



County Hall
 Along Mwatu wa Ngoma Rd
 P O Box 1168 – 90100
 MACHAKOS – KENYA
 Third Assembly
 (No. 073)

**REPUBLIC OF KENYA
 COUNTY GOVERNMENT OF MACHAKOS
 COUNTY ASSEMBLY OF MACHAKOS**



Email: assemblymks@gmail.com

Second Session
 (350)

**THE COUNTY ASSEMBLY
 ORDER OF THE DAY
TUESDAY, 17TH OCTOBER, 2023 AT 10.00 A.M.
ORDER OF BUSINESS**

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of motion
7. Statements (As listed in Appendix)

8*MOTION – MOTION ON ADJOURNMENT ON DEFINITE MATTER OF URGENT COUNTY IMPORTANCE**

(Hon. Daniel Ndwiki; MCA, Mlolongo / Syokimau Ward)

Honourable Speaker, that aware that Article 61(1) of the Constitution provides that *all land in Kenya belongs to the people of Kenya collectively as a nation, as communities, and as individuals*; further aware that the Fourth Schedule of the Constitution provides for land surveying, mapping and boundaries, and fencing as a function of the County Government;

Informed that land is a valuable resource in Kenya and that discussions and acts involving land have always caused a great deal of concern, sparked curiosity, stirred up feelings and even provoked insecurity matters;

Acknowledging that Standing Order 30 of the County Assembly of Machakos Standing Orders provides that; *any Member may at any time, rise in his or her place and seek leave to move the adjournment of the House for purposes of discussing a definite matter of urgent county importance*;

Remembering that on Friday 13th October 2023, the High Court of Machakos via a legal suit No. 74 of 2014 declared East African Portland Cement Company (EAPCC) as the legitimate owner of L R No. 10424 located in Mavoko sub - county along Mombasa road standing on acreage 4298 after a ten-year legal battle between EAPCC and Aimi Ma Lukenya Society Association;

Considering that hundreds of squatters spent their night in the cold after roaring bulldozers pulled down structures that include residential houses, business premises, a church, palatial homes and other

establishments under very heavy security guards;

Noting that this in human action took place in Machakos County and has highly affected the lives of our residents who had spent their hard earned incomes to construct those demolished structures and who had stayed in the conflicted land for more than ten years;

Aware that an appeal against the said suit is being drafted by the aggrieved parties, Machakos County Government being one of these parties;

Honourable Speaker, I wish to move the Motion that pursuant to Standing Order 30, this House adjourns to discuss THAT;

- i) Machakos County Government be enjoined as interested party in the appeal case against the legal suit 74 of 2014 that was ruled at Machakos ELC Court on Friday 13th October 2023
- ii) Notice to vacate from the said land was not given and that the action of demolitions and destruction of property was in human and hence the affected residents need to be compensated
- iii) Administration of lands in Syokimau/Mlolongo Ward be done from the Machakos Land Registry
- iv) Boundary between Machakos County and Nairobi County be defined well to avoid administration clashes

The House adjourns to Tuesday 17th October, 2023 at 2.30 p.m.

Denotes Order of the Day

APPENDIX (I)

TUESDAY, 17TH OCTOBER, 2023 AT 10.00 A.M.

1. STATEMENTS

(a) Statement on Business of the House – Hon. Nicholas Nzioka, Majority Leader, MCA, Machakos Central Ward

Honorable Speaker, the House Business Committee met today Tuesday 17th October, 2023 to prioritize business for the House as forwarded by Committees and Honorable Members pursuant to the provisions of the Standing Order No. 151 (6) (d) . The Committee balloted business as follows:

1.	Tuesday, Morning 17 th October, 2023 at 10.00 a.m.	(a) Motion on adjournment on definite matter of urgent County Importance - (Hon. Daniel Ndwiki; MCA, Mlolongo/Syokimau Ward)
2.	Tuesday, Afternoon 17 th October, 2023 at 2.30 p.m.	(a) Motion on garbage collection and solid waste management – (Hon. Jeremiah Kaloi; MCA, Athi river Ward)
3.	Wednesday, Morning 18 th October, 2023 at 10.00 a.m.	(a) Motion that the House urges the Department of Transport and Public Works makes a legal framework to enable leasing of County Machinery to residents – (Hon. Muoki Musila; MCA, Ndithini Ward) (b) Statement on status on what the County Government is doing to ensure access of water to Matungulu residents. (Hon. Raphael Lucky Nzau: MCA,Matungulu West Ward)
4.	Wednesday, Afternoon 18 th October, 2023 at 2.30 p.m.	(a) Address of the Assembly by the Senator of Machakos County, SEN. Agnes Kavindu Muthama