

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Thursday, 27th August, 2016

The House met at 2.34 p.m.

[The Speaker (Mr. Mung'ata) in the Chair]

PRAYERS

Hon. Speaker: Good afternoon, Hon. Members. Clerk, proceed.

COMMUNICATION FROM THE CHAIR
GUESTS FROM MANGO SECONDARY SCHOOL

Hon. Speaker: Hon. Members, you allow me to recognize guests from Mango Secondary School from Mwala sub-county. I would urge the MCA from Mwala Sub-County who is here to make a note of appreciating their presence.

Hon. Kimata: I take this opportunity to welcome my school, Mango secondary school for visiting us to witness how we transact business. So I say thank you so much for coming.

(Applause)

Hon. Speaker: Thank you so much. Proceed.

STATEMENT
PLIGHT OF EMPLOYEES AT DEPARTMENT OF FINANCE

Hon. Kitheka: Thank you, Mr. Speaker, pursuant to Standing Order 41, I wish to seek the following statement;

Why employees in the department of finance and revenue management are being deployed by the director of finance instead of the Chief Officer. This contravenes the provision of section 72 of the County Governments Act. Further, I wish to seek the following statement; why employees in the department of finance and revenue management have not been confirmed to their positions as provided in section 71 of the County Governments Act. Thank you, Mr. Speaker.

Hon. Speaker: Thank you, the matter and content of these statements.....(*inaudible*). The matter will be referred to the committee of labour and social welfare who have a similar question on the agenda. I will ask them to engage the services of the assembly legal team in view of the legal questions. Proceed.

MOTIONS

INCOME AND EXPENDITURE REPORT FOR 2014/15

Hon. Speaker: The matter for Hon. Oliver Nzeki.

Hon. Nzeki: Thank you, Mr. Speaker, Sir. I would like to ask for some more additional time because I have a supplementary report to attach to the report to this Hon. House and there are some documents which were brought this morning and we want to attach to this report which was done last week. Thank you, Mr. Speaker. I would like to ask Hon. Alice Nzioka.

Hon. (Ms.) Nzioka: Asante Bw. Spika. Nimesimama kuunga mkono ripoti ambayo ililetwa katika bunge hii wiki iliyopita, ripoti ya kamati ya hazina, ripoti ambayo ya mapato na matumizi ya serikali, bw. Spika, tunaomba utupe nafasi ama muda zaidi . Bw. Spika, ukiangalia kwenye maoni ambayo tuliona kwenye ripoti, kuna vikaratasi ambavyo tulitumia kuweka pesa, kuna barua zingine kama kamati hatukupata. Bw. Spika, tunaomba muda zaidi kama wiki ikiwezekana ili tuweze kuleta ripoti ikiwa kamilifu. Bw. Spika, naunga mkono kwamba utupe wakati zaidi ili tulete rripot ikiwa kamilifu. Asante.

Hon. Speaker: Let me hear the mover, how much time do you need?

Hon. Nzeki: Thank you Mr. Speaker, Sir. I would like to be given two weeks' time to bring the report.

Hon. Maitha: Point of information.

Hon. Kitheka: Point of order, Mr. Speaker.

Hon. Speaker: Yes, Hon. Kitheka.

Hon. Kitheka: Thank you, Mr. Speaker. Mr. Speaker, the document, which has become the property of this House, as per the Standing Order 55, Mr. Speaker, it is not prudent for this House to technically withdraw a document which is in this House and which is in order. So, Mr. Speaker---

Hon. Speaker: Order, Hon Kitheka.

Hon. Kitheka: I think it is better we continue with the document which is there and then nay other supplementary issue will come later.

Hon. Maitha: Point of information.

Hon. Speaker: Order!

Hon. Speaker: The request before the House is not to withdraw. It is only asking to present it on a future date.

Hon. Kitheka: Mr. Speaker, justice delayed is justice denied, Mr. Speaker.

Hon. Maitha: Point of information.

Hon. Speaker: Yes, Hon. Dominic.

Hon. Maitha: Mr. Speaker, I need to be informed further, unless the manner of discussions and debate and the way we conduct business in this House has changed when I was on leave because, Mr. Speaker, if there is any committee and I would beg the chairman finance committee to listen to this; if there is any one committee that always seeks extension of time when there are delicate matters to discuss about reports brought into this House each time, it is the finance committee.

The last time, when we had a very delicate committee saying that an airstrip has been constructed in Machakos, they sought more time. That report has gone numb and dead up to date, Mr. Speaker. This report, the chairman knows very well why he needs to get time. Why did he instruct his members to bring the committee before the House Business Committee for balloting if he knew there was no subsequent information or enough information to give this house a document that is tangible?

