

REPUBLIC OF KENYA

MANDERA COUNTY ASSEMBLY

THE HANSARD

Wednesday, 5th August, 2020

*The House met in the Assembly Chambers
County Assembly Buildings at 2:30 p.m.*

[Temporary Speaker (Hon. Sokorey M. Issackow) in the Chair]

PRAYER

CONFIRMATION OF QUORUM

Temporary Speaker (Hon. Sokorey M. Issackow): Confirm whether we have quorum?
Sergeant-at-arm, ring the bell for ten minutes.

(Quorum bell rang)

(Quorum obtained)

STATEMENTS

Temporary Speaker (Hon. Sokorey M. Issackow): Leader of majority, Leader of minority, House Business Committee.

BUSINESS FOR THE WEEK COMMENCING TUESDAY, 11TH AUGUST, 2020

Hon. Mohamed Rashid (Kutulo): Thank you, Madam Temporary Speaker. I am a Member of House Business Committee. Pursuant to the Standing Order No. 44 (2) (a), I want to lay on the Table the following business slotted by the House Business Committee on Tuesday, 4th August, 2020 regarding the business of the House commencing Tuesday, 11th August, 2020;

Tuesday, 11th August, 2020, at 2:30 p.m., Motion by Public Service Committee on Mandera County Public Service Board Report, 2019;

Wednesday 12th August, 2020- response to statements.

Thank you.

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Temporary Speaker (Hon. Sokorey M. Issackow): Next statement, statement to be responded, the statement for honorable Yussuf Maalim Dakane. Chairperson, Health Service Committee!

Hon. Yakub Hassan (Derkhale): Thank you, Madam Temporary Speaker. I am a member of the Committee on Water.

Temporary Speaker (Hon. Sokorey M. Issackow): This is Committee on Health, honorable Yakub.

Hon. Yakub Hassan (Derkhale): I heard you saying something like water.

Temporary Speaker (Hon. Sokorey M. Issackow): I said health.

Hon. Yakub Hassan (Derkhale): Okay.

Temporary Speaker (Hon. Sokorey M. Issackow): Chairperson Health Service Committee! Vice chair!

Hon. Abass Abdille (Nominated): Madam Temporary Speaker, both the chair and the vice chair are not around. I am a Member of health committee.

Temporary Speaker (Hon. Sokorey M. Issackow): Any Member?

Hon. Abass Abdille (Nominated): I am a Member.

Temporary Speaker (Hon. Sokorey M. Issackow): Proceed.

Hon. Abass Abdille (Nominated): Response to statement-

Reference is made to MCA/EX/HSC/GN/VOL1/ (069) dated 22nd July, 2020 requiring information on shortages of drugs in Alungu dispensary in Lafey Sub County. Attached please find the information required.

Response on shortages of pharmaceuticals in Lafey Sub-County health facilities.

1. Low KEMSA fill rate.
2. It is not true that all essential medicines and medical supplies are out of stock. However, some essential items can be missing from time to time due to stock out at KEMSA level and in some cases supplies are depleted while awaiting delivery of the next supplies due to long lead time.
3. The situation is never different from health facilities in other sub-counties.
4. The Lafey sub-county hospital is currently well stocked following the recent KEMSA supplies.

Measures to put in place by the health department to address shortages;

1. KEMSA supplies have been received in all the health facilities including health facilities in Lafey sub-county.
2. The department is currently compiling supplies gaps in order to procure and fill the shortfall occasioned by KEMSA non-supplies.
3. To a greater extent the sub-county hospital are well stocked, the department therefore is planning to redistribute supplies from health facilities where there are excess to those who are experiencing shortages of the same commodities.

Thank you, Madam Temporary Speaker.

Temporary Speaker (Hon. Sokorey M. Issackow): Honorable Yussuf, we can proceed now it seems the statement response is satisfactory. Next statement to be responded is by honorable Adan Maalim Mohamed Member for Elwak North. Chairperson Water, Energy, Environment and Natural Resource, vice chair, any Member,

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Hon. Yakub Hassan (Derkhale): Thank you, Madam Temporary Speaker. This is the response to the statement raised by honorable Adan Maalim Mohamed Member representing Elwak North. Statement response, whether department has ever initiated provision of permanent water source for the people of El-wak North in particular Iresuki, Wante and Yedo location since the inception of devolution.

