

MACHAKOS COUNTY ASSEMBLY**OFFICIAL REPORT****Wednesday, 17th February, 2016**

The House met at 10.14 a.m.

*[The Speaker (Mr. Mung'ata) in the Chair]***PRAYERS****Hon. Speaker:** Good morning Hon. Members. Let us proceed.**NOTICE OF MOTION****NAMING OF COUNTY ROADS, STREETS AND ESTATES**

Hon. Katela: Thank you Mr. Speaker, Sir. Pursuant to Standing Order 44 (1), I wish to give a notice of motion that this Hon. House discusses and approves that the County Government establishes an orderly naming framework for the county roads, streets and estates to serve the County residents and tourists as well as entrench our culture across the county. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Notice issued. Proceed.**MOTIONS****REPORT OF DUMP SITE IN MATUNGULU WEST WARD***(Hon. Ngunzi on 16.02.2016)**(Resumption of Debate on the Motion tabled on 16.02.2016)*

Hon. Ngunzi: Thank you, Mr. Speaker, and Hon. Members. We, as a committee of environment, land and energy met this morning. We were to agree on certain issues on the report that was tabled here yesterday because there was contradiction among us members with one member disputing the report. When we met this morning, Hon. Speaker, we could not agree because members seem, and one member in particular, seems to have an interest that was disclosed to one of the committee members yesterday, that let me not bring it to the House.

But what we are seeing here and what the Hon. Member insists, is that there is a school, and members visited the site, agreed that there is no school nearby and in one of the recommendations that we brought to this House is that because the area is flat and that garbage and rubbish is prone to be blown by wind to distant areas, that may even include people's homes,

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we agreed and we suggested that we build a perimeter wall so that wind does not blow away the garbage. But the member, Hon. Ndawa in particular, seems to be very persistent that we shall not create a dumping there and we have seven acres that was bought for that purpose. When we visited that area that day, I want to remind the house, we moved there with residents and none of them had any issues with that dumping site. So members, we as a committee and members, are here with me, could not agree with Hon. Ndawa on the way forward.

She still insists that no dumping will be done on that particular site. Comparatively, I was asking members, comparing the Tala dumpsite that is close to the market and that is fixed between people's homes and that other dump site in Nguluni, which one is better? Members agreed that we move that site from there. So members, it is at your hands, we make a ruling on the way forward because the dumpsite at Tala, as you read and I took you through the report, is now being contested and we have a letter from a lawyer that has given us 14 days to relocate that dumpsite, and something, before the end of this day, has to come from you, members, and I wish Hon. Ndawa was in this House so that we together come up with a resolution.

So members, I want to leave it at that. It is a continuation of the debate that we had yesterday and I rest my case there, Mr. Speaker. Thank you.

Hon. Speaker: Thank you, Hon---

Hon. Ngunzi: Mr. Speaker, again, we photographed the site. I want to give you a copy of the site.

Hon. Speaker: I have them. Thank you.

Hon. Ngunzi: You have it already. Thank you.

Hon. Speaker: Hon. Members, let the debate continue and we finalize report. We direct that Hon. Ndawa should come with her minority report and nothing is yet before me let the debate continue. Yes let us begin with---

Hon. T. Kilonzo: Mr. Speaker, Sir, this House is ruled by the majority, even in the committees, Mr. Speaker, we should not be ruled by one person.

(Applause)

The committee is of 13 members, able members and equally important to the committee and one member, Mr. Speaker, no matter how knowledgeable, no matter how big, should not rule the committee of 13 members who are talking of the same issue, and speaking the same and be ruled by one member, Mr. Speaker. So Mr. Speaker, I support the Chairman that nobody should stop them from what they have found to be done in that dumping site, Mr. Speaker.

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Hon. Speaker: Thank you very much. That bench let us hear Hon. Kanui there.

