COUNTY ASSEMBLY OF LAIKIPIA

OFFICIAL REPORT

Thursday, 1st August, 2013

House met at 2.30 p.m.

[The Speaker, Mr. Mariru is the chair]

PRAYERS

MOTION

[Hon. Kabaci]

Thank you Mr. Speaker Sir, I beg to move the following motion;

> ***THAT,*** *aware that the boundaries of our County are clear; noting that Nyahururu Town is at the centre of contention with Nyandarua County claiming that this falls in Nyandarua County; appreciating that Nyahururu Town belongs to Laikipia County; noting the need for Laikipia County leadership to ensure that this town remains in Laikipia County through peaceful means; this Assembly urges the County Government to move with speed and ensure that Nyahururu town remains in Laikipia County and more specifically appoint a multi-stakeholder task force to look into this matter and that Hon. Kabaci, Hon. Mukuria and Hon. Wachira be part of that task force.*

Mr. Speaker, I am so grateful this evening for the Committee which brought this motion in time when Nyandarua County Government wants to grab part of Laikipia County. Nyahururu being part of Laikipia from the beginning, there is that part of contention which has been raised by Nyandarua claiming that Nyahururu belongs to them and have invested a lot in that town and it should be theirs. Mr. Speaker, the County boundaries are clear and from time immemorial Nyahururu belonged to Laikipia. It is even clear that after independence half of Nyandarua County was in Rift Valley. The name Olkalau, Ol Jororok, Ol Borosat can portray that those towns belonged to Laikipia in Rift Valley.

Mr. Speaker, after independence, during his reign of H.E the founding father of this Nation granted that piece of land to people of Nyandarua. It was curved back in 1963 and allocated to Nyandarua. Now we are very astonished to hear that they want the boundaries to move inside our County. Mr. Speaker, it is the high time this House should think of how to defend that land in Nyahururu, otherwise it is part of Laikipia and most sincerely it is one of the riches that we have in our County in terms of economic growth, Mr. Speaker. Among the biggest towns that we have in Laikipia, from Nanyuki I think we have Nyahururu then Kinamba and Rumuruti. So it's the high time this House comes up with the formula of how we can fight that battle with Nyandarua, Mr. Speaker. Otherwise, it is clear I can call them land grabbers because they want to grab Laikipia land.

Mr. Speaker, I also want to remind this House that in Nyahururu we normally collect more than Kshs. 80 Million on yearly basis, and it's a lot of money and am sure most of the Nyandarua people knowing that well, they are after that money and mostly they are interested with the natural feature that we have –Thomson Falls. They are all after that since I have gathered all the information concerning the meetings which are done in Nyahururu town by those tycoons, Mr. Speaker.

They are not many but few who are claiming that they have invested heavily in Nyahururu in terms of Schools or Hospitals and I think even those who live in Nyahururu have part of those investments putting in mind that the schools were built partly with the Government Revenue or Government Resources and as well as the hospitals that we have in Nyahururu, which were also constructed using the Government money which is the Public…*(off record)* Mr. Speaker, Nyahururu residents are part of those people who contributed in building those premises they are claiming to have invested heavily. Mr. Speaker, it is also clear that it's not a must that where you have invested in terms of premises or maybe a plot you have built that you must come from that home land.

Many people have invested in Nairobi but they cannot go claiming that Nairobi is theirs, so it is the high time for those Nyandarua people to develop their County and especially the headquarters which were gazetted to be at Ol Kalau and make history of what they did.

They should know that we have hosted them for more than 20 years in Nyahururu and it is the high time after winning this battle Mr. Speaker, I would like those premises they are sitting on, either by their DCs and probably the police and some of their administration which are still in Nyahururu… It is the high time this House comes with a clear formula if we will enter an agreement of whether they will be paying us for those premises. Otherwise, it is very embarrassing our DC stays in a rental House in Nyahururu and their DC sits in a very big premise, Mr. Speaker.

It is the high time that after winning this battle we should think of how we will let them be paying or else they vacate those Houses and leave vacancy for the administrators from Laikipia. With those few remarks Mr. Speaker, it is the high time I invite Hon. Members to contribute knowing that Nyahururu is not Igwamiti but part of Laikipia which has been invaded. It is the high time we come up with clear measures or a method of that issue and most probably we come up with a Committee which will deal with those matters. Probably we can be given two or three Members from this House who will go and join the stakeholders of Nyahururu or somewhere else in Laikipia or we can be given some Executive Members to deal with the matter possibly one or two weeks to come Mr. Speaker, and with that I beg Hon. Waithaka to second.

Deputy Speaker: Hon. Waithaka.

Hon. Wakahiu: Thank you Mr. Speaker, Sir. I concur with what the Hon. Member for Igwamiti has raised on the issue of Nyahururu or rather the issue of Igwamiti because I believe Nyahururu is part of Igwamiti and it can be very serious to see our land being taken away by other Counties. By the way, if it happens and I hope it will not happen, I do not know if the Hon. Member will either lose his seat or sit in Nyandarua County in Ol Kalau. But all the same I believe it is our branch, our part of Laikipia of which we cannot allow to let go. That is just like somebody coming to my home and steals my cows

and I think it is not something that can be debated and so for that case, I rise to second this motion believing and having the knowledge that Nyahururu is part of Laikipia County. More so, Nyahururu used to be the headquarters of Laikipia Districts that is Igwamiti, Salama and Marmanet Location or Divisions. So for that case, if Nyandarua thinks of Nyahururu they are thinking even of entering as far as Rumuruti and we cannot agree.