Mr. Speaker, to echo the words of Hon. Kitheka, I would wish the document that has been brought in this House, let the document be discussed as it is, any further additional information that has come, Mr. Speaker, is null and void because a document has already been forwarded to the floor of this House, adopted by this House, a motion seconded, then it means either the chairman and his committee are in competent or there is some means to collude with the relevant officers who are implicated in that report, Mr. Speaker, Sir, to withdraw the document and bring some other reports which are contradicting as at now, Mr. Speaker.

The document is a property of the House and you cannot make any amendments, Mr. Speaker. It contravenes section 51 of the Standing Orders. The document has already been seconded and adopted by this House, any further information that will be added to this document Mr. Speaker, is malicious and meant to defame or to get out the required information that is in that document to give benefit to somebody somewhere. Thank you, Mr. Speaker, Sir.

Hon. Nganga: Point of information.

Hon. Speaker: Hon. Deputy Speaker.

Hon. Nganga: Thank you, Mr. Speaker. I am seeking the guidance of the Chair that the chairman did not appeal for the leave of the House in line with the Standing Orders in order to get the authority of the House to withdraw the document. Mr. Speaker---

Hon. Speaker: Order, Hon. Deputy Speaker. The chairman is not seeking to withdraw, he is asking time.

Hon. Nganga: Thank you, Mr. Speaker, for the correction. Mr. Speaker, now in the request for the additional time for the matter to be discussed, Mr. Speaker, this House can hear out members on the report as we wait the chairman to file the supplementary information. Mr. Speaker, and if he got the information this morning and I am aware his committee sat today, Mr. Speaker, it is only prudent that he goes ahead and supply the information to the House and further, Mr. Speaker, seeking for more clarification; why would it take him two weeks on a report that we used to sit on when I was a member of that committee to refine these matters, Mr. Speaker?

If it is two documents or three documents, I do not expect it to change the direction of the recommendations, Mr. Speaker, and, Mr. Speaker, I want to tell him there is information that I already have that there is collusion that is playing out there. Mr. Speaker, there are monies that have already been lost that, that committee has already been able to identify and Mr. Speaker, the intention of some of those crooks is to have that information withdrawn or to contradict whatever is going to be presented by that report and in the long run, Mr. Speaker, people of Machakos County will have to see the facts.

Hon. Speaker: Hon. Chairman.

Hon. Nzeki: Mr. Speaker, Sir, today in the morning as the Hon. for Ikombe has said, today we never thought about that information that came in this morning. We were discussing about the finance bill but again Mr. Speaker, Sir, I am not withdrawing the document; the document is still with you have it at your fingertips. So, Mr. Speaker, Sir, there are some documents which were brought this morning and we want to attach them to the report brought to this Hon. House. So, Mr. Speaker, Sir---

(Loud consultations)

Hon. Speaker: Order! Proceed.

Hon. Nzeki: So Mr. Speaker, Sir, I am asking for fourteen days we come and discuss it and I attach it to the previous report---

Hon. Speaker: You are protected, proceed.

Hon. Nzeki: I am asking for more time that I attach it to the previous report then the document which you have with you is not being withdrawn, you have it. So, Mr. Speaker, Sir, which is what I have and that is what I can say. Thank you.

(Loud consultations)

Hon. Speaker: Let us hear Hon. Ngunzi.

Hon. Ngunzi: Thank you, Mr. Speaker. I actually cannot understand why, if the chairman finance claims that he has information that should be added to the report, why don't we give him that time he is calling for and if he is talking of two weeks---

Hon. Kitheka: Point of information, Mr. Speaker.

Hon. Speaker: Order! Wait Hon. Member. Sit.

Hon. Ngunzi: If the chairman is talking of two weeks, we can give him a lesser time and then that report will be here. He is not withdrawing the report, Mr. Speaker.

Hon. Speaker: Can we hear Hon. Muli.

Hon. Muli: Thank you, Mr. Speaker. I am wondering why these members are pushing so high about the issues of this motion to be tabled and Mr. Speaker, already the chairman of finance has only requested to be added extra time so that Mr. Speaker, if because we need extension, Mr. Speaker, and concrete document which are here and if the chairman and the committee of finance feels that they do not have enough documents, Mr. Speaker, let members try not to push and make sure the document is being tabled while it is half-baked, Mr. Speaker. Therefore, Mr. Speaker, I support the point---

Hon. Speaker: Order!

Hon. Muli: Mr. Speaker---

Hon. Speaker: Order! Hon. Members.

Hon. Muli: Therefore, Mr. Speaker, the chairman of finance has to be given time to table a concrete report. Thank you, Mr. Speaker.