Iresuki had an existing borehole that collapsed due to siltation. The department has attempted to drill a replacement borehole in Iresuki. However, the borehole was not successful. An exhaustive hydrogeological survey has been carried out in Iresuki area four sites surveyed, and prospective borehole drilling site has been identified with a view to drilling production borehole for provision of water to the residents of Iresuki. For Yedo, Wante and other areas in Madera West, Banisa, Mandera North and Lafey plans are at advanced stage to carry out an intensive and exhaustive hydrogeological investigations in the first quarter of the current financial year. The purpose of this hydrogeological and geophysical investigation is to carry out complete assessment of the ground water exploration and borehole development in Yedo, Wante and other areas in Mandera West, Banisa, Mandera North and Lafey and make recommendations for the mechanical drilling of boreholes once resources are availed.

Any plan the department has put in place to address water shortages in said area? The department response is that the department carries out water trucking to all the centers in this ward with no permanent source of water during the dry spell. Some of these centers like Wante have earth pan which impound water during the rainy season and immediately they exhaust, water trucking is done to remedy the situation and currently the department has deployed a water boozier stationed at Elwak to supply water to these centers.

However, water trucking is not a solution to the perennial water shortages during the dry spell. Plans are also underway to drill boreholes in these centers to address the perennial water shortages in the said areas once resources are availed. Meanwhile, temporary measures of trucking water to these centers shall continue while awaiting for the permanent source of water to be developed.

Thank you, Madam Temporary Speaker.

Temporary Speaker (Hon. Sokorey M. Issackow): Okay, let us proceed. The next statement is to be responded by chairperson Lands, Housing and Physical Planning. This one I am told is concluded.

We go to the next statement. Statement number two that was asked by honorable Adan Maalim Mohamed Member for El-wak north is concluded. Now we go to the next statement that was raised by Abdirahman Aliow Issack. Chairperson Lands, Housing and Physical Planning to respond.

Hon. Hindia Hussein (Nominated): Thank you, Madam Temporary Speaker. Response to the statement referenced MCA/EX/LHPPC/GEN/VOL.1 (032) dated 29th July, 2020. The Ministry of Lands, Housing and Physical Planning, Housing and Urban Development is keen on preparing a special plan for all the Sub-County Headquarters. As a result of physical development plan for Kutulo, El-wak and Mandera was completed and plans have been forwarded to the County Assembly for approval. However, despite several attempts to request for funds to extend planning to other Sub-County Headquarters like Banisa, there has been no budgetary allocation to that effect. The Ministry is therefore appealing for adequate and timely allocation of funds for special planning as priority in the remaining Sub-County Headquarters.

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Thank you.

Temporary Speaker (Hon. Sokorey M. Issackow): Statement No. 3 is also concluded, from the look of the House, it seems the answer is satisfactory.

Next Statement No. 4 raised by Hon. Alinoor Derow to the Chairperson for Water, Energy and Natural Resources. Vice- Chair? Any member? Proceed.

Hon. Yakub Hassan (Derkhale): Thank you, Madam Temporary Speaker. The statement on Wargadud storm water;

The response is kindly note that the storm water management is not within the mandate of this department. I therefore kindly request you to redirect the request of statement to the Department of Public Works, Roads and Transport.

Maneno ya kujenga mahali maji yanafuatilia ni kazi ya Usafirishaji wa Umma na Barabara.

Temporary Speaker (Hon. Sokorey M. Issackow): Honorable Yakub, is it Public Works or Public Roads?

Hon. Yakub Hassan (Derkhale): It is Public Works, Roads and Transport.

Temporary Speaker (Hon. Sokorey M. Issackow): I think I will consult, and give feedback in the coming week on that matter. So statement No. 4 is pending. Let us proceed.

Statement No. 5 for Honorable Abdinoor Rafat to the Chairperson for Finance and Economic Planning Committee. Vice-Chair?

Hon. Mohamed Rashid (Kutulo): Thank you, Madam Temporary Speaker. Statement No. 5 and 9. Statement No. 9 belongs to Honorable Kulow Alio and Statement No. 5 belongs to Honorable Abdinoor Rafat which you have just raised.

Temporary Speaker (Hon. Sokorey M. Issackow): So you want to answer both?

Hon. Mohamed Rashid (Kutulo): Yes.

Temporary Speaker (Hon. Sokorey M. Issackow): Proceed.

Hon. Mohamed Rashid (Kutulo): We had a sitting on Monday and we deliberated. As you remember this statement was responded by the Department of Finance and Economic Planning for the one of Honorable Abdinoor Rafat, and it was not satisfactory. The Speaker directed the committee to bring more comprehensive response from the department. We have sat and discussed. We have written a letter to the CEC for Finance and Economic Planning so that they respond to both statements No. 5 and 9. If we get by next week, we will respond Insha'Allah.