So for that case, the Constitution that we passed in the year 2010, we did not pass it so that we may partition our country or to look like there are colonisers who are getting into our Counties because I see this is more of colonialism than even dividing our Country. So for this case, there is a certain sinister or motive that maybe they are seeing in Laikipia and they wish to have it in their County. Laikipia is endowed with natural resources, physical features and even human activities and as a result, a lot of money is collected as revenue and since most of the leadership of Nyandarua has the greed of what Nyahururu has in this County, that is one reason of trying to take Nyahururu and so Mr. Speaker, Nyahururu cannot be Migingo whereby we cannot fight with other people. We have to defend our land to the letter. We have to defend the sovereignty of our County and as a County we have all what it takes to defend it and devolution means bringing services closer to the people not dividing this Country and also to allow the public to participate in the way they will be governed. We the people of Nyahururu know it is part of the County which we represent.

On the economic point of view, there are some physical features that raises more than Kshs. 18 Million per annum and since the National Government has allocated all the Counties their allocations, they think they can only get money to develop their places by grabbing land and those tourist attraction centres from other Counties. If maybe they will be allowed, they will go as far as Subukia in Nakuru and even maybe Gilgil where tourists usually visit. For this case, I believe it is our responsibility as Members of this Assembly and as the County Government of Laikipia Mr. Speaker Sir that we have to defend our land to the last because we cannot just allow people to bring issues that cannot be solved at this particular moment. This Country was mapped, areas were demarcated and nobody is supposed to take a portion of our land.

About the human activities in Nyahururu Mr. Speaker, we have very hardworking people in Laikipia especially in western where the area is endowed with good climatic conditions whereby agricultural activities both horticultural and livestock keeping can make good sources of revenue. This is a target for Nyandarua people who are complaining and trying to take our place and we cannot allow this.

I believe Mr. Speaker and I can testify in your presence Mr. Speaker Sir, that there is a certain part in Nyandarua that stretches all the way from Ndaragua to the forest of Rumuruti bordering Mahianyu, and some areas like Raichiri. I believe some Members know, some areas like Leshao, Mayu that run all along to Rumuruti forest to a place called Lorien. So I do not know if they want their County to be a Square or a circle but since the world is not a square and even Kenya is not a square, we are supposed to understand the area is mapped like that because not every portion of land is a square or rather a circle. So for that case Mr. Speaker, I stand here to support and second this motion seriously and to make sure that we have to utilize our resources to make sure that our land will

not be taken over by foreigners because we are a different County and they have their own County.

Mr. Speaker Sir, I believe some times back, in Nyahururu, there was a certain point that used to be the headquarter of Nyandarua, and the former regime moved the headquarters from Nyahururu to a more central place called Ol Kalau. Since Nyandarua is one of the coldest and coolest places where the temperatures are so cold, I do not know whether the current leadership is feeling cold and that is why they want to come to the lowland and take Nyahururu to be their headquarter but the fact remains that they have to be contented with their central part, and if it is not Ol Kalau we have Ndaragua which is also part of them.

So Mr. Speaker, Sir I am supporting this motion that people are supposed to be contented with whatever they have since greed cannot take us anywhere. It is upon us and we do not want to be hijacked or swallowed by people who have interest in what we have, so if they are not satisfied with Ol kalau, they have Ndaragua, Wanjohi, Miharati and other places like Engineer whereby they can base their headquarters if the temperature in their place is not fit for them.

For that case Mr. Speaker, I support this motion and I support it to the letter. The task force that will be formed should not negotiate but defend our sovereignty. We have to defend our land. The task force that will be formed Mr. Speaker Sir, let it not be a task force that will sit down and negotiate, but defend what belongs to us because as I had said, it is just like somebody who just comes to my home and takes my livestock by force. That is daylight robbery that the people in the leadership of Nyandarua want to do and we cannot allow or agree and we must defend it to the letter. Thank you Mr. Speaker Sir, for sure I second this motion.

Deputy Speaker: Thank you, I now wish to propose the question.

> ***THAT,*** *aware that the boundaries of our County are clear; noting that Nyahururu town is at the centre of contention with Nyandarua County claiming that this falls in Nyandarua County; appreciating that Nyahururu town belongs to Laikipia County; noting the need for Laikipia County leadership to ensure that this town remains in Laikipia County through peaceful means; this Assembly urges the County Government to move with speed and ensure that Nyahururu town remains in Laikipia County and more specifically appoint a multi-stakeholder task force to look into this matter and that Hon. Kabaci, Hon. Mukuria and Hon. Wachira be part of that task force.*

Members the motion is before the House for debate, Majority Leader.

Hon. Wachira: Hon. Speaker, I wish to support this motion and urge Members to support this motion fully and guard Nyahururu jealously because if you do not guard it jealously history will judge you harshly as the first Government of Laikipia who are going to make their land go to another County and that will be a bad repercussion for this House. Members, as I stand here I will say Nyandarua Council was given refuge and was given hospitality by Laikipia people because they had nowhere to shelter their administration as they built their headquarters. They overstayed. Their own DC is in Laikipia, the whole of their administration is living in Nyahururu and have started developing

their own headquarter which is in Ol kalau. If you give someone somewhere to sleep and he overstays, next time he is going to say that that place belongs to him. This is what Nyandarua County is now saying because they have overstayed due to that good hospitality we have given them, they want to abuse it. Members do not agree.