Hon. Speaker: Let me hear the Majority Leader.

Majority Leader (Hon. Mwonga): Thank you, Mr. Speaker. For the benefit of those who are in the gallery, I am Hon Joshua Mwonga, Member for County Assembly Masinga Central ward and the Leader of majority. Mr. Speaker, the issue on debate is not to withdraw the document which was presented or tabled by the chairman of finance committee, Mr. Speaker. Mr. Speaker, the chairman of finance committee has requested for some time so that he can add more information or make a supplementary document to what we are having, Mr. Speaker. No alterations are going to be done on the original document that we have, Mr. Speaker---

Hon. Speaker: Hon. Kitheka you are out of order.

Majority Leader (Hon. Mwonga): Mr. Speaker, the business of this Hon. House originates from committee Mr. Speaker, and if Mr. Speaker, the chairman of that committee and his members feel that they have some more information or they want to make a supplementary to that document, Mr. Speaker, I think they should be given more time so that when this House will be debating on this report, they be on an informed point, Mr. Speaker. Thank you, Mr. Speaker.

Hon. Speaker: We have already heard you. Let me hear Hon. Mueni.

Hon. (Ms.) Mueni: Thank you Mr. Speaker, Sir. I do not know why the members are boiling and they have the report. Nothing we are exchanging and we have done our work. We are just adding more material to the report.

(Applause)

So, sometimes you just waste your time talking much and being so.....why use your energy to do what is not necessary. You go there outside and do your work better to come again. So, thank you, Mr. Speaker, Sir.

(Laughter)

Hon. Speaker: Hon. Members, the matter before this House is that of an adjournment not that of withdrawal of motion. The matter for withdrawal of motion is independently found in Sanding Order 48 reads ‘a notice of motion may be withdrawn by the member who gave the notice, but notice of the same motion may be given again either by the same or by any other member.’

A rider in sub-section (2) reads ‘despite paragraph (1), notice of a special motion may not be withdrawn, except with the leave of the House.’ Even in the event of withdrawal, leave of the House.....*(inaudible)*. I will grant permission that has been sought by the mover of the motion because in my view, it is.....*(inaudible)*. Let us proceed.

Hon. Muli: Thank you, Mr. Speaker. I had already, last week, tabled the motion on report on tractors and I would request, through your honour, now the members to debate about the motion, Mr. Speaker. Thank you, Mr. Speaker.

Hon. Speaker: The report can be circulated.....*(inaudible)*

Minority Leader (Hon. Kasoa): Thank you, Mr. Speaker. Let me take this chance to welcome the members of staff of county assembly of Mandera to Machakos County Assembly and tell them to feel at home and follow the proceedings of the House. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Let us proceed. Is the report delivered to the House?

TRACTORS PROGRAM

(Hon. Muli on 22.03.2016)

(Resumption of Debate on the Motion tabled on 22.09.2016)

Hon. Muli: Thank you, Mr. Speaker, Sir. I would like to take the members through the report for tractors program. Mr. Speaker, Sir, in 2013, the County Government of Machakos procured 40 tractors. The project was intended to have all the 40 wards in Machakos County be served by one tractor. The tractors program, being free, was to enable the residents of Machakos County to mechanize their farming. The Agriculture and Co-operative Development committee conducted a research on the tractors program and therefore submits its report for the tractors program in Machakos County.

Mr. Speaker, Sir, the Committee was established pursuant to Standing Order 190. The Second Schedule of the Standing Orders mandates the committee to deal with all matters relating to agriculture, including crop and animal husbandry, livestock sale yards, county abattoirs, plant and animal disease control, irrigation, fisheries, cooperative societies and veterinary services.

Mr. Speaker, Sir, the committee has thirteen (13) honorable members as listed in the report.

Mr. Speaker, Sir, in the county government of Machakos Vision 2020 Strategic Plan has highlighted food security and nutrition as one of the key strategic goals in its social pillar. In order to enable the County Government of Machakos to fully implement crop farming, several programs have been launched.

These programs among them free mechanized farming by the county tractors has been intended to increase arable land acreage and consequently increase food security in Machakos. Out of the 40 tractors, 15 tractors are in good working condition, 16 require minor repairs and 9 tractors require major repairs.

(Hon. Speaker left the Chair)

(Hon. Temporary Deputy Speaker took the Chair)

Tractors in the wards

Mr. Speaker, we have 40 tractors. The stars are being indicated there, Mr. Speaker. The first star, Mr. Speaker, implies tractors that are in good working condition. Two stars, Mr. Speaker, indicate tractors that require minor repairs and services the third stars, Mr. Speaker, implies tractors that require major repairs and service.

