



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

TUESDAY, AUGUST 23, 2016 AT 2.30 P.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

8*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE SENATE AMENDMENTS TO PROTECTION OF THE TRADITIONAL KNOWLEDGE AND CULTURAL EXPRESSIONS BILL, 2015

(The Leader of the Majority Party)

THAT, the House do agree with the Report of the Committee of the whole House on its consideration of the Senate Amendments to Protection of the Traditional Knowledge and Cultural Expressions Bill (National Assembly Bill No. 48 of 2015)

(Question to be put)

9*. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2016)

(The Chairperson, Departmental Committee on Finance, Planning and Trade)

Second Reading

(Question to be put)

10*. THE KENYA ROADS BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2015)

(The Leader of the Majority Party)

Third Reading

(Question to be put)

11*. SPECIAL MOTION – APPROVAL OF THE DEPLOYMENT OF KENYA DEFENCE FORCES (KDF) TO SOUTH SUDAN
(The Leader of the Majority Party)

THAT, pursuant to the provisions of Article 240(8)(a) of the Constitution and section 18 of the Kenya Defence Forces Act, 2012, this House approves the deployment of the Kenya Defence Forces (KDF) for the purpose of regional peace support operations under the United Nations Mission in South Sudan (UNMISS) following an urgent requirement for troops.

12*. MOTION – ADOPTION OF THE REPORT ON THE INQUIRY INTO ALLEGATIONS OF FRAUD AND FINANCIAL MISMANAGEMENT AT THE YOUTH ENTERPRISE DEVELOPMENT FUND
(The Chairperson, Public Investments Committee)

THAT, this House **adopts** the Report of the Public Investments Committee on the Inquiry into allegations of Fraud and Financial Mismanagement at the Youth Enterprise Development Fund, laid on the Table of the House on Wednesday, May 04, 2016.

(Resumption of debate interrupted on Thursday, August 18, 2016 – Afternoon Sitting)

13*. THE UNIVERSITIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 67 OF 2015)
(The Leader of the Majority Party)

Second Reading

14*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) (No.2) BILL (NATIONAL ASSEMBLY BILL NO. 58 OF 2015)
(The Leader of the Majority Party)

Second Reading

15*. THE PUBLIC FUNDRAISING APPEALS BILL (SENATE BILL NO. 28 OF 2014)
(The Chairperson, Departmental Committee on Justice and Legal Affairs)

Second Reading

16*. MOTION - APPROVAL OF SESSIONAL PAPER ON THE NATIONAL CHILDREN POLICY
(The Chairperson, Departmental Committee on Labour and Social Welfare)

THAT, this House adopts Sessional Paper No. 6 of 2014 on the National Children Policy, laid on the Table of the House on Tuesday, August 25, 2015.

17*. MOTION - APPROVAL OF SESSIONAL PAPER ON THE NATIONAL POLICY ON ELIMINATION OF CHILD LABOUR

(The Chairperson, Departmental Committee on Labour and Social Welfare)

THAT, this House adopts Sessional Paper No. 1 of 2015 on the National Policy on Elimination of Child Labour, laid on the Table of the House on Wednesday, August 19, 2015.

18*. THE BETTING, LOTTERIES AND GAMING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 30 OF 2015)

(The Leader of the Majority Party)

Second Reading

19*. MOTION - RATIFICATION OF THE DEFENCE COOPERATION AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF KENYA & THE GOVERNMENT OF UNITED KINGDOM

(The Chairperson, Departmental Committee on Defence and Foreign Relations)

THAT, this House **adopts** the Report of the Departmental Committee on Defence and Foreign Relations on its consideration of the Agreement between the Government of the Republic of Kenya and the Government of the United Kingdom of Great Britain and Northern Ireland concerning Defence Cooperation, laid on the Table of the House on Wednesday, 6th July, 2016, and pursuant to the provisions of section 8 of the Treaty Making and Ratification Act, 2012, **approves** the ratification of the Agreement between the Government of the Republic of Kenya and the Government of the United Kingdom of Great Britain and Northern Ireland concerning Defence Cooperation.

*** Denotes Orders of the Day**

N O T I C E S

The House resolved on Wednesday, February 10, 2016 as follows:-

- I. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on any **Motion**, including a Special motion be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that Order.
- II. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on a **Report of a Committee**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House, be limited as follows: - A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that Order.
- III. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on **Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** shall be limited as follows:- A maximum of forty five (45) minutes for the Mover, in moving and fifteen minutes (15) in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by the relevant Committee), and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each (if the Bill is not sponsored by either of them); and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that Order.

