to add more recommendations when there is a select committee of this House which can do that work is to reduce or to dishonor the integrity of this House, Mr. Speaker. When there is a committee which can conclusively do its duty and bring a report for approval and adoption by this House, the major job Mr. Speaker of this House is to approve and adopt but then if the committee has not been able to do its due diligence, then that matter still rests with the committee because we cannot agree and say member x or member y will propose we agree the framing of the words to be used in drafting the recommendations, Mr. Speaker; that is not achievable within the legal standings and the Standing Orders of this House, Mr. Speaker.

That can only be achieved when we are in the committee level where the laws of the House are a little bit relaxed and members can be able to flex and interrogate and exchange between one another, Mr. Speaker. In this House it is not possible for that kind of a discussion to take place; it is only achievable within a committee and that committee then will produce that report to this House to be able to agree.

The matter of importance here is for the House to agree on the issues raised, Mr. Speaker. That is why we want to task the chair and the committee to have the responsibility of aligning the recommendations with the findings of the committee because the recommendations are not consistent with the findings of the committee and if they were made consistent Mr. Speaker, this work does not even require anyone to go to the field, Mr. Speaker.

The information that has been produced is enough to make reasonable recommendations that can be acted upon by this House, Mr. Speaker. We don't need to go back to the ground; we already have information even from other agencies of national government that are tasked with investigative works of implementation of county and national budgets, Mr. Speaker. Using that information, then we can make significant recommendations and this House would be doing its job, Mr. Speaker.

I propose that the matter be referred to the committee and in a span of not more than ten days I am sure with the able leadership of the chair and the support of the leadership of the minority and myself and all other members, we will bring a reasonable report that will have enough teeth to make sure that the people that were against the will of the people of Machakos are streamlined and do the right job for our county. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Hon. Members I think the mood of the House is that the report must be reconsidered and that is what I am seeing in majority of you and I will propose the question.

(Question put and agreed to)
(Report referred back to the committee)

Hon. Speaker: And I will request the office of the clerk to observe time in listing of this report in the next ten days.

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ADJOURNMENT

Hon. Speaker: There is no other business; then the House adjourns.

The House rose at 4.02 p.m.