Attached is a table showing tractors current status and allocation and also the operators' names as per the contractors. Mr. Speaker, as you go through the annexed document, Mr. Speaker, which shows the firm tractors status, Mr. Speaker, we have already in Masinga sub-county whereby the tractors are being indicated their number plates. We also have the model, Mr. Speaker, we have the ward where the tractor is and also we have already indicated the requirement of the tractors as per the ward.

Mr. Speaker, we have already indicated the current location where the tractors are Mr. Speaker, and also the plant operator to an extent that if you want to enquire more, Mr. Speaker, we have also indicated the phone number within the document which has already been annexed at the end of the document. Mr. Speaker, I would like to take through this Hon. House the challenges to this program, Mr. Speaker.

Mr. Speaker, Sir, since the onset of the tractors program, numerous challenges have made the program non-economical in the long term such as;

- Cases have been reported that most tractors lack fuel at such times when urgently needed to assist the farmers in tilling their farms. As a result, some residents are compelled to fuel the tractors, contravening the initial intention of having the tractors for free. In some incidents, most farmers get late in preparing their farms yet they rely on rain-fed agriculture.
- Most residents have perceived the program as discriminatory since it targets persons with a certain size of land, while others perceive it as a waste of public resources.
- Most of the tractors have broken down and lack the necessary spare parts. This has reduced the number of tractors available at any given time for farming.

- Currently, the county government has not employed Ward administrators who should co-ordinate manage and supervise the general administrative functions in the Ward in accordance with Section 51 (3) of the County Government Act.
- Identification of beneficiaries has been a great challenge marred by corruption.

Mr. Speaker, Sir, informed by the research conducted the committee makes the following recommendations;

- That all tractors should be fully repaired and that each tractor should be allocated fully to a particular Ward.
- That the County Government should attach subsidized fees to the services provided by the tractors and further ensure that a clear policy is formulated on the management of the funds collected. The committee recommends that the funds collected should be used directly in maintenance of the tractors.
- That the Members of the County Assembly should actively be involved in the beneficiaries selection process since they are the representatives of the electorates at the Ward level. The Committee noted that on the onset of the tractors program, an *ad hoc* committee comprising of the Member of County Assembly, Ward Agricultural Officer and Ward project co-coordinators was supposed to select the beneficiaries.
- That intensive preparation of the fields should be conducted during the dry seasons since most of farming in Machakos County is depended on the rains.
- That fuel for the tractors should constantly be available and tractors once serviced, should return to the fields.

In conclusion, Mr. Speaker, Sir, the committee observed that the free tractor program in Machakos County has failed to achieve its set out goals and objectives and it is therefore my privilege to table this report in this Hon. House for approval. Thank you, Mr. Speaker, Sir.

Hon. Temporary Deputy Speaker: Hon. Members, I remember sometimes last week the motion pertaining this report was tabled in the House and was accordingly seconded and we have been taken through the report. I invite members to contribute. Yes, Hon. Joshua Mwonga.

Majority Leader (Hon. Mwonga): Mr. Speaker, I don't know how you have caught my eye and I had not raised my hand. I was just going through the report but as a member of this committee on agriculture, I want to urge members to support this report fully and allow me Mr. Speaker to comment on item 4, that is committee recommendations. Item Number...Mr. Speaker, I had indicated I am not ready for this but I am remembering that as the chairman was taking us through, yes it is 4, item number 2 under 4 that 'the county government should attach subsidized fees to the service provided by the tractors and further ensure that a clear policy is formulated on the management of the funds collected.

Mr. Speaker, I would wish to agree with that bullet. However, Mr. Speaker knowing that rains are just around the corner, I am wondering, since this Assembly has not sat with the Chief Officer for Agriculture to formulate the policies, Mr. Speaker, I would wish we say for this season, let it be done the way it used to be done, let us not subsidize the cost of the beneficiaries because Mr. Speaker, we know the people we represent down there and there are some people who are owning farms or small farms and for the last 50 years, they have never ploughed there *shambas* using these tractors due to lack of finances and if we introduce it right now without the

policy, I want to tell you, these services will go to the rich, Mr. Speaker, at the decrement of the poor.

And when our Governor was campaigning, in his manifesto, he assured the electorates Mr. Speaker, that he will provide free farming to the less fortunate. So, Mr. Speaker, I am wondering how we are effect this yet we do not have a policy on how it should take place, Mr. Speaker. So, I would wish that we wait and delete that recommendation or we amend it, Mr. Speaker and say 'this one should take effect in the next rain seasons but not the rains which are just around the corner,' Mr. Speaker. Thank you.