Hon. Kanui: Thank you Mr. Speaker, Sir. I want to support the current member who has already talked. We came here on a democratic principal and, as the majority, we go as per the recommendations of majority of the committee. We are not serving individuals, if we were serving individuals, we could see and listen to Hon. Ndawa but if the wish of the majority is the dump site to go wherever they decided, we will go by that. Thank you Mr. Speaker, Sir

Hon. Speaker: Thank you let us hear Hon...Itumo.

Hon. Itumo: Thank you Mr. Speaker, Sir. I would like to support exactly what the Hon. Member, the chairperson of the particular committee has said. Rather we cannot just go by the decision of one particular person when we have some others. We always go with the majority, Mr. Speaker, and that dumpsite which is on discussion, is a place I know very well. It is a place I always just pass by almost thrice a week. That dumpsite should be removed from that place because the community there is actually suffering, Mr. Speaker. Mr. Speaker, if you had just given me some powers and just allowed me to sit where you are, Mr. Speaker, I could have put the question with immediate effect and I know we could have passed the same, Mr. Speaker. Mr. Speaker, I know you will go with your wise decision because---

Hon. Speaker: Order, order Hon. Itumo. Let us hear the order.

Hon. Kasimu: Mr. Speaker, Hon. Member Kangundo Central does not know what he is talking about, Mr. Speaker. If he is really aware of what he is talking about, tell us which dump site he is talking about. Is he talking about Tala or Nguluni dumpsite? He seems to be confused.

(Laughter)

Hon. Speaker: Yes, Hon. Itumo

(Laughter)

Hon. Itumo: Mr. Speaker, if I am not wrong I am referring to Nguluni. Mr. Speaker, I do not know whether I am in the right position or wrong position, Mr. Speaker.

Hon. Speaker: Point of order, yes... let me take the point of order, Hon, Itumo.

POINT OF ORDER

Hon. Nzoka: Thank you Mr. Speaker, Sir. The member does not know where we are talking of Nguluni. I stood here yesterday and I said there was a dump site which was closed in

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Nguluni where it was excavated murrum for making road. The dump site we are talking is five kilometers from the tarmac road. It is far back, it is inside. You have never passed there even your vehicle cannot reach there and we are complaining that so you are out of order.

Hon. Itumo: Mr. Speaker---

Hon. Speaker: Order, order Hon. Itumo, the point of order is taken. Let us hear the next member, Hon. Dominic.

Hon. Maitha: Thank you Mr. Speaker for catching my eye. Members, I want to sober up. This is a House of integrity, a House of reason and a House that deserves respect. The Hon. Members who are current members of the county assembly *whatsapp* account created by the Hon. Majority Leader, can attest to this house I posted photos, I posted the reality of the issue at discussion and accusations and abuse was forwarded to me, Mr. Speaker. Mr. Speaker, if I will be in this house to witness lies, I am better off of this House. I will never stand to witness lies, I will never stand to witness someone feeling that you are superior to other members, we are all equal.

I want chronology of events of this report, Mr. Speaker. We went to the sewerage at Ruai and report is evident. We proceeded to Hon. Kamitu's dump site we called Hon. Kamitu, he came, the sub county administrator was there, the lady in charge of garbage collection in Matungulu was there and it was an immediate resolution that the Tala dump site was not negotiable, it had to be closed. We debated it, it was around 4 o'clock, Mr. Speaker, whether we were to go to the dump site at Nguluni and we agreed because, we had already said we had to go based on whatever was brought before this House by Hon. Ndawa, Mr. Speaker. We had that humanity feeling that we had to go and witness ourselves.

Mr. Speaker, we set foot, we went to Matungulu, Nguluni dump site with the sub-county administrator, residents and the lady in charge of the dump site at Nguluni. Mr. Speaker, from the main road, it is not even those five kilometers the Hon. Member is talking about, it is seven kilometers. We were five cars and those who were privileged to have a 4x4 like myself, it is the only car that managed to reach that dump site. The County Assembly bus was stuck four kilometers away. Hon. Kamitu's pick-up was stuck two kilometers away, Hon. Kitheka's car was stuck two kilometers away. The County Government inspectorate vehicle which was supposed to take the County Administrator was stuck in the middle of water. I am the one who managed to remove that car from there, Mr. Speaker.