NOTICE PAPER I

Tentative business for

Wednesday (Morning), August 24, 2016

(Published pursuant to Standing Order 38(1))

It is notified that the House Business Committee, at their last meeting, approved the following **tentative** business to appear in the Order Paper for Wednesday (Morning), August 24, 2016:-

A. THE KENYATTA MAUSOLEUM BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2016)

(The Hon. Muthomi Njuki, M.P.)

Second Reading

(Resumption of debate interrupted on Wednesday, August 17, 2016 – Morning Sitting)

(Balance of time – 2 hours)

B. THE PENAL CODE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 13 OF 2016)

(The Hon. Johnson Sakaja, M.P.)

Second Reading

C. MOTION – DEPLOYMENT OF CHAPLAINS TO LEARNING INSTITUTIONS

(The Hon. Geoffrey Odanga, M.P.)

(Resumption of debate interrupted on Wednesday, August 10, 2016 – Morning Sitting)

(Balance of time – 2 hours)

D. MOTION – FREE ISSUANCE OF KENYA POLICE MEDICAL EXAMINATION (P3) FORMS

(The Hon. Omar Mwinyi, M.P.)

E. MOTION – SUPPORT FOR YOUTH INNOVATION BY THE GOVERNMENT

(The Hon. Isaac Mwaura, M.P.)

F. MOTION – ESTABLISHMENT OF SELECT COMMITTEE TO INVESTIGATE MATTERS RELATING TO GMOs

(The Hon. (Dr.) Wilber Ottichilo, M.P.)

G. MOTION – RECRUITMENT OF SCHOOL BURSARS TO ENSURE PRUDENT UTILIZATION/MANAGEMENT OF FREE PRIMARY EDUCATION FUNDS

(The Hon. James Lusweti, M.P.)

**H. MOTION – FORMULATION OF A POLICY ON CAREER ADVANCEMENT,
PROMOTIONS AND SECURITY OF TENURE FOR PUBLIC
SERVANTS**

(The Hon. Joyce Emanikor, M.P.)

**I. THE CONSTITUTION OF KENYA (AMENDMENT) BILL (NATIONAL
ASSEMBLY BILL NO. 7 OF 2016)**

(The Hon. Mithika Linturi, M.P.)

Second Reading

J. THE KENYA UWEZO FUND BILL (NATIONAL ASSEMBLY BILL NO. 65 OF 2015)

(The Hon. David Kangogo, M.P.)

Second Reading

NOTICE PAPER II

Tentative business for

Wednesday (Afternoon), August 24, 2016

(Published pursuant to Standing Order 38(1))

It is notified that the House Business Committee, at their last meeting, approved the following **tentative** business to appear in the Order Paper for Wednesday (Afternoon), August 24, 2016:-

A. SPECIAL MOTION – ADOPTION OF REPORT OF THE JOINT PARLIAMENTARY SELECT COMMITTEE ON MATTERS RELATING TO THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (IEBC)

(The Deputy Leader of the Majority Party)

B. COMMITTEE OF THE WHOLE HOUSE

The Public Finance Management (Amendment) Bill (National Assembly Bill No. 4 of 2015)

(The Leader of the Majority Party)

C. MOTION - ADOPTION OF THE REPORT ON THE INQUIRY INTO ALLEGATIONS OF FRAUD AND FINANCIAL MISMANAGEMENT AT THE YOUTH ENTERPRISE DEVELOPMENT FUND

(The Chairperson, Public Investments Committee)

(If not concluded on Tuesday, August 23, 2016)

D. THE UNIVERSITIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 67 OF 2015)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, August 23, 2016)

E. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) (No.2) BILL (NATIONAL ASSEMBLY BILL NO. 58 OF 2015)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, August 23, 2016)

F. THE PUBLIC FUNDRAISING APPEALS BILL (SENATE BILL NO. 28 OF 2014)

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

Second Reading

(If not concluded on Tuesday, August 23, 2016)

G. MOTION - APPROVAL OF SESSIONAL PAPER ON THE NATIONAL CHILDREN POLICY

(The Chairperson, Departmental Committee on Labour and Social Welfare)

(If not concluded on Tuesday, August 23, 2016)

H. MOTION - APPROVAL OF SESSIONAL PAPER ON THE NATIONAL POLICY ON ELIMINATION OF CHILD LABOUR

(The Chairperson, Departmental Committee on Labour and Social Welfare)