Hon. Temporary Deputy Speaker: Thank you. Hon. Matheka.

Hon. Matheka: Thank you, Mr. Speaker. Mr. Speaker, Sir, I am becoming a happy man in this assembly even the Majority Leader said he has wondered why. I used to wonder alone but now I have strength. Mr. Speaker, Sir, I do not need to be answered. I just said that I have strength---

Hon. Temporary Deputy Speaker: Let us have the point of order.

Majority Leader (Hon. Mwonga): Mr. Speaker, in my contribution I did not say I am wondering, Mr. Speaker. I am confused. I do not know how to use the word "wonder" but I do not know why he saying I am wondering and yet I have not said so. I will not join the camp of Members who keep on wondering in this House. I know what the Government is doing, Mr. Speaker. Thank you.

Hon. Temporary Deputy Speaker: Thank you. Point of order sustained.

Hon. Matheka: Thank you, Mr. Speaker, Sir, there is no problem---

Hon. Temporary Deputy Speaker: Order! Hon. Matheka. I would also concur with the Member that I have not heard the word, 'I wonder.' You can proceed.

Hon. Matheka: Thank you, Mr. Speaker, Sir, but a wonder is a wonder. We are together in the wonder world. Thank you. Mr. Speaker, Sir, out of the observation, out of the 40 tractors, 15 are working, 16 require minor repairs and 9 require major repairs. Mr. Speaker, Sir, I will go back to my wonder world because those are challenges and they were highlighted in the challenges. One, the residents are also wondering; the program is discriminatory since it targets a number of people who have that size of land and they perceive it as a waste of resources.

Why do they say so? They were not consulted, there was no public participation. You cannot take a tractor to Mlolongo and you do not farm in Mlolongo, you do some other things. You cannot take tractor to Upper Kaewa; where will they pass tilling the land? Mr. Speaker, Sir, we need to understand our County and no tractors are needed anywhere. This was in itself, a waste of public resources. Mr. Speaker, Sir, protect me, I am finishing.

Hon. Temporary Deputy Speaker: Let the Hon. Member complete.

Hon. Matheka: Mr. Speaker, Sir, most of the tractors have broken down and they lack the necessary spare parts. I will go back to my wonder world; how can we lack spares of tractors which were purchased locally? Mr. Speaker, Sir, we have tractors which were working in other regimes, they are more than 10 to 20 years old and they are in good working conditions. These are tractors less than three years, they have broken down with major repairs, and no spares.

Mr. Speaker, what do we call that? Corruption. I do not want to answer but the answer is corruption. So, Mr. Speaker, Sir, as the tractors are stalling, the other vehicles for the police and ambulances are stalling. Why? We are lacking spare parts---

Hon. Temporary Deputy Speaker: Yes, let us have the point of order.

Majority Leader (Hon. Mwonga): Mr. Speaker, I think the Member is losing track. We are discussing about tractors Mr. Speaker, we are not discussing about the police vehicles or the inspectorate vehicles, Mr. Speaker, and because I have gotten this chance, allow me to inform him Mr. Speaker, that, when we talk of Mlolongo ward, there are rural areas where our people do farming, we are not talking about Mlolongo town where there are no farms, Mr. Speaker. Thank you.

Hon. Matheka: Let me finish, Mr. Speaker.

Hon. Temporary Deputy Speaker: Order! Hon. Matheka. Hon. Members, you know the procedure of debate, let us restrict ourselves on the report that is in the House. Proceed.

Hon. Matheka: Thank you, Mr. Speaker, Sir, but when a teacher is teaching, he also gives examples. I am just giving an example of the police cars and the ambulances. They stalled because they lacked spares and that is also why the tractors stalled. That is an example I am giving Mr. Speaker, Sir, and also when the motion will be brought in this House for the police cars, the same thing will come out, 'they stalled.' That is a fact and it cannot change.

Mr. Speaker, Sir, about Mlolongo, unless somebody is telling us of another Mlolongo, it is very difficult to come with a tractor. Mlolongo is the dormitory of Nairobi that is where people are coming to sleep. Do not talk of farming in Mlolongo, Mr. Speaker, Sir, let us call a spade a spade, this was a waste of money and public participation should have been done to get exactly which ward, which tractors and which spares they need.

That is why we have many tractors stalling in my ward. My tractor was vandalized, it did not stall, it was vandalized and I know who vandalized it. My tractor was vandalized and it cannot work. Somebody sent for spares for that tractor to go and repair another tractor, why can't you get the spares from the garage where you got the tractors from, you cannot vandalize one tractor to make another. Mr. Speaker, Sir, this was a waste of time because there was no enough public participation. Thank you.