As I speak here now, one Member from that area told me via pHon.e that they are still claiming Nyahururu to be their territory. Members do not agree this land to be ceded to Nyandarua County. They have their historical sites but they want to manage Thomson Falls as their historical site. They have their own lake Ol Borosat which has dried up because of their own negligence. They have Aberdare Ranges where they can build their own hotels around those areas which they can develop for tourist attraction but not at our own place called Nyahururu. Please guard it seriously, I urge this House to settle on a Committee so that it comes up with a very strong mandate to move them out. If it means force, we are going to do it, we are not going to sit here idly and see our land ceded to another County. I support this motion Mr. Speaker. Thank you.

Deputy Speaker: Hon. Maruga

Hon. Mwangi: Thank you Mr. Speaker. I rise to support this motion and as we deal with this matter, it reminds me of a Caribbean narrative of a camel and a man where the camel was given somewhere to shelter and to feed and later the whole of the camel was in that hut. This thing we cannot condone. We cannot allow even a centimetre of Laikipia to go anywhere. We understand very clearly that it may not be our responsibility to define boundaries, there is the National Government, and here the matter calls for unity among the MPs, Members of the Assembly both from Laikipia East, West and North plus Women representatives, the Senator, the Governor and nominated Members from Laikipia County: we must all unite.

This is a matter that is supposed to be discussed here in the County Assembly as well as in the National Assembly plus the Senate. The aim of discussing this matter is to urge the National Government to tell their County Administration and Nyandarua County Commissioner that they should vacate and go somewhere in Nyandarua but not in Laikipia. If they continue staying in Laikipia finally it won't be well, let me censor that word because it might become sensitive and we cannot have two office blocks for commissioners from different Counties neighbouring each other just within some metres not even a Kilometre. We understand that they might be very close to Laikipia but that building is in Laikipia. So let them go and build their offices in Nyandarua but not in Laikipia so that they can shift their administration or regional administration to their own County. Again Members we may be frustrated because of dragging issues that may tend to take time but I will urge Members not to become emotional such that they create enmity with the public of Nyandarua. Thank you Mr. Speaker, I support the motion.

Deputy Speaker: Minority leader.

Hon. Lebeneiyo: Thank you Mr. Speaker, I rise to support this motion and before I support, I would really like to thank and congratulate Hon. Kabaci, Member for Igwamiti for bringing this motion into this House. Mr. Speaker, I think one of the reasons why we represent our people here, is because of their interests and to protect them. Mr. Speaker, this morning me and Hon. Leshuel, Hon. Kaparo and Hon. Jacob we were actually around there for land issues surrounding our communities.

People coming from surrounding counties are claiming Laikipia as their own.

Mr. Speaker, it is very painful again to hear another side of Laikipia is being claimed by another County. Mr. Speaker, if I may say on behalf of the House, I do not think that we will accept part of our County to go like that. I urge whoever is responsible to notify the representative of that County. We are not ready to give out our land and they should stop that and never to say it again. Mr. Speaker, if we allow people to come and take our land today, at the end of the day they will come also to claim for our wives and what are we doing, Mr. Speaker? This House is close to the boundary of Nyeri County and Laikipia County, so the moment we allow Nyandarua County to take Nyahururu town, Nyeri will also claim the County Assembly of Laikipia.

Mr. Speaker what shall we be left with? I urge the Members of this House to take this seriously and let usual have faith and energy to work for our people and to protect the rights of our land and our people. Mr. Speaker, if possible within one week I urge the one who is concerned to write to the County (Nyandarua) and tell them if there is anything that belongs to them in Laikipia to move it away with immediate effect because we are not ready to give out a fraction or even a centimetre of Laikipia right now. Thank you Mr. Speaker and I highly support this motion.

Deputy Speaker: Hon. Jacob.

Hon. Jacob: Asante Bwana Spika, langu ni kuunga mkono huu mswada. Ya kwanza, Nyahururu iko Laikipia West na kabla, DC wa Nyandarua alikuwa Nyahururu kasha akaambiwa arudi wilaya ya Ol kalau. Kwa hivyo muelewe ya kwamba Nyahururu iko katika Laikipia. Ile shida imeleta haya mambo yote ni watu kutoka Nyandarua kuingia nakugawa Nyahururu na kusema wataishi milele na kwa hivyo jambo la maanani wao kurudisha ofisi zao upande wa Nyandarua na waache Nyahururu kwa sababu tangu tukiwa watoto tunaelewa Nyahururu iko Laikipia na wila yaya Laikipia West.

Ya pili, hapo Ol kalau wako na ofisi ingawa wamejenga kama ‘Lodgings’ tukitembea tulikuwa tunalala ‘Lodgings’ ambazo wamejenga Nyahururu ndani ambazo zimeleta hii shida yote na kwa hivyo wasonge watupe nafasi. Pia bwana Spika ningeuliza kuwe na kamati maalum ilete ripoti kwa sababu wako na waheshimiwa kama nyinyi na wanang’ang’ania huko. Mimi naunga mkono huo mswada sababu hatuwezi wachilia hii wilaya yetu iwe inagawanywa. Saa hii nasikia ukitoka hapa uvuke mpaka huu wa mtoni Meru, nikikanyaga hapa nyuma nasikia ni Nyeri, kwa hivyo tuangalie Bwana Spika.

Deputy Speaker: Member for Olmoran.

Hon. Dann: Thank you Mr. Speaker, as I rise to support the motion Mr. Speaker, I will like you to guide me because the constitution says that, it is only through a referendum that a County boundary can change.

Deputy Speaker: Hon. Rose.