We left all the cars. I managed to use my car two kilometers from where we got stuck. Mr. Speaker, when we reached the dump site we are talking of, one, there is no single home next to that dump site. The nearest home is about 200 meters and it is a shabby house, actually, I do not know whether anyone stays at that house. It is a barren land full of stones and there are only three trucks of waste that had been dumped ever since that land was purchased. Nothing short of that only that. Reason being, one, accessibility to that area by county trucks is a major major

problem. There is no road and members can attest to this even the road we used we were traversing through other peoples lands. There is no road linking to that.

That was supported by the sub-county administrator and the lady incharge of garbage collection and she said they cannot even access. Mr. Speaker, anyone purporting there is a school near that public land, Mr. Speaker, should face gross punishment by this house as per our Standing Orders. There is no school. The nearest school in that dump site is Father Makenzi, is it Father Makenzi? Father Ian School which is about three kilometers away. Thank you for your guidance Hon. Member.

Mr. Speaker, we went to Hon. Ndawa's place to assist her people but she is not willing to be assisted. There is no school, there is no dump site, actually our recommendations are very clear. We said if that land can be properly utilized, the best way, even instead of starting a dump site is to get an investor, first excavate the stones which are there, have a crashing machine, we get ballast and get money, then later on, we can reuse that land. We invited her, she was called several times, and she never attended. What else could we have done?

Mr. Speaker, all throughout while we were compiling this report, she has never, at any single day, attended a meeting. How can she come and disown a report that she has not been part and parcel of. We could be having the minority report before it came to this House. She cannot come and purport that she is going to disown this report. I want to be very clear, forget about the chairman, he fears to say it. When yesterday she went out with Hon. Nzoka and Hon. Kamitu, she said 'I want you people to reject this report. I compel the Governor to buy another parcel of land so that we can make something out of it.' That is what she told Hon. Nzoka. Hon. Kamitu was there. The Hon. Kasimu, the deputy minority leader---

Hon. Speaker: Order, Hon, Dominic, the report before me, does not have any remarks by Hon. Ndawa denying the report. She only opposed the report---

Hon. Maitha: Mr. Speaker---

Hon. Speaker: So the report at hand, is the popular report by the chairman---

Hon. Maitha: Thank you Mr. Speaker, Sir. So what I am saying is Mr. Speaker. Even when she has come to the House, Mr. Speaker, I cannot prove to be senior in terms of politics than the Majority Leader, the Deputy Majority Leader, Hon. Nzoka, Hon. Renson Muthiani, they have been councilors before. They have that experience that I do not have. We always borrow a leaf from those people who have wisdom and had the opportunity to have served before.

(Applause)

We were in the committees, the only sentiments she could say is that Hon. Nzoka and Hon. Kasimu colluded to get a share of that parcel of land that was bought there not only to be

informed that the land was bought before Hon. Kasimu and Hon. Nzoka were councilors, Mr. Speaker.

Hon. Kasimu: Mr. Speaker.

Hon. Maitha: If this is the kind of leadership that we have, I pity you, Mr. Speaker. So, we went to the dump site, and if anyone feels that, I would even recommend, Mr. Speaker, you give us permission, the entire House attends that dumpsite at hand. If we cannot be able to give a report, I don't believe the entire House will not be able to give a good report. We are more than willing to assist Hon. Ndawa, and all she has afforded to tell us is that, that dump site will never be, she represents Matungulu West ward and nothing that the committee can recommend can be done in her ward without her consent.

Mr. Speaker, are we serving one ward. When the day after tomorrow, we are supposed to go to Hon. Mwonga's ward, so the report we bring, he disowns it, what was the purpose for us to go there, Mr. Speaker. I think we need decorum. We need to treat Hon. Members like Hon. Members, and accusations and abuse, will not take us anywhere. We need to be guided voice of reason. Thank you, Mr. Speaker, Sir.

Hon. Speaker: Thank you. Then I think the matter is---

(Laughter)

Then let us hear Hon. Kasimu.