Hon. Temporary Deputy Speaker: Yes, Hon. Willy Mukewa.

Hon. Kasimu: Mr. Speaker, I want to inform Hon. Matheka that he is misleading this House. If indeed this tractor was vandalized, you are supposed to report to the nearest police station or bring a motion in this House. You did nothing until when the chairman of agriculture committee brought this report. He is misleading this House.

Hon. Matheka: Point of information, Mr. Speaker, Sir.

Hon. Temporary Deputy Speaker: Hon. Willy Mukewa, I thought I gave you time to contribute? You were rising on a point of order. Yes, still a point of order?

Majority Leader (Hon. Mwonga): Mr. Speaker, another point of order is; is the Member in order to equate this Hon. House to a classroom, Mr. Speaker? Mr. Speaker, those two things cannot be equated, Mr. Speaker. You cannot come here and start giving examples of a teacher who is teaching in a classroom out there with the honour of this Hon. House Mr. Speaker. I think, Mr. Speaker that Member should withdraw.

Hon. Matheka: Point of order, Mr. Speaker, Sir.

Hon. Temporary Deputy Speaker: Order! Hon. Members, I give directions on the two points of order raised. On a point of order raised by Hon. Willy Mukewa is sustained that there are procedures when such a(*inaudible*) when a tractor is being vandalized, as a leader, I would urge you to take up the matter to the police and....Yes, what is the point of information?

Hon. Matheka: My point of information is that it was reported to the Kangundo Police Station and I am ready to bring the OB number. The vandalism was reported and I am ready to bring the OB number of where it was reported, Kangundo Police Station. Thank you.

Hon. Temporary Deputy Speaker: Hon. Matheka, I think you are informing the Member not the Speaker. Then on the other point of order that was raised by Hon. Joshua Mwonga is rejected. Let us proceed. Hon. Oliver Munyaka

Hon. Nzeki: Thank you, Hon. Speaker. Mr. Speaker, Sir, I have stood to support the document which has been read by our Chairman of Agriculture committee. It is a good report and I support it on grounds that in Mua, we have a tractor which is in operation. So, according to the report which has been brought by Hon. Ndithini, amongst the 15 tractors which are in operation---

Majority Leader (Hon. Mwonga): Point of order.

Hon. Temporary Deputy Speaker: Yes, what is the point of order?

Majority Leader (Hon. Mwonga): In this Hon. House, do we have a Member by the name Ndithini in this Hon. House?

Hon. Temporary Deputy Speaker: Hon. Oliver Munyaka, that point of order is sustained. You can inform the House but I have the list of the Members and we do not have Hon. Ndithini.

Hon. Nzeki: Sorry, Hon. Speaker. It is Hon. Musyoka from Ndithini and I support that document on a point that, out of 15 tractors which are serviceable, one is located at Mua and the farming is still in progress. So, Mr. Speaker, Sir, the report is good and I support it that as time goes on, we incorporate the Members of the County Assembly because we have not employed wad administrators but whenever we are selecting the beneficiaries, the Members of the County Assembly be informed the day of selecting the beneficiaries. So, Mr. Speaker, Sir, I support the document in totality. Thank you, Mr. Speaker, Sir.

Hon. Temporary Deputy Speaker: Thank you. Hon. Peter Nzoka.

Hon. Nzoka: Thank you, Mr. Speaker, Sir. I support the report and in fact, we shall still be somehow confused on what is going on. Like when we see challenges on page 1, number two, this is discrimination and bullet five, identification of beneficiaries was a challenge. In my area it was not a challenge, it is missing. All this have been brought by poor management. Why? How can we lack fuel when we come here, sit here and allocate the budget in agriculture and everything is set and it is not honoured.

Again, when we move to recommendations, it is difficult, I think this is for Kenya as a whole or the whole world to have something(*inaudible*) they cannot work. We need to subsidize some activities so as to make them meet the needs. So, when it was taken for free and there is no fuel that is when we opened doors for corruption. Get me this, I plough for you. fuel this, do this..all this have opened ways of doing colluding and corrupting and misusing even you can hear they are removing some spare parts due to that. So, what we can say, I do request the Chairman of agriculture committee, we should call the CEC member here and he be censured because all this mismanagement is from his office. We cannot manage his office---

Hon. Temporary Deputy Speaker: Order! Order! Hon. Nzoka. Are you addressing Hon. Joshua Mwonga or addressing the Chair?