(If not concluded on Tuesday, August 23, 2016)

I. THE BETTING, LOTTERIES AND GAMING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 30 OF 2015)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, August 23, 2016)

J. MOTION - RATIFICATION OF THE DEFENCE COOPERATION AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF KENYA & THE GOVERNMENT OF UNITED KINGDOM

(The Chairperson, Departmental Committee on Defence and Foreign Relations)

(If not concluded on Tuesday, August 23, 2016)

NOTICE PAPER III

Status of Business before Committees

Wednesday (Afternoon) August 24, 2016

In accordance with the Speaker's Communication of Wednesday, October 14, 2015, it is notified that, during the Sitting of *Wednesday, August 24, 2016 (Afternoon)*, the Chairpersons of the following Committees will be called upon to apprise the House on the Status of the Business pending before their respective Committees:-

- (i) Departmental Committee on Finance Planning and Trade
- (ii) Departmental Committee on Justice and Legal Affairs.

APPENDIX I

PETITIONS to be presented on

Tuesday, August 23, 2016

It is notified that, pursuant to Standing Orders 225, the following Petitions will be presented to the House **today Tuesday, August 23, 2016:-**

NO.	PETITION TO BE PRESENTED BY	SUBJECT	PETITIONER(S)
001	The Member for Embakasi South (The Hon. Sumra Irshadali, M.P.) <i>Pursuant to Standing Order 225(2)(a)</i>	Alleged negligence by the Mombasa Hospital	Family of one Mohamed Bakari
002	The Member for Chuka Igamba Ng'ombe(The Hon. Muthomi Njuki, M.P.), <i>Pursuant to Standing Order 225(2)(a)</i>	Waiver of debt owed by the Meru South Sacco	Members of Meru South Sacco
003	The Member for Nthiwa(The Hon. Agostino Neto, M.P.), <i>Pursuant to Standing Order 225(2)(a)</i>	Alleged detention of the body of the Late Berretta Reri by the Management of Nairobi Women's Hospital	Next of kin and friends of the Late Berretta Reri

APPENDIX II

THE NATIONAL ASSEMBLY

SCHEDULE of Questions for

Tuesday, August 23, 2016

It is notified that, pursuant to Standing Orders 191 and 216, the Cabinet Secretaries *for Interior and Coordination of National Government; Education, Science and Technology; and Land and Physical Planning* will appear before the following Departmental Committees on Tuesday, August 23, 2016 at the times hereunder:-

<u>Departmental Committee</u>	<u>Cabinet Secretary</u>	<u>Time</u>	<u>Venue</u>
(i) Committee on Administration and National Security	<i>Cabinet Secretary for Interior and Coordination of National Government</i>	10.00 am – 11.30 am	<i>The National Assembly Chamber</i>
(ii) Committee on Education, Research and Technology	<i>Cabinet Secretary for Education, Science and Technology</i>	10.00 am – 11.30 am	<i>The Mini Chamber, County Hall</i>
(iii) Committee on Lands	<i>Cabinet Secretary for Land and Physical Planning</i>	11.30am – 12.30pm	<i>The Mini Chamber, County Hall</i>

The Committees' Agenda has been determined as follows-

AGENDA

(Published pursuant to Standing Order 170E (2))

1. Prayers
2. Communication from the Chairperson(s)

I. Questions under the Departmental Committee on Administration and National Security

Questions to the Cabinet Secretary for Interior and Coordination of National Government

(i) Question by PVT/11/2016 by the Member for Moyale (The Hon. Roba S. Duba, M.P.):

Following the mysterious murders of two former Members of Parliament for Moyale Constituency, namely Hon. Guyo Halakha Liban who was shot in his residence in Moyale Town on October 22, 2014 and Hon. Philip Galm Godana who was likewise shot in his

residence in Syokimau on February 14, 2015, could the Cabinet Secretary apprise the Committee on the circumstances surrounding these cold blood murders, the status of investigations into these acts of lawlessness, and further indicate if there are any suspect(s) arrested and arraigned in court in connection with the killings?