Hon. Wangu: Thank you Mr. Speaker Sir, I rise to support this motion because it is very sad for a County claiming the property or the land of another County while they know very well, like Nyahururu was gazetted on the Gazette Notice. It is known that it is in Laikipia and also known that we have hosted them as they completed constructing their offices at Ol kalau and I think they are even long overdue because the offices they were claiming they were holding in Laikipia, they have them at Ol kalau.

I think this is the high time as residents, as the Hon. Members and all the leaders of Laikipia joined hands and show those people that truly Nyahururu belongs to Laikipia and know the areas they have come from. I know it is not just the offices they are claiming for but it is about the revenue that is collected at Nyahururu. There before when the money was not refunded back to the County they were not claiming Nyahururu and then you wonder why they are claiming it when there is this issue of Counties. This is the high time the Laikipia people should hold hands and protect their land and if they do not do so, am telling you next time you will hear Nyeri claiming Nanyuki. After this motion and after the dust has settled, I think these people will be given notice to relocate to their County. I support the motion fully and they should know what we are discussing. Infact we should not just say we are discussing without taking any action, before they think of going somewhere we should go before them or do whatever they want to do and claim whatever they are claiming for. So I say Nyahururu is ours and nobody can just come and claim that they are going to take it, so I support the motion. Thank you.

Deputy Speaker: Hon. Leshuel

Hon. Leshuel: Thank you Mr. Speaker, I rise to support the motion for the following reasons;

We are not traded to allow anybody or any County, living around Nyahururu or Isiolo or neighbouring Counties to take a piece of land in our County. I know the boundary is very clear, so whoever is moving this motion or saying that Nyahururu belongs to Nyandarua must be misleading or wants to create conflict between the two Counties. The boundary is very clear since immemorial or since independence and so I fail to understand which ground is he basing on, to say Nyahururu is in Nyandarua when the boundary is clear, the maps are in Nairobi and Nakuru. If you do not know I will tell somebody to tell them to go and enquire for the documents so that they can claim things clearly.

The other reason why Nyandarua want Nyahururu to be their part, it's because of revenue and it cannot be an excuse that they want to take a part of Laikipia. If you allow Nyandarua to take Nyahururu, definitely when we develop Rumuruti and other parts of Laikipia they will claim they belong to them. If at all the offices which are there makes Nyandarua to claim Nyahururu, I will urge the Members, to give them a notice to move their offices there and construct their County. They should remember one thing that this is a Government and another Government but not about an individual who has stayed there for twelve months. If a Government gives you a place to put up your offices for long and instead of appreciating you want to claim them, then my friend…. Let's give them notice to leave our County because I know they are stable and if they are not financially, then they should seek for a 'harambee' to build their offices.

Another reason, when we talk of historical injustices, the Nyandarua people should understand two things, that there are people called Laikipians and they still exist in this Country and it is us. Just near to us Naromoru, that name belongs to Laikipia; it is now part of Nyeri. All people from Central I think three quarters of them are in Laikipia, why should they again claim a piece of Land when we have accommodated them here in Laikipia? Why should you then claim a piece of land when we are living here peacefully? The people of Nyahururu I know most of them are from Nyandarua and from Nyeri, why do you want to take the land and we

allowed you to leave there without anybody questioning you?

If that is the case, then we can go back to the constitution and because of historical injustices, we will claim other lands that are in Nyandarua, so let's not go in that direction because if that's the case then we have to go back to the books and look for other issues. I just want the people from Nyandarua to understand that the boundary should not be an issue to discuss in this Country. It is clear, you have the right to live where you want, you have the right to invest anywhere you want so unless they tell us what is that good they want from that land. Thank you Mr. Speaker, I support the motion.

Deputy Speaker: Hon. Jennifer

Hon. Jennifer: Thank you Mr. Speaker Sir, I rise to support the motion and Mr. Speaker, I remember around 2004, there was that issue of moving the offices of Nyandarua to Ol Kalau, and we were given offices because I was working in the Ministry of Education. So the AEOS, the inspector of schools, the TAC tutors were allocated some offices at the headquarters where we have the council offices and some of them moved to Ol kalau. One time I was working at Salient just next to Ol kalau, Salient Secondary, and I met a lot of them in hotels. They constructed some hotels and big hotels in the centre meaning they were accepting to move so I think, Mr. Speaker, our generosity is what is eating us now. Those who remember they were told to move but requested for some time to develop Ol kalau to accommodate everything and I think those things are in the records. So if we have delayed and given people time to live in our House and then they have tasted the food and now it is very difficult to get them out and now they are demanding for it.

You know in the Bible, a camel just wanted to put in the head only but finally it entered with the whole body. So this is what is happening, it is our problem, our generosity so we must move now very swiftly to get out the people from our own homes and I go with what the Hon. Mover suggested in this motion. He said that we make a Committee because everything must begin with a step, the first step even if we are going for a 1000 km it must start with the one step and this step is making this Committee so that it starts functioning and get time to gather the information because they might be having a lot of information why they are claiming. You know they will say we have built a lot of things; we have a lot of property here.

So they have their reasons why they are saying this, so we cannot undermine what they are saying or what they are trying to claim. So we must be fast, we make this Committee and we contact the Land Commission. I just heard form Hon. Lebeneiyo that they went to some places again in Laikipia North which have problems may be different or the same and they are here so if that Committee was already existing may be they would try to seek and meet those Commissioners to put around the issue so that they are aware that we trying to prepare ourselves by getting the documents showing that this is town is in our County.