Thank you.

Temporary Speaker (Hon. Sokorey M. Issackow): Next week, kindly respond. Statement No. 6 that was raised by Honorable Yussuf Maalim Dakane to the Chairperson of Public Works, Roads and Transport Committee? Vice-Chair? Any member?

Hon. Issack Dahir (Nominated): Madam Temporary Speaker, we have no reply to that. We have written a reminder to the department because they have requested for extension of time. So, the most appropriate time for us to respond on that alongside other statements is maybe after recess.

Thank you.

Temporary Speaker (Hon. Sokorey M. Issackow): Yes, Honorable Hindia.

Hon. Hindia Hussein (Nominated): I think last week on Wednesday, we had the same complain from the same department. This Department of Public Works, Roads and Transport are jokers in this House. We have a lot of responses, and when they want to respond, they respond shallow. And when they don't want to respond they ask for three (3) weeks. Kindly as members of this House, we commit the leadership of the Committee on Public Works, Roads and Transport. The Chair and Vice- Chair, who is present now? Madam Chair protect me. Let me finish.

(Honorable Issack Dahir stood on a point of order)

Hon. Issack Dahir (Nominated): Honorable Hindia Hussein is misleading this House because it is on record that last week, the Committee on Public Works, Roads and Transport submitted three responses before this House. We have only talked about after recess on a statement that was been brought that day. I think she has been sleeping and what she is going after is only that statement of recess. Otherwise, this is the only committee that has responded to three (3) statements last week. So, the issue of saying we have complained last week is not even in the records. You can give us an example maybe something in HANSARD that talks about your allegation.

Temporary Speaker (Hon. Sokorey M. Issackow): Hon. Hindia, Proceed.

Hon. Hindia Hussein (Nominated): Thank you, Madam Temporary Speaker. The committee which has not fully recovered after we went for recess and retreat last time is Public Works, Roads and Transport. And everybody will bear with me that the other committees have recovered and there is performance except Public Works, Roads and Transport. This Committee is in ICU. Please save this committee.

Hon. Issack Dahir (Nominated): Honorable Hindia is not substantiating and you are allowing her to speak and further mislead this House.

Hon. Mohamed Rashid (Kutulo): I just want to bring to your attention. We have been having four (4) statements before us; one (1) asked by the Deputy Speaker, two (2) was asked by Hon. Yussuf Maalim Dakane and the other statement was asked by Hon. Alinoor Derow. From the records, we have responded to three (3) statements approved by this honorable House and it was satisfactory. There was only one (1) statement which was pending with us. We have written the second reminder on Wednesday. The one of Hon. Alinoor Derow, with the leave of the Speaker, my Chair has requested that we will respond after recess. I request my sister, Hon. Hindia, whom I respect very much, not to mislead this honorable House.

I request her to withdraw and apologize.

Thank you.

Temporary Speaker (Hon. Sokorey M. Issackow): Minority Leader!

Hon. Jimale Abdi (Guba): Thank you, Madam Temporary Speaker. My colleagues here Vice-Chair for Public Works, Roads and Transport Committee and Vice-Chair for Finance and Economic Planning Committee should not gag honorable Hindia Hussein.

(Applause)

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Honorable Hindia Hussein is a concerned member of this House who raised her own opinion and feelings. If they have proved to the House that they have responded to the statements raised, so be it. I think honorable Hindia is not wrong on what she raised and we all have equal feelings. She is not wrong to ask.

Thank you.

Temporary Speaker (Hon. Sokorey M. Issackow): Hon. Bishar.

Hon. Bishar Maalim Abdullahi (Takaba): Thank you, Madam Temporary Speaker. I think it is not good for members of Public Works, Roads and Transport Committee to condemn our able Member of County Assembly, honorable Hindia. Madam Temporary Speaker, I have institutional memory about that committee because I was ejected from that committee and since I was ejected there is a very serious lapse.

Madam Temporary Speaker, this statement generated by honorable Yussuf M. Dakane, was one of the statements during the opening of this House after recess. The first statement when we came to this House was this one. I do not want to condemn the committee because they have brought and answered four statements concerning roads. Anything that concerns buildings will drag itself in this House, meet another recess and we cross the bridge all the time this way. Madam Temporary Speaker, I request you to give us direction on this.