Hon. Nzoka: I apologize for that. I request you, Mr. Speaker, we come up with censuring the CEC member because this is failure to a person who is entrusted in an office. We cannot go and manage his office. If he has lacked management skills and muscles, he should just step aside because we have done a lot of mess---

Hon. Temporary Deputy Speaker: Order! Hon. Peter Nzoka. I would urge Hon. Members that we restrict ourselves to the report and....Order! Hon. Nzoka. You started by saying that you support the report.

Hon. Nzoka: Yes.

Hon. Temporary Deputy Speaker: And the report has recommendations from the committee. I am very sure the committee will have their own measures and the once we adopt this report will have 60 days for the committee on implementation to follow up. I understand maybe the committee on implementation will be able to come up with other mechanisms.

Hon. Nzoka: Thank you. I was just trying to see if they had forgotten another recommendation. Again, on their conclusion, we agree it has failed. We cannot keep on as one of

our Members said...Member for Masinga Central, because time has gone we leave because it has been going on. You cannot open a loophole to continue. If you identify a loophole, you close it.

Otherwise, like my people have suffered a lot they were paying Kshs. 2,500 per acre and the list which was given because we sat all of us and through the Agricultural Extension Officer, and they drew the list and it was not followed, it is was money. If you want a tractor then it is here but there is no fuel, there is no this, there is no oil, we need a drum of oil. So, when you told that you have to get it from your pocket and might be, the hydraulic that is being added here, it is still from the county. We don't know. So, can we try to see how we can seal those loopholes? Thank you, Mr. Speaker.

Hon. Temporary Deputy Speaker: Thank you. Hon. Peter Nzioki.

Hon. Nzioki: Thank you, Mr. Speaker. Mr. Speaker, I commend this report by the Agriculture Committee led by *Mheshimiwa* Muli. Mr. Speaker, I would say I am a great man because my tractor is working but Mr. Speaker, this was a very well-thought idea by the Governor but Mr. Speaker, it has been marred by many challenges. Mr. Speaker, I would like to say that we adopt this report but Mr. Speaker we can amend this, we stop this program of ploughing until the policy is out in place because, Mr. Speaker, we are continuing to have more challenges as this program continues.

If, Mr. Speaker, this will stop and the policy was done, then we would be working with better policies that do not have these challenges. Thank you, Mr. Speaker.

Hon. Temporary Deputy Speaker: I would urge the Chairman as Members contribute to this report, I will give you time to respond to the request of the members. Hon. Willy Mukewa.

Hon. Kasimu: Mr. Speaker, I would like to know from the Hon. Nzioki, that he has told us that the tractor program is successful I his ward and then he also says this program must be stopped. I find this Hon. Member contradicting his statements, Mr. Speaker.

Hon. Temporary Deputy Speaker: Order! Hon. Willy Mukewa, are you standing on a point of order, are you standing on a point of information. I thought I was giving you time to contribute.

Hon. Kasimu: I was standing on a point of information.

Hon. Temporary Deputy Speaker: But you cannot inform a Member who has completed his submission. Yes, Hon. Joshua Mwonga.

Majority Leader (Hon. Mwonga): Mr. Speaker on the same, I am rising on a point of clarification, Mr. Speaker. I want to seek a clarification from the Hon. Member for Muthesya Ward that is Hon. Peter Nzioki. Mr. Speaker, I listened carefully as he was contributing to this report. One, Mr. Speaker, he has recommended for the approval of the report. Secondly, Mr. Speaker, he has said the program is a success in his Ward and that, Mr. Speaker, he turns around and says we should stop this program with immediate effect.

Mr. Speaker, this is contradiction and I think Mr. Speaker, given a second chance Mr. Speaker, he will tell us where he is Mr. Speaker because of the many issues, you cannot know whether he is supporting the report or he is opposing the report Mr. Speaker. So, Mr. Speaker, I think the Member should give us clarification on where he stands on this report. Thank you, Mr. Speaker.

Hon. Temporary Deputy Speaker: Hon. Peter Nzioki

Hon. Nzioki: I would like to comment on what I said. I did not say that the program is a success story in my ward. *Mheshimiwa* Mwonga, I would like to inform you that there is a difference between a success story and the tractor in my ward is working. That is what I said. Mr. Speaker, there are so many challenges as the committee has put in this report. I support the report but Mr. Speaker, I said this program should be stopped in order for these challenges to be corrected by the policies that we are suggesting. Thank you, Mr. Speaker.

Hon. Temporary Deputy Speaker: Hon. Benedette Mueni.

Hon. (Ms.) Mueni: Thank you, Mr. Speaker, Sir. I support the report but Mr. Speaker, Sir, I think that you cannot see that the House is not having Members. So, it is a good report and I do not know why we should continue discussing about it when the seats are empty. So, we are not having quorum.