It is in record, my brother, the Honourable here said that it is in the constitution, the boundaries are there but what is their claim? So I suggest we talk to that Committee and then they move very fast and they gather all the information and we do the application and use the law to move them immediately because now the people are settled and do not want to go. So we must be fast and try to end this problem. Thank you, I support the motion.

Deputy Speaker: Member for Thingithu.

Hon. Kinyua: Asante sana Bwana Spika. Langu ni nimesimama kuunga mkono mjadala huu kwa sababu watu kama serikali ya Nyandarua kaunti ,inataka kukaa kama yule fisi ambaye alifukuzwa na wawindaji akakuta mama shambani akilima akamwambia nifiche kwa hii kiondo yako hawa watu wakipita nafikiri nitaenda zangu. Lakini wakati wawindaji walipopita wakafika kwa mama wakamuuliza, 'kuna fisi umeona ?'Mama akasema, 'Hakuna fisi nimeona'. Wawindaji wakaenda zao. Wakati fisi alipotoka akamwambia mama, ;Niko na njaa sana niko na siku mbili nikiwindwa na hawa wawindaji'. Akamwambia,' sasa nipe mtoto wako nile'. Wakati fisi alipokula mtoto, baadaye akaambia mama siku shiba nataka wewe nikukule. Mama akapiga nduru, wale wawindaji wakaja wakamuokoa lakini tayari mtoto alikuwa amekuliwa na akapoteza mtoto.

Watu wa Nyandarua waliomba waweze kupewa maofisi ama waweze kukaa kwa ofisi ambazo ziko Laikipia. Lakini baadaye walikuja kujua utamu ambako uko Laikipia sasa wanataka kusema Nyahururu yote iko Nyandarua. Nami nataka kukuambia kwamba, Bwana Spika, waandikiwe barua na wapewe 'notice' ya haraka sana hata ikiwezekena leo. Ama waandikiwe barua pepe 'email' kwa sababu ndio itafika dakika hii hii. Waambiwe yakwamba tumekataa na nafasi yao imeisha na ule mda ambao tume wapatia wa kuishi hapa umeisha na wawezekurudi kwao na yule ambaye anasikia ya kwamba yeye hataki kuitwa mtu wa Laikipia, na ako Nyahururu ana weza kuhama ako na uhuru aende akaishi Nyandarua. Na yule ambaye ako Nyandarua, asikie Laikipia ndio kuzuri, ama anataka kuwa mwana Laikipia, hajakatazwa akuje tuungane naye tuanze tujenge Laikipia. Lakini sio uanze kudai ardhi ya Laikipia ati wakati wenu iweze kurudi Nyandarua hiyo.

Bwana Spika tumekataa na ndio sababu nimeingiwa na roho, ile zamani nilikuwa nikiuliza kwa nini watu wanapigania mipaka. Nilikuwa nikisikia na kuona kwa runinga (T.V) na kwa magazeti watu wakipigania mipaka nashindwa hawa niroho gani imewaingia. Kumbe ile sasa roho niko nayo ndio imeni ingia na ningeomba tafadhali hilo jambo lichukuliwe kwa haraka sana kwa sababu wakiendelea hivyo umwagikaji wa damu unaweza kupatikana hapo.

Na ningeomba serikali ya Laikipia Kaunti ichukue hili jambo kwa maanani sana. Nayo serikali ya Nyandarua wajue ya kwamba ile mambo wanaenda kuguza inaweza kuleta madhara makubwa zaidi. Kwa hivyo waambiwe ya kwamba wafunge virago vyao waweze kuhamia kwao hata sisi tunahitaji ofisi. Bwana Spika, hatuna ofisi hata hapa tumesukumana sana. Tunaweza kuwa na ofisi hizo ambazo wanatumia katika Laikipia, tunaweza kupatiwa hizo ofisi na tuwe tukizitumia na tuwe tukikutana huko. Kwa hivyo ningeomba kwa haraka sana ni jambo la dharura waweze kuhamishwa ili warudi kwao. Lakini ikiwa mtu anataka kuishi Laikipia, akuje yeye mwenyewe akae na tujenge Laikipia. Asante Bwana Spika.

Hon. Catherine: Thank you Mr. Speaker Sir, I wish to rise and support this motion and I want first to highlight that am aware that Samburu County together with Nyandarua County inclusive of us as Laikipia County have invested in Nyahururu town. So in this case, if we are basing our arguments on the facts that a certain County has invested in Nyahururu town, then I think that Samburu County as well as Laikipia County can claim that

Nyahururu is part of our geographical location. So what I am trying to say is this, that Nyandarua County and Laikipia County are sharing a Milk Processing Plant in between them and have not heard somebody trying to say that the two Counties are fighting over that processing plant. So what I am trying to understand is that, what is this so special that is in Nyahururu town that makes these people feel that they cannot let it go because they feel that they have invested there?

May I be quoted saying this, that any investor or developer in Kenya can develop any part of the County and in the Country but cannot claim any part of land if they do not legally own that part of land. What I am trying to say is this; the boundaries are very clear in this County. The IEBC knows very well where the boundaries are per each County in Kenya. My point is this, if we give these people a warning and when I talk of a warning I am not very sure if Hon. Kabaci could have highlighted to us and tell us where he sourced this information, was there a formal communication or maybe this was something that was on air?

You know these are some of the things that he could have highlighted in the motion. You could have wanted to know, why I am saying this ,it's because you cannot kill a mosquito using a gun. Before we use guns on these people, there is a relevant part that we as the County Government need to play so that we make sure that we do not raise temperatures in Nyahururu town and we make sure that we do not incite the good citizens we have in Nyahururu.