Why I am trying to appeal to the committee is that there is quarrel on some amount of money which the county government injected into this project during this financial year and the honorable member is just asking about the status of this project. You do not linger around, what is the deterrence. The other thing is the amount paid to this contractor, there are only two vital cases there. How can the committee stay with this response for almost one and a half months to give us a small response that would have been dealt with by the committee? The other thing is this statement was similarly asked by other members before the status of that report was about six or seven years. It is different from the one which the previous members have asked. So, Madam Temporary Speaker, let them facilitate and be responsive.

Hon. Abass Abdille (Nominated): Madam Temporary Speaker, the Committee on Roads is not the only oasis in the desert that can be criticized and they should have strong shock absorbers. Having said that we have a problem in our Standing Order because you write a letter to the department they do not respond. For you to write the other letter it takes two weeks Madam Temporary Speaker; the second reminder, the third reminder after that you invite. So, we have that vacuum in our Standing Order. When honorable Issack is saying after recess may be he has the same concern on the Standing Order. We need to clear first on the procedure of writing to a department; taking seven days again and a reminder for another two weeks. That is the norm even if it is not in the Standing Order. It is the norm and practice of the Assembly. We need to reduce those days.

Thank you.

Temporary Speaker (Hon. Sokorey M. Issackow): Honorable Abass, there is no vacuum.

Standing Order 174; -

“Committees shall enjoy and exercise all the powers and privileges bestowed on County Assembly by the Constitution and the statute, including the powers to summon witnesses, receive evidence and to request for and receive papers and documents from the Government and the public”.

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Yes, Majority Whip!

Hon. Adan Maalim Abdullahi (Township): Thank you, Madam Temporary Speaker. I do not want to engage in committee politics. This committee is doing well and when we ejected somebody from a committee to another committee we are positive; to empower the committee and not to the detriment of any committee.

Madam Temporary Speaker, when this statement was raised, the chairpersons requested for two weeks and any time after the two weeks I think the chair is also supposed to have a concern because this is a matter of oversight and you are a representative of the people in Mandera County and this is one of the statement that has a lot of importance to the people of Mandera County. These projects have been going on for years. Every year they are in the budget. We do not know when they will end. I think they will continue being in the budget until the end of the term of this government.

Madam Temporary Speaker we are not over sighting and this kind of statement will bring to the light the plight of the resources allocated to these mega projects without any accountability and therefore this matter requires your urgent indulgence and we want immediate response by the committee on this matter before we go on recess.

Thank you.

Temporary Speaker (Hon. Sokorey M. Issackow): Okay. Honorable Members, I think what honorable Hindia was raising was just a concern because this statement was with us since June. I know it was with us, the statement has been coming back. So, the Committee on Roads and Public works, kindly bring this response in the course of one week.

Next statement! Statement number seven sought by Abdinoor Disow Teno. Chairperson water! Member!

Hon. Yakub Hassan (Derkhale): Hiyo bado hatukutayarisha na hatujapata kutoka wizara inayohusika.

Temporary Speaker (Hon. Sokorey M. Issackow): When will you think you will respond honorable member?

Hon. Yakub Hassan (Derkhale): Juzi wakati tulikaa ile kikao ya mwisho bado wizara haijatuletea hiyo majibu Madam Spika.

Temporary Speaker (Hon. Sokorey M. Issackow): Honorable Abdinoor!

Hon. Abdinoor Diisow (El-wak South): Thank you, Madam Temporary Speaker. It is good to be serious on matters that touch the people of this county. Some of the statements raised by representatives of the people in this House are driven by situational demand. I sought this statement almost four weeks ago. I remember the chairman was there requesting for two weeks. Last week he was here requesting for one week. It is too surprising when a member just rises and says they have not even sent the correspondence to the committee, it means the rationale behind sending this statement is dead. So, the Committee on water that acts as a link between the Executive and this House is not sending correspondence to this department. There is no essence of coming up with statements that does not need clarification. I want your indulgence on this and this department should come clear on why they are overstaying with that statement.

Thank you.

Temporary Speaker (Hon. Sokorey M. Sokorey): Yes Majority Whip.

Hon. Adan Maalim Abdullahi (Township): Madam Temporary Speaker, as a member of the committee we did not get this statement as said by my colleague in Kiswahili. We raised a

serious concern and we deliberated on this so much because that concern is with all of us. We wrote a reminder to the department and it is my belief that within the shortest time possible we are expecting for response which we will bring it to the House.