(ii) Question No. 082/2015 by the Member for Sirisia (The Hon. John Waluke Koyi, M.P.):

Could the Cabinet Secretary inform the Committee the circumstances that have led to recent jail-breaks through which dozens of hardcore criminals have escaped custody with no reports of their recapture; the facts that most of the daring escapes have been committed outside the precincts of correctional facilities; circumstances by which a robber sentenced to life imprisonment escaped from Kenyatta National Hospital and whether or not he has been recaptured; address the allegation that some prison officers are in collusion with the escapees since they are always being caught off-guard even during prisoners' transportation; the number of escapees rearrested within the last one year; and the long-term measures being pursued to tackle this disturbing and dangerous menace once and for all?

(iii) Question No. 133/2015 by the Member for Turkana North (The Hon. Christopher Nakuleu, M.P.):

Considering that the presence of government personnel at all levels of administration enhances efficient service delivery and close monitoring of security in various parts of the country, could the Cabinet Secretary apprise the Committee on measures being implemented to address the challenge caused by the fact that various locations and sub-locations do not have substantive Chiefs And Assistant Chiefs on account of deaths by predecessors or and shifts to other well-paying jobs; and in particular, explain the reasons behind the two-year delay in releasing of results and appointments letters in time for the successful candidates of the Year 2013 interviews; and plans at hand to release letters of appointments for Assistant Chiefs for Kokuro sub-location (Kibish Sub-county) and Natoo and Riokomor sub-locations (Turkana North Sub-County) to the successful candidates of the Year 2013 Interviews?

(iv) Question No. 134/2015 by Nominated Member (The Hon. Zuleikha Juma Hassan, M.P.):

Could the Cabinet Secretary apprise Members on measures being implemented by the Government in protecting its citizens from internal threats, and in particular, explain to the Committee the culprits behind the terrifying and constant murder of innocent civilians and police officers in Kwale County especially around Ukunda town; whether the killers have been captured or identified; and action being taken to stem this worrying spate of crime that has resulted in the untimely and regrettable death of the following citizens:

No.	Date	Name	Place	Circumstances
1	December 2013	Hassan Suleiman Mwayuyu	Tiwi	Shot while in a bus
2	18/12/13	Hamadi Juma Boga		Shot in the neck
3	25/12/13	Said Salim Mwasalim	Mwamanga	Shot close range
4	02/01/14	10 Injured no fatalities	Tandoori Disco	Grenade Attack
5	05/01/13	Police Vehicle	Kona ya Musa	Grenade Attack
6	13/01/13	Police Injured		Night shootout
7	31/01/13	Swalehe Kombo Mvumbo	Bongwe	Shot at night coming from Mosque
8	20/02/14	Traffic Police who survived	Kombani	AK47 taken by shooters
9	15/02/14	Omar Maarifa & Sudi Omar	Diani	Shot outside their house
10	20/02/14	Hamis Salim Likongo		Hijacked, yet to be found
11	13/04/14	Swaled R. Mwakuyumba	Mbuani	Shot
12	25/04/14	Rashid T. Kufungwa	Tiwi	Shot
13	02/09/14	Salim Bakari & Hamisi Bakari	Ukunda	Shot by a gang
14	23/09/14	Suleiman A. Mwamtsumi	Matuga	Burnt with wife and two grandchildren
15	13/10/14	Rashid Ali Mwaenzi	Mbuwani	Shot
16	10/12/14	Ali Mwakubo		Shot but survived
17	30/01/15	Omar Salim Vumbi	Bongwe	

(v) Question No. 135/2015 by Nominated Member (The Hon. Sunjeev K. Birdi, M.P.):

Considering the recent reported cases of mysterious deaths of university students attributable to suicide, kidnapping, accidents, violent robberies, homicides, being mistakenly gunned down by police and even murders by estranged lovers all of which rob our nation its young and energetic generation; further considering that specific examples in 2014 include Maureen Chepkemei Kakuko of Kenyatta University who died mysteriously, Newborn Musomi Majani of Kenyatta University who was brutally murdered in Kahawa Estate, Peris Ashley Agumbi who died under mysterious circumstances at the flat she lived in, Felix Magomere and Dennis Nyagena of Egerton University who were mistakenly shot dead by police, a Masinde Muliro University student who was found dead in his room and a Strathmore University student who was shot dead four times in an attempted robbery; could the Cabinet secretary apprise the Committee on measures being pursued by the Government in ensuring that students are protected within learning institutions; the action, if any, that the Ministry has pursued in compelling university administrations to protect students and offer effective psychological counselling to them?

(vi) Question No. 136/2015 by the Member for Nakuru Town East (The Hon. David Gikaria, M.P.):

Could the Cabinet Secretary inform the Committee whether there's a provision for risk allowance and any other special allowance to officers deployed to serve as bodyguards to Members of Parliament and other VIPs owing to the nature of their work and if not, what plans does the Ministry have to provide the same?