On the same, I would like to give a backup on what Hon. Mwangi said, when he said that all the MPs and the Governors need to highlight this thing even in the National Assembly so that these people get to know that we are ready to fight for Nyahururu if they feel we are cowards or we are not the rightful owner of Nyahururu town.

As I wind-up there is a great need to get a Committee and we dearly ask if we are going to get a backup from the office of the Governor, we are not very sure if these guys have constituted a Committee or what even the Governor is saying towards the same. It would be my prayer that we are not going to be found in the media or even in the National Assembly, we move systematically and when I say systematic I do not mean we are cowards, let's get to see what will be the reaction of these other people on the other side and let them also get to see the impact of our reaction from this discussion. Thank you.

Deputy Speaker: The Hon. Rose on a point of order.

Hon. Wangu: Mr. Speaker I am requesting if I can stand on his *(Hon. John –visual impaired)* behalf so that he can contribute.

Deputy Speaker: That is alright.

Hon. John: Mr. Speaker, Hon. Members as I stand in front of this House, I stand to support the motion, understanding and knowing that issues of boundaries are so sensitive that no one bothers to talk as a leader. Talking of a boundary, going to the media and looking for support from the community who do not understand where the boundaries are…. Whoever is a leader in Nyandarua County does not have to talk about the issues of boundaries. If they want to know where the boundaries are, the National Government is there, IEBC is there to stand and show them where the bounders are. For now as Hon. Member in the County I call upon the County Assembly, the Senator plus the Governor and the National Assembly to stand firm and to inform and protect the boundary

and the land of the people of Laikipia so that nobody will interfere. Thank you.

Deputy Speaker: Hon. Jane.

Hon. Jane: Bwana Spika ninaunga mjadala huu kuhusu mtaa wa Nyahururu. Kuna msemo wa Maasai unasema, mtu ukimpea Ng'ombe akamue ile siku utakayo ihitaji utaichukua hata kama itakuwa imezaa siku hiyo, kwa hivyo hata sisi tukiwa wanalaikipia tukitaka kuchukua Ng'ombe yetu ndio sasa. Kwa sababu ikiendelea kukaa na mwenye tulipatia hakuna wakati atairudisha kwa sababu anajua iko na nyama na maziwa na kila kitu. Kwa hivyo imefika wakati wa kunyang'anya mali yetu na tukae nayo itufaidi. Kwa sababu tukikubali Nyandarua Kaunti ichukue mali ya Laikipia Kaunti, hata kesho sisi tutapatana na Kaunti ya Samburu na watachukua mali yetu ikiwa wanaona tunawachilia mali yetu. Kwa hivyo hatuwezi kubali. Asanteni.

Deputy Speaker: Hon. Rose.

Hon. Maitai: Mr. Speaker, I do not know whether am being procedural, I need to be guided by you but I wish to withdraw this motion and introduce another motion that I think will be more relevant to the matter.

Deputy Speaker: Hon. Rose, you cannot reintroduce another motion. You have not even given a notice of that particular motion.

Hon. Maitai: Thank you Mr. Speaker.

(Consulting)

Hon. Maitai: I am consulting with my friend here who is being my teacher and I am told that I can give a notice as early as now.

Deputy Speaker: It is not possible. You could have given a notice of motion earlier not now.

Hon. Maitai: Thank you Mr. Speaker Sir, let me continue with what I was about to say because what I was about to say was not really to oppose the motion but I just felt like we need a more substantive thing majorly because, I think I agree more with what my colleagues said especially Waruguru here and Hon. Mwangi. Mr. Speaker Sir, I do not think the issue of boundary and I think Hon. Waruguru has put it right that we might be killing a mosquito with a gun because and one of the Hon. Member from Olmoran Ward tried to gather some advices saying that the issue of boundary is really a big issue, surely we need a referendum to do that. Mr. Speaker Sir, I happen to work for Laikipia West for former leadership….

Deputy Speaker: What is the point of order Hon. Lebeneiyo?

Hon. Lebeneiyo: Am little worried to what Hon. Member is saying that we are using a gun to kill a mosquito. Does the Honourable want to tell us that Hon. Kabaci has not done enough research to bring this motion in this House saying that the Nyandarua County want to take Nyahururu town? I think Mheshimiwa is not in order to say that we are using a gun to kill a mosquito because a Hon. Member cannot bring a motion in to the House that he is not sure of. He has done the research on this motion and that is why he decided to bring it on the floor of this House. Thank you very much.

Deputy Speaker: Point of information.

Hon. Kabaci: Thank you Mr. Speaker. I will react to what the Honourable has said and it is very clear that this issue will touch the National Government and possibly the Commission that was entitled to deal with boundaries, that is IEBC. As my colleague Hon. Member Waruguru has said this news were all over the Country,

otherwise it had been highlighted by the news paper. The media also did that and I think that thing was exhaustively deliberated even in our radio stations especially Inooro and people were called to respond whether Nyahururu is in Nyandarua or Laikipia and very many people called and the thing was deliberated in those stations. It is also clear that the Nyandarua people are intending to organize a referendum come next month or two months to come. They have also executed a Committee which is now heading to H. E the President of the Republic to raise the issue to him and so it is not a joke Hon. Member. You must know that soon or the way you take the matter lightly, the same way you will lose Nyahururu, a part of Laikipia. Thank you.