Temporary Speaker (Hon. Sokorey M. Sokorey): I will also give you one more week to respond. Statements number 9 is sorted; statement number 10 was sought by Hon. Ahmed Gabnan Ali to the chairperson of Health. I am sorry statement number 8 was sought by Honourable Abdullahi Siyad to the Trade Committee. Yes Honourable Shamsa.

Hon. Shamsa Ibrahim (Nominated): Madam Temporary Chair, give us another two weeks because our chair is always absent.

Temporary Speaker (Hon. Sokorey M. Sokorey): Honourable Minority Leader.

Hon. Jimale Abdi (Guba): Thank you, Madam Temporary Speaker. As much as I know he is around and he has never been absent. He is within this town. I spoke to him last night and he has never been absent to say the truth.

(Loud consultation)

Madam Temporary Speaker, protect me. Honourable Adan Maalim Mohamed is around and by the member standing and saying that the Honourable chair is always absent is wrong allegation against him and not true. If they have not deliberated on the statement, that is a different issue altogether. The little I know about the member is that he has never been absent. When the chair is absent the vice chair is around. I do not want people to be blackmailing Hon Members by labelling wrong allegations against the member.

Hon. Abass Abdille (Nominated): Madam Temporary Speaker, my point of order is, Honourable Shamsa said that the chair is always absent. It does not mean that he was absent from town or plenary she was talking about the committee. So, the Minority Leader should not misguide the House.

Thank you.

Temporary Speaker (Hon. Sokorey M. Sokorey): Honourable Abdullahi Siyad.

Hon. Abdullahi Siyad (Lafey): Thank you, Madam Temporary Speaker. As a seeker of the statement, I am very disappointed.

Secondly, Honourable Shamsa has confirmed that this is not a serious committee and that they have failed in their mandate to serve the people of Mandera County.

Thirdly, I can remember three weeks ago I brought a statement and the chair was not around. The vice chair was not a round and a member of the committee requested for four weeks but the Speaker ruled that they have two weeks to respond. Madam Temporary Speaker, this statement is tied to the budget and it is a very simple yes or no question. Is the department aware that Lafey does not have proper market, yes or no; when are you willing to address this issue? This budget, next budget; it is a very straight forward answer. So, Madam Temporary Speaker, I besiege you and I pray you protect the people of Lafey town.

Thank you.

Temporary Speaker (Hon. Sokorey M. Issackow): Hon. Shamsa, are you confirming the committee has failed?

Hon. Shamsa Ibrahim (Nominated). Yes, Madam Temporary Speaker, also we do not know where our vice chair is, kindly, give us another two weeks

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Temporary Speaker (Hon. Sokorey M. Issackow): Ok. Hon. Shamsa, I have heard you. We give you two more weeks so that the committee can respond. I think when I said two weeks I never heard recess in mind. Kindly, respond in one week's time. Next statement! Statement No. 10 sought by Gabnan Ali, chairperson health services,

Hon. Hindia Hussein (Nominated): Thank you, Madam Temporary Speaker. I am a Member of Health Committee. We have sent the response to the department and we are waiting for the response.

Thank you.

Temporary Speaker (Hon. Sokorey M. Issackow): Hon. Gabnan

Hon. Ahmed Gabnan (Waranqara): Madam Temporary Speaker, we are addressing a matter of health which is a matter of life and death. I remember when I saw the statement three days ago---

Temporary Speaker (Hon. Sokorey M. Issackow): Ok. Proceed, Hon. Ahmed.

Hon. Ahmed Gabnan (Waranqara): Madam Temporary Speaker, the chair on behalf of this House promised that since the health center is closed and people are really suffering as a matter of urgency as they wait for the response to the statement they said they will ensure the department responds immediately. You know the committee is a link between the House and the department. First of all that promise has never been fulfilled and the committee has never taken any action on that one and the health center up to now is closed. I want to confirm that.

Secondly, I humbly request the committee to take this matter seriously and as soon as possible provide an answer.

Temporary Speaker (Hon. Sokorey M. Issackow): Hon. Hindia

Hon. Hindia Hussein (Nominated): Madam Temporary Speaker, the Committee on Health is a very serious committee. We know the people of Waranqara need services. God willing we will follow it up and bring it next week.

Thank you

Temporary Speaker (Hon. Sokorey M. Issackow): Hon. Hindia, inform your chair that we also give him one more week to respond

Hon. Hindia Hussein (Nominated): I will

ADJOURNMENT

Temporary Speaker (Hon. Sokorey M. Issackow): Honorable Members, now that we have come to the end of our sitting, I now adjourn the House to Tuesday 11th August, 2020 at 2:30 p.m.

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