Hon. Kasimu: Thank you Mr. Speaker, Sir. I want the guidance of the Speaker of the House about when a member walks in the House, gives a report, a committee goes to the ground and finds that it was a lie, there was no primary school that was found around, the pictures that Hon. Ndawa brought to this House were not from Nguluni dumpsite, the goats and the dogs that were in those pictures do not even come from that area and we went there, there are no goats around, there are no kids there playing with the material that she brought in this House. That is dishonor, lack of integrity that Hon. Member brought to this House.

Mr. Speaker, Sir, we need guidance so that it will be a lesson to her and those who will be of the same caliber in the future, that there will be punishment if one walks in this House with hearsay and propaganda. Thank you Mr. Speaker, Sir. Mr. Speaker, Sir, we have just come from the committee of environment, Hon. Ndawa has insulted almost all the members starting with Hon. Nzoka, calling us names, Mr. Speaker, it is a dishonor.

Hon. Speaker: Order Hon. Member, Hon. Kasimu. That committee has a chairman, that chairman has the position of the Speaker at any time and there is a procedure to handle those

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issues, so that should not worry you. Equally again, in this report, when you go to page 5, recommendation No. 1, squarely deals on the matter of Hon. Ndawa. So there is nothing to worry about that. I have seen the hand of Hon. Mueni.

Hon. (Ms.) Mueni: Thank you Mr. Speaker, Sir. I think we have been here for three years and a half, almost four, we know one another and we know what one can do to his place, so I think Mr. Speaker, Sir, instead of wasting time since the chairperson of that committee has brought the report, you just meet them, you go through it, see what is useful to this House, because I think this House is very important and there is no need of discussing of things of a person who is walking out when the House is going, because if she had something to be useful to her ward, she would have been here to defend her ward.

So Mr. Speaker, Sir, I think we can go to something else because everybody here is not willing to talk about Hon. Ndawa, because I think she does not know what she is doing in this House. Thank you Mr. Speaker, Sir.

(Applause)

Hon. Speaker: Hon Members, let us restrain ourselves. Let us hear Hon. Kamitu here.

Hon. Kamitu: Thank you Mr. Speaker, Sir. I want to crown it all in the sense that, administrative-wise and strong sentiments by Hon. Dominic, I was one among the team that went to Nguluni dump site and my humble request to prove it all is that we have documents that can be taken from Kangundo/Tala, the former municipal council because that land, as I am saying, on the documentary side of it, we have all the agreements, all the signs that that land was bought and it is a gazetted dump site in Nguluni.

I would humbly request this House, we should now move forward to request our county government to see exactly what can be done in regard to the strength of constructing that dumpsite so that we can finish all these issues. My humble request again, Sir, you have from the record that there should be a letter, we need a guidance in regard to Tala dumpsite because further dumping should be stopped immediately, because the members and the community as per the record, says that there should be no dumping in Tala because it is an illegal dumpsite that was started by mistake by the former council.

As per the letter that I also gave you, it is indicating all the bad report or the consequences that the community are facing in that area. So Mr. Speaker, through your guidance, we need to move forward and see the way forward in regard to Nguluni. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you. Let us hear Hon. Alice.

Hon. (Ms.) Nzioka: Asante Bw. Spika kwa kunipa nafasi. Mimi ni mmoja wa mwanakamati wa hiyo kamati ya mazingira. Bw. Spika, sisi kama kamati tulichukua jukumu kwa sababu mmoja wa wabunge alileta ripoti kwenye hii bunge na ikawa ni ripoti iliyo tushtua. Bw. Spika, tulipitia Ruai, tukaona ile kazi ambayo inatendwa hapo, ilikuwaniwakatiwamvua Bw Spika, tukaenda tukaangalia pipa la taka wodi ya mheshimiwa Kamitu, Tala na Bw. Spika, kila mtu alishikwa na mshangao vile hiyo taka imetupwa karibu na maji.