Deputy Speaker: Continue Hon. Rose.

Hon. Maitai: Thank you, Mr. Speaker Sir, I truly appreciate that information. Mr. Speaker, I do not want to take the matter lightly at all and no wonder I really felt I needed to get the substance in the motion. Mr. Speaker, I wanted to say this, it very clear that they want to think of a referendum because that is the only way a boundary can be changed. It is absurd that anybody can argue on the basis of revenue or how much one has invested in a town and we have all invested in Nairobi but of course I have not but many people have invested in Nairobi, in Nyeri, here and elsewhere, so you cannot go arguing that by mere fact that you have investing in a town then that town belongs to you. I like what former President Kibaki was saying when he was leaving office that Kenya remains a unitary state as long as we have the County Government, but Mr. Speaker Sir, as I said that am really surprised that this is coming up from Nyandarua and like I mentioned I happened to be part of former regime and am amazed because I thought we had brought this matter to rest.

We have a whole university in Laikipia right in Nyahururu called Laikipia Campus, Laikipia Secondary School in Nyahururu and then you want to tell us that that is in Nyandarua? Mr. Speaker it has been gazetted, formerly that Nyahururu town was part of larger Laikipia West District. When it was sub-divided, it was gazetted that Nyahururu was part of Laikipia County. To clip it short Mr. Speaker, I know there is a big issue not really a big issue but I also remember there is the current Nyahururu District formerly known as Nyandarua District Hospital and it went through the legal process and it was changed from the Nyandarua Hospital to Nyahururu District Hospital to make sure that everybody knows that is not in Nyandarua but in Nyahururu.

Something else I also need to highlight and I know it has been an issue; I was formerly a Board Member of Nyandarua Boarding School Day and Boarding. Mr. Speaker I am sure Mr. Kabaci is aware of it and it is a boarding primary school in Nyahururu District performing very well. Most of the parents there reside in Nyandarua District. Mr. Speaker Sir, that school has not been registered by the Ministry of Education. It is a very old school, based in Nyahururu and performs very well and has never been registered by the Ministry of Education. Reason, it is based in Nyahururu but most parents come from Nyandarua and part of Nyahururu Districts and so every time the Educational Officer from the former Nyahururu District would go to register the school, the parents would chase him away because geographically the school was in Laikipia West, but the parents would demand that they do not want the

school to be registered in Laikipia because they say in Laikipia we do not have good secondary schools and so they wanted their children to be admitted in Central Secondary Schools. On that reason…

Deputy Speaker: Are you on a point of order?

Jennifer: Mr. Speaker, I will like to make some correction on what Hon. Rose is talking about on registration of schools. If the school performs well, I think that school does exams and if the school is a centre and is allowed to do exams then that school is registered, so I question you to find out because the school is registered. It is never possible to register a school without a letter from the Ministry of Education, may be they are using a certificate of another school. They might have registered in Nyandarua and so you must be very careful. Try to find out because that is the law of the Ministry of Education that a centre will never do exams until when it is registered by the Ministry of Education. Thank you.

Deputy Speaker: I think the point of information is good for you.

Hon. Maitai: Yes, Mr. Speaker Sir, I appreciate what she is doing but am telling you for sure and it is good that I believe this task force will be formed. There has been a lot of zigzag ways to make sure that the school does the exam but I can assure this House that the school has never been registered by the Ministry of Education. So the issue is the lack of agreement, should this school be in Nyandarua or Laikipia? I request that the task force that will be formed to speed up its consideration.

Deputy Speaker: Are you on a point of order?

Hon. Wangu: Am trying to think, is Hon. Maitai in order to bring another motion about registration of schools while we are discussing about Nyahururu? Is she in order?

Deputy Speaker: Well, she is trying to refer the issue of boundaries and the importance of having clear demarcations of boundaries.

Hon. Wangu: It seems that she is introducing another motion on registration of schools.

Deputy Speaker: I am going to advise her on how to introduce a new motion.

Hon. Wangu: Thank you.

Deputy Speaker: Continue Hon. Maitai. Are you on a point of order Majority Leader?

Hon. Wachira: Mr. Speaker Sir, it is not a point order as such but I want to give value to this motion. In the history of my own life our own former president, Mr. Speaker **…** Muchungui Division was in Laikipia District and it went to Baringo.

Deputy Speaker: What is the point of order, Hon. Majority Leader?

Hon. Wachira: This is not a point of order but I am giving value to this motion. Muchungui Division was part of Laikipia District and now Nyandarua County want to take the same trend as what was done by …

Deputy Speaker: Hon. Ephraim order! Order!

Hon. Wachira: Members, can you please note that one.

Deputy Speaker: Order! Order! You cannot debate twice Hon. Majority Leader. It was not a point of order. Hon. Maitai continue.

Hon. Maitai: In conclusion Mr. Speaker Sir, I was just highlighting some of the

issues that the taskforce may want to look into in support of the motion. This is because I believe Nyahururu District must remain in Laikipia but most specifically Mr. Speaker Sir, as we try to do that, I think our very first move in support of what the Members had suggested, is to demand through the right channel that the Provincial Administration that is still based in Nyahururu, to vacate with immediate effect. As we go for referendum and as we try to bargain, negotiate and ask the National Government to assist, I think the first thing is to demand the Provincial Administration of Nyandarua to move from our County. Like Hon. Kinyua said, we need those offices. I come from Laikipia West and I would love to have an office there. Thank you Mr. Speaker Sir.