Hon. Temporary Deputy Speaker: Order! Hon. Benedette Mueni, we don't have chairs which are empty we have Hon. Members in the House.

Hon. (Ms.) Mueni: We are not having quorum.

Hon. Temporary Deputy Speaker: I will confirm that, Clerk can confirm that. Yes, Hon. Oliver Munyaka.

Hon. Nzeki: Mr. Speaker, Sir, I can see we have no quorum.

Hon. Temporary Deputy Speaker: I thought I was giving you time to contribute.

Hon. Nzeki: I had contributed---

Hon. Temporary Deputy Speaker: You cannot rise on a matter that has been raised by another Member. Yes, Hon. Philip Ndolo.

(Laughter)

Hon. Ndolo: Thank you, Mr. Speaker, Sir. I support this report and as we are talking, farmers in Mitaboni are enjoying this system and the tractors have been having fuel since last week and I wonder when the Members say that this system should be stopped, we passed his in our budget, purchased the tractors and now members are saying that it is a doomed system. They were there and we passed these so I stand to support this and our farmers are now having, at

least, we have those who are benefitting. The time is as early as now. So, I support this system.

Hon. Temporary Deputy Speaker: Thank you. Hon. Members, I am advised we have quorum, we can dispense with this matter. Hon. Wilson Kanui.

Hon. Kanui: Thank you, Mr. Speaker, Sir. I stand to support the report but I am not happy about the performance of the tractors because in my ward and especially in the entire sub-county we do not have tractors. We only are only hearing tractors and I wondered what the Chairman was doing because in distributing the good tractors, he did not look at Kangundo and my worry is the granary in Kangundo and even Kathiani, where the people who feed others, we don't have a tractor. So, I support the report but I am not happy with the chairman. Thank you, Mr. Speaker, Sir.

Hon. Temporary Deputy Speaker: Order! Hon. Wilson Kanui, I would like to invite you to the attachment of the report because from where I am seated as the Chair, I can see we have (d) which is Kangundo Sub-County indicating that we have a tractor, Kangundo Central we have a tractor in Kangundo East, we have a tractor in Kangundo West, we have a tractor in Kangundo North. Hon. Member maybe you can clarify to the House because the Member did indicate that all Sub-Counties have tractors.

Hon. Kanui: Yes there have been in Kangundo sub-county but they are not functional. It is as if we were given tractors which are not working.

Hon. Temporary Deputy Speaker: I would direct Chairman to keep on noting that, I will give you time to respond on that. We can have, Hon. Members, I can see we are all in consensus with the report, first on matters that are being held by Members. I would allow the Chairman to respond on matters that have been raised, starting with the one request that was raised by Hon. Joshua Mwonga on introducing an amendment to the subsidized program and the other issues that have been raised by other Members.

Hon. Muli: Thank you, Mr. Speaker, for awarding me this opportunity to respond to the members' requests and also I(*inaudible*) to the Members for supporting this document. It is brief and to the point. Mr. Speaker, I concur with the Hon. Member for Masinga Central the Majority Leader, Hon. Mwonga for that amendment which already he has proposed, Mr. Speaker and we need now, as a Chairman, I will make sure in my committee will sit down and discuss and also meet the CEC member, the Chief Officer so that we can draft a policy because I believe Mr. Speaker, if a subsidized policy will be made, this noble project we will achieve the goal and also get the manifesto of the Governor because he had a good intention with the people of Machakos County.

The other issue by Member for Kangundo, I would like to say, when we were distributing the tractors, they were new. Every ward was given a new tractor and these are just machines they get technical problems and maybe in Kangundo we have a bad omen. We have a bad weather for tractors, I don't know, but Mr. Speaker, I would like to request the Hon. Kanui to be patient because I am pursuing the issues of tractors very seriously and that is why I am happy when some of the Members say there tractors are now working in their wards and I would like to assure that I will put now more intention with Sub-County, I will liaise with the Chief Officer

and make sure the tractors of Kangundo are operational and Hon. Member, I know they will love me with passion, Mr. Speaker.

(Applause)

Mr. Speaker, with the other Members on what they have already made is just recommendations and I would like to assure this House that we are going to do better. Thank you, Mr. Speaker.

Hon. Temporary Deputy Speaker: Hon. Members, we are all in consensus with the report and you will allow me to proceed and put the question on the report that has been presented today by Hon. Muli, chairman agriculture and cooperatives development together with amendments proposed by members, other contributions by members.

(Question put and agreed to)

ADJOURNMENT

Hon. Temporary Deputy Speaker: In the absence of no other business the House adjourns.

The House rose at 3.34 p.m.