Bw. Spika tukasikizana sisi kama kamati na ripoti ambayo tutatoa ni kwamba, taka isimamishwe kutupwa kwenye hiyo sehemu. Tulisikizana kutoka twende Nguluni kuona ile sehemu ingine iliyo kuwa imetengwa kwa ajili ya kutupa taka. Bw. Spika ilikuwa shida, maana ilikuwa wakati wa mvua, uzuri ni kwamba mmoja wetu alikuwa na gari ingetuwezesha kufika.

Bw. Spika, ukifika katika hiyo sehemu, ukiangalia, ni kama kilomita moja mraba, kuna nyumba ambazo ukiangalia ungeona ni kama watu walikuwa wameshahama, kwa hivyo ni sehemu ilitengwa kwa ajili ya kutupa taka. Mimi kama mbunge na mbunge mwananamke nikashindwa, kumbe nao wanawake wanaweza kuongea maneno ambayo si ya ukweli.

(Applause)

Kwa sababu niliangalia kuna mambo mheshimiwa Ndawa alisema kwenye hili bunge na akatoa mipira ya kondomu kwamba watoto walikuwa wakicheza nayo, nikatafuta, nikazunguka, niangalie shule ambayo watoto walitoka, sikuiona Bw. Spika. Nikashindwa, kama mtu ana mpango wa kando kwa jambo ambalo analeta hapa, sisi kama wabunge hatutaonyesha ujasiri wa kazi ambayo tunafanya.

Bw. Spika, tukiwa hapo, hata kutoka Ruai, mwenyekiti alimuita, tukamuita sababu ni sehemu yake ili atuelekeze na atuongoze kwenda kuona na hakuja. Sasa nashindwa, juzi wakati ambapo tuliitwa na waziri wa mashamba, tulitaka kujua na ilisemekana kwamba hio sehemu ambayo imetengwa, pia ilinunuliwa na imewekwa katika gazeti la serikali.

Mimi maoni yangu ni kwamba ripoti ambayo tulileta, kwa pamoja tulijadiliana kwamba hio ndio ripoti na tumeona ni kwa ajili ya kuangalia mazingira katika sehemu ya mheshimiwa Ndawa. Mimi nasema, ili iwe funzo kwa mimi na mbunge mwingine ambaye atafanya kazi na kuleta ripoti ambayo si ya ukweli, zile pesa ambazo tulilipwa sisi kama wabunge, wakati wetu ule tulitumia, Bw. Spika, kwa mwongozo wako ebu angalia na huyo mheshimiwa aregeshe hizo pesa ambazo tulitumia.

Sababu, sisi kama kamati tumeona, na tunashangaa ni kama kulikuwa na mpango ulikuwa umewekwa na Bw. Spika, unajua mtu kama kiongozi akiwa na mpango na uanguke lazima utakuwa na hasira kwa kila mtu. Lazima utaona kila mtu kwako ni mbaya. Bw. Spika, na

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mwongozo wako, ebu angalia. Lakini ile ripoti, sisi kama kamati ambayo tulileta hapa, ni ya ukweli, na Bw Spika ukitaka kujua ukweli, sisi kama bunge tutembeee kwenda Nguluni ili uone ripoti ambayo tulileta. Asante, Bw. Spika.

(Applause)

Hon. Speaker: Let us hear Hon. Muthuka.

Hon. Muthuka: Thank you, Mr. Speaker. I am one of the members of the committee and I will not repeat the happenings of that day, because I even remember we were to spend a night there while we were stuck. Mr. Speaker, we are here because of our people, Machakos County, no matter what part of the world they are coming from. Mr. Speaker, if you go through our report, it is very clear with the recommendations and it is my strong belief, by now, instead of repeating ourselves and referring this document to a particular person, we could have discussed a minority report if at all it was there, but what we are discussing now is nowhere to be seen because it is not a minority report, it is just a motion of a particular member.

So Mr. Speaker, I would request if you could pose the question because nobody is against this report, as per now, apart from the hearsay and Mr. Speaker, time is of essence, we were there last year and I believe if you go to Tala you will be shocked. Our recommendations were forthwith, that garbage should be transferred to Nguluni. Mr. Speaker, we have machinery, as a county, that within a day or two, that road can be made accessible to the dump site.