Deputy Speaker: Thank you. Are you on a point order? Who do you want to give the point of information? Hon. Maruga, you have already deliberated. Hon. Minority, what is the critical concern?

Hon. Lebeneiyo: I still support the motion, Mr. Speaker but I have got a point of concern giving the task force that is being put into this matter because Hon. Members have said Hon. Kabaci, Mukuria and Wachira. I don't know who is Hon. Wachira and in my point of view I want all Laikipians to be represented here not neighbours of the same ward. So I would like….

Deputy Speaker: Are you trying to introduce an amendment?

Hon. Lebeneiyo: It is not an amendment but a point of consideration.

Deputy Speaker: Are you trying to bring an amendment? That is an amendment.

Hon. Lebeneiyo: Ok. It is an amendment in that case.

Deputy Speaker: According to the Standing Orders, you are not supposed to bring an amendment now but you could have brought it two hours before the plenary. You could have signed the amendment and given to the clerk.

Hon. Lebeneiyo: Thank you, Mr. Speaker.

Deputy Speaker: We really need the information. Continue Hon. Maruga.

Hon. Mwangi: Thank you, Mr. Speaker Sir. I still support the motion and the information I wanted to put across is that, well, we are deliberating on this issue but again Nyandarua people are taking their delegation to the Head of State. Who will reach before who? We need to communicate to the head of state and the only channel is through the National Assembly or the Senate. We need to make a very quick move before they reach there because some of them may not understand the boundaries than we Laikipians. If we talk about revenue….

Deputy Speaker: Hon. Maruga, this could have been in your contribution.

Hon. Mwangi: Yes, I understand that but it just came. If we look at revenue, here in Timau we have a very big market and it just lies 5 metres away from our boundary and we cannot claim that that market is ours as a Laikipia County. Hon. Leshuel can confess that. Here in Kamangu, Hon. Member for Nanyuki can confirm that and just beside the road there is a very big market. The County revenue officer from Meru comes to collect that revenue and we are not claiming on that. So we need to quickly communicate with the National Government so that they can define these boundaries and the issue is 'Provincial Administration'; County Administration to move out of Laikipia.

Deputy Speaker: Thank you Members, before I call the mover to reply, I would like to advice Hon. Maitai. If you want to bring a notice of a motion, Standing Order No. 44 clearly says that:

1. Except otherwise provided by this Standing Order notices shall be given by a member of any motion which the member or a Committee proposes to move.

2. Before giving notices of a motion the member shall deliver to the clerk a copy proposed motion in writing and signed by member and the clerk shall submit the signed motion to the Speaker. The only motion that can be brought without notice is in Standing Order No. 49. The following motions may be moved without notice:

- *Motion by way of amendment to a question already proposed from the chair.*
- *Motion of adjournment of the County Assembly or a debate*
- *Motion that the County Assembly do dissolve itself into a Committee of the whole House.*

I hope you have understood and if you really want to bring that notice of your motion, you are allowed to take the motion to the Clerk and then we shall be able to deliberate the motion. I now want to kindly ask Hon. Kabaci, the mover of the motion to reply.

Hon. Kabaci: Thank you Mr. Speaker. I must be very grateful due to the way the Members have exhaustively debated the motion and am very happy that they have come out with solutions. Otherwise, I was touched by Hon. Member, my colleague here who has said that it is our generosity which is putting us in trouble and now I think it is the high time that the Laikipia Government thinks of how to appoint that Committee and deal with those issues. If it means giving them notice to vacate those premises they are calling theirs, the government must work with speed.

It is also the high time this House urges the Laikipia Government to think of how to change those names of Laikipia schools like the Nyandarua Boarding School which is at the centre of Nyahururu and the parents claim that it belongs to Nyandarua. The House should also urge the County Government to think of how to change those names and to deregister those schools from Nyandarua and let them be in Laikipia so that they will have nothing to claim from Nyahururu town. I am very grateful to the Members and I therefore kindly request this House to urge the government to appoint the Committee or that task force of multi-stakeholders and work with speed. As Hon. Mwangi has said those people might reach the president before we do that and so it is the high time this House thinks of how to work with speed and possibly that task force to be constituted with immediate effect so that if it means going to the president we can also make a point of going to see him and the Governor should also react to these issues. Otherwise, I think they invaded or grabbed Nyahururu. I am grateful to all contributors of the motion and may God bless you all. Thank you very much Mr. Speaker.

Deputy Speaker: Thank you Hon. Members, I now want to put the question.

(Motion agreed)

MOTION

[Hon. Joseph K. Suge]

Deputy Speaker: Where is Hon. Suge? Hon. Kabaci, do you have something to say?

Hon. Kabaci: Thank you Mr. Speaker. Hon. Suge left yesterday, he had an issue in Nairobi concerning a piece of land he owns somewhere else in this Republic of Kenya, and I thought that he would be here. He had called me in the morning and told me that he would be in, in the afternoon but it is very unfortunate that he has not yet arrived. You are the one to rule Mr. Speaker. Thank you.

Deputy Speaker: Did he request you to move the motion for him?

Hon. Kabaci: He did not. Otherwise I was not aware that there was a motion to be moved by Hon. Suge. I could have requested him to move the motion on his behalf.

Deputy Speaker: So, it is unfortunate?

Hon. Kabaci: It is unfortunate. Probably it will be considered by the Committee at a later date. Thank you.

ADJOURNMENT

Deputy Speaker: We defer the motion. Thank you Members, the House stands adjourned until Tuesday at 2.30 pm.

The House rose at 4.00 p.m.