(Applause)

Mr. Speaker, we have experts, that a wall can be constructed within a week and if that is done, we will not be talking about dumping in Matungulu or Kangundo, we will move forward to another place like Mavoko so that we can know how we are going to clean that city of Mavoko. So Mr. Speaker, with your guidance, since everybody has approved our report, may you pose the question please. Thank you.

Hon. Speaker: Thank you. I think Hon. Members, I am persuaded to pose the question unless there is a very...Let us hear Hon. Member for Mavoko.

Hon. M. Mutuku: Mr. Speaker, Sir, once again, I would like to applaud the chairperson for the interim report and I would also like also to say it was actually not in order for Hon. Ndawa to mislead the House. However, I have some reservations, Mr. Speaker, Sir. As all of us are aware, a dump site is a menace, we need to have a NEMA Environment Impact Assessment (EIA) report for that dumping site.

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Secondly, Mr. Speaker, Sir, as much as we try to condemn Hon. Ndawa, we have a saying that says, 'the majority win, but still the minority have their say.' Mr. Speaker, Sir, this is a Hon. House and Hon. Ndawa was elected to represent the aspirations, wishes and deserves of Matungulu West people, we need to evaluate the Environment Impact Assessment (EIA) vote for three or five years, Mr. Speaker, Sir.

Hon. Speaker: There is a point of order.

POINT OF ORDER

Hon. Manyolo: Mr. Speaker, Sir, I understand Hon. Mutuku didn't go through the recommendations of the report of the committee because Tala dumpsite, No. 7 states that the area MCA Hon. Kamitu informed the members that NEMA visited the place and recommended for relocation of the dumpsite. Why are you misleading the House? Thank you, Mr. Speaker, Sir.

Hon. Speaker: Thank you, that point of order is taken. Hon. Mutuku, you have lost your right of audience. Let us hear Hon. Kalunde.

Hon. Kalunde: Thank you Mr. Speaker, Sir. It is surprising that when Hon. Ndawa came in to request the House to remove the dumping site from Nguluni, we all unanimously said that it should be removed because of the school which was said to be near the dumping site and also the way she demonstrated that children are playing with very, very serious articles from the dumping site. But, it has been proved that she was only lying, perhaps like Hon. Michael said. Hon. Michael seems to have an interest with the site and that is why he is supporting Madam Ndawa because of what the House does not know.

So, Mr. Speaker, looking at the mood of the House, I think it is important like Mheshimiwa Muthuka said, time is of essence and therefore you should just pose a question because every Member in this House is supporting the report. Thank you, Mr. Speaker.

Hon. Speaker: Thank you, Hon. Members, I may have to conclude and I proceed to put the question.

(Question put and agreed upon)

Then with the result that the recommendation No. 1, is referred to the Committee on Powers and Privileges, the disciplinary Committee and the Clerk will take action on the other recommendations as soon as immediate. Let us proceed with the other items.

(Applause)

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NAMING OF COUNTY ROADS, STREETS AND ESTATES

Hon. Katela: Thank you once again Mr. Speaker, Sir. Mr. Speaker, Sir, aware that most of the roads and estates in the County have no proper names or are either given names from other Counties randomly without any significance, aware that there is no law that stipulates how roads and estates should be named within the County and aware that some streets and estates within the County that have been named after people from other Counties and lack of recognition of our County names, aware that the same street and estate names are also in other Counties and regions.

Further, aware that technology is inevitably moving us to GPS mapping and the streets and estates bearing other County names will contradict our County location details, Mr. Speaker, Sir, I wish to move the motion that, this Hon. House discusses and approves that the County Government establishes an orderly naming framework for the County roads, streets and estates to serve the County residents and tourist as well as entrench our culture across the County. Thank you, Mr. Speaker, Sir, and I call upon Hon. Winston Kanui to support my motion.

Hon. Kanui: Thank you, Mr. Speaker, Sir. I wish to support the motion and in one way it will give us an opportunity to remember people like you, who have done a good service for the County. Thank you, Mr. Speaker, Sir.

(Applause)

Hon. Speaker: Thank you. Then the motion is laid on the floor and I can, yes, let me hear the mover and then we get arguments in support.

Hon. Katela: Mr. Speaker, Sir, to put more light on the motion as Hon. Kanui has said, Mr. Speaker, Sir, I want to remind you that you are the first Speaker of this County Assembly since devolution and Members who are sitting here are the first MCAs of this County since devolution came into place. Mr. Speaker, Sir, I do not see anything wrong with a road from Muthetheni from Itithini to Minanthoni named after me, Hon. Katela Street or Hon. Speaker Mung'ata road. Mr. Speaker, Sir, an example is we have several roads in Mavoko, in Athi River and Mlolongo, a road named Nyambura, we have another one on Kangundo road named Kisii Village, we have in Athi River and Mlolongo, a road called Githunguri and Bondo and I do not see where those roads are leading us.

Why can we not have them called Hon. Kalunde, Hon. Ndeti who was the first Mayor of Mavoko, Hon. Mailu who was the second Mayor of Mavoko or Hon. Alice who has done so much for Mlolongo people. Mr. Speaker, Sir, I wish to call my colleagues to support me and change these names because Hon. Kitheka, I think this is second term and he may not have a name in Machakos Town. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. You can contribute and inform us at the same time.

Hon. Maitha: Thank you, Mr. Speaker. I wish first to inform you that Mr. Speaker, any time we might be having casualties in this House. These microphones have an electric shot, for those Members who have realized, Mr. Speaker, if you try to hold like this---

(Hon. Maitha taps the microphone once)

Hon. Speaker: Sorry, a communication is being done.

Hon. Maitha: So, that one needs to be done. Secondly Mr. Speaker, if, Members, and my memory serves me well, a motion was brought before this House by Hon. Veronica to honor our heroes. First, before we say we pass a motion to say that these roads be honored based on the Members of this Assembly, can we first follow what was the resolution of Hon. Veronica's move. We have so many heroes and heroines in Machakos who have nothing to celebrate about. And a naming of a road is based on the parameters that resulted to that.

He has mentioned Githunguri, Githunguri is where I come from Mr. Speaker. Muthwani Ward where Githunguri is and where I reside which is the Githunguri Location, Githunguri Sub-location, there is no way we can change Githunguri location to another name because it is already gazette by the National Government. There is a reason as to why it was called Githunguri. The owners block 7340 was owned by Njiru-Githunguri Farmers and the original owners who settled in that land came from Githunguri, that is why it was mentioned Githunguri.

Any other roads which have even been mentioned in Syokimau/Mlolongo, they are mentioned on the basis of their existence. Maybe if it is Kisii, maybe the first people to settle in that area were Kisiiis so we do not want to look like as if we are becoming tribal. Let us not be biased, Mr. Speaker. For now, I do not believe the Hon. Members here would even wish to be associated with any road in there ward because if that is happening, then we will be setting a bad precedence, our electorates will say that, 'these people went to serve their own interests.'

So, Let us surpass our interests and serve the interests of the electorates and actually even to name a road, it is the prerogative if their own residents. Mr. Speaker, the other day there was an article on the newspapers about a lot of issues which came about when my Party Leader named a road in Mombasa after the demise of his son. We do not want, Mr. Speaker, to follow that precedence because we will be serving our own personal interests, in as much as the mover has good intentions.

I think, let us be guided by what Hon. Veronica said. We have so many heroes, we have Mulu Mutisya, we have Paul Ngei, we have Mbolu Malo, we have even outstanding Masaku wa Masaku, we have Syokimau. Mr. Speaker, before we go to that extent of naming roads as per the Hon. Members, let us name the roads based on these heroes and heroines and people of purpose. Like we have the late Hon. Kasanga Mulwa, he served this Country then we can go ahead, we have something to celebrate but not just Hon. Members of this House. Thank you, Mr. Speaker, Sir.

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Hon. Speaker: Thank you. Let us hear the mover, maybe to know from the mover, I do not know whether you consulted or---

Hon. Katela: Mr. Speaker, Sir, I want to inform the immediate contributor that an example is not what you mean. When I gave an example of Hon. Kalunde, I did not say Mutituni should be named after Kalunde, We could name it after Ngei or somebody else. That was just an example.

Hon. Speaker: Hon. Katela, I am asking and the Chair asks this, did you consult our HANSARD to find out whether there was a similar motion that was deliberated and passed in the House?

Hon. Katela: I did and there was none.

Hon. Speaker: There was none. Proceed then.

Hon. Katela: So, Mr. Speaker, Sir, I want to tell the immediate member who contributed that, I gave an example of Hon. Kitheka, Hon. Katela, Hon. Speaker, I did not mean that it should be named after you. In fact I will be very privileged if a road in my place---

Hon. Speaker: Order, order Hon. Katela, I do not think that is the point that Hon. Dominic had. I will urge that perhaps you take your seat and then we proceed.

Hon. Katela: Thank you.

Hon. Speaker: Let us hear the point of order again.

POINT OF ORDER

Hon. Ngunzi: Mr. Speaker, I think we should stand guided. Is this Hon. Katela's motion or Hon. Kanui's motion? Because what is contained in the order paper is different from what is happening in the House.

Hon. Speaker: Yes.

Hon. Muli: Thank you, Mr. Speaker. I would like also, Mr. Speaker, to emphasize more on this issue of shock. I have just got the stroke and I have heard the impact.

Hon. Speaker: Sorry.

Hon. Muli: Mr. Speaker also my point of information, I would like also to inform the mover of this motion that, we had relevant motion in this House which was brought by Hon. Veronica and I wonder, are we trying to recycle or to repeat what already had been discussed or there are more points within this motion which require to be handled. Therefore, I would like also to be guided. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. I think I agree with that Hon. Member. I remember very well that a motion was done which was almost related to this and out of that motion a bill is on the way to this House. Hon. Katela, if you can agree and consult further and find out whether indeed your motion is adequately covered in that bill. If it is, you can do the honorable thing and withdraw your motion. Let us hear.

Majority Leader (Hon. Mwonga): Mr. Speaker, I need to be guided on how this motion has seen its way to the floor of the House. Because the Standing Order we have here, Mr. Speaker, we should be discussing the motion by Hon. Winston Kanui. Unless we have two Standing Orders, Mr. Speaker, or unless the motion was brought under Standing Order 227, if I am not wrong, Mr. Speaker. How did the motion find its way to the floor of the House Mr. Speaker?

Hon. Speaker: Thank you, Hon. Kanui. I think it is your motion as shown in the Order Paper. I do not know how you sought out your motion to Hon. Katela.

Hon. Kanui: Thank you, Mr. Speaker, Sir. I think you give me time to consult with my clerk and then I will be giving you---

Hon. Speaker: Hon. Kanui, it is either your motion or not your motion.

Hon. Kanui: Thank you, Mr. Speaker, Sir, It was my motion and the clerk tried to get me but they could not get me on phone and they requested one of our Members to move the motion.

Hon. Speaker: Then the motion drawn is not drawn by Hon. Kanui?

Hon. Kanui: Yes.

Hon. Speaker: Therefore, if the motion that is supposed to be in the House, is the one for Hon. Kanui, then it is not what we have at hand and the result is that the motion must fail.

(Applause)

And the Chair, so orders and there is no motion available and I will give Hon. Katela a moment to apologize to the House after.

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(Applause)

Hon. Katela: Mr. Speaker, Sir, before I apologize, Hon. Kanui is my able Chairperson---

Hon. Speaker: Order, order Hon. Katela. The directions are that you apologize to the House.

Hon. Katela: I apologize and also defend myself, Mr. Speaker.

ADJOURNMENT

Hon. Speaker: The House takes the apology and the House adjourns.

Hon. Katela: Thank you.

(Laughter)

The House rose at 11.04 a.m.