(vii) Question No. 137/2015 by the Member for Juja (The Hon. Francis Waititu, MP):

Could the Cabinet Secretary inform the Committee what the Ministry is doing to tackle insecurity in Juja Constituency following the recent mysterious murders that have occurred in the Constituency with the most recent incident being the disappearance of the Juja Ward Member of County Assembly?

II. Questions under the Departmental Committee on Education, Research and Technology

Questions to the Cabinet Secretary for Education, Science and Technology

(i) Question by PVT/10/16 by the Member for Wajir South (The Hon. Abdullahi M. Diriye, M.P.):

Considering that the Kenyan Government through Sessional Paper No. 1 of 2005 put up low cost boarding schools in Arid and Semi-Arid (ASAL) districts as a way of implementing Totally Integrated Quality Education and Training (TIQET) so as to increase access to education and enrolment in the said areas, could the Cabinet Secretary explain to the Committee why the Ministry has not given capitation support cost to cover for food and other facilities such as dormitories, dining halls, toilets and purchase of beds and mattresses to Wajir South's Sarif, Kursin, Madahlibah, Burder and Dadajabulla boarding Primary Schools; outline the remedial measures the Government is putting in place to address massive drop-outs by pupils considering that these five schools are located in areas mainly inhabited by pastoralist communities; state the reasons why the capitation of low cost boarding schools has not been reviewed unlike the Free Primary Education (FPE) cost input together with the Special Needs Education Grants despite the Lawrie Green Report's proposal that capitation for boarding schools be set at Ksh 15,000 per year; and further state the timelines within which these five schools can start receiving capitation support costs?

(ii) Question No.095/2016 by the Member for Homa Bay Town (The Hon Peter Kaluma, M.P.):

Considering that Article 43 of the Constitution provides every person with the right to education; and further that the Basic Education Act requires the registration by the Ministry of Education, Science and Technology of all institutions offering basic education after

application for such registration in the prescribed form; could the Cabinet Secretary inform the Committee why the following schools in Homa Bay Town Constituency have not been registered bearing in mind that some of these schools will be presenting students for national examination next year:-

- (1) Raila Odinga Secondary School;*
- (2) Ojunge Secondary School;*
- (3) Nyakahia Secondary School;*
- (4) Nyagidha Secondary School;*
- (5) Rabuor Masawa Secondary School; and*
- (6) Riva Secondary School.*

(iii) Question No.096/2016 by the Member for Mukurweini (The Hon. Kabando wa Kabando, M.P.):

Considering that children have a right to access to education, and are constantly advised that if they excel in school, they stand a chance to attain their full potential; could the Cabinet Secretary apprise the Committee on why there is a random increase of school fees above the stipulated Ministry of Education ceiling, thus limiting access to education?

(iv) Question No.097/2016 by the Member for Kathiani (The Hon. Robert Mbui, M.P.):

Considering that Education is a basic right as provided for in Article 43 of the Constitution, adding that the Government of Kenya continues to remit activity fees for public primary and secondary schools through Free Primary Education (FPE) and subsidized Secondary Education funding respectively; and further considering that PTA teachers hired by School Committees are paid using funds raised by the parents; could the Cabinet Secretary apprise the Committee the reasons why schools especially in Kathiani Constituency continue to impose numerous charges such as Activity and Examination fees on children and what the Ministry is doing about the shortage of teachers which leads to PTA levies on parents?

(v) Question No.106/2016 by the Member for Bomet Central (The Hon. Ronald K. Tonui, M.P.):

Considering that funds for the construction of Bomet Technical Training Institute in Bomet Town were released through Eldoret Polytechnic, could the Cabinet Secretary state the total amount of money allocated for the construction project; confirm the Contractor who was formally awarded the tender; provide a List of Quotations by other bidders inclusive of their respective tendered amounts; provide current status of work done so far by the Contractor; state the amount of money paid to the Contractor so far, together with any balances due; and confirm whether formal handing over of the Project has been undertaken from the Contractor to Eldoret Polytechnic and from Eldoret Polytechnic to Moi University which is currently using the buildings as part of the proposed Bomet University College.

(vi) Question No.107/2016 by the Member for Bomet Central (The Hon. Ronald K. Tonui, M.P.):

Could the Cabinet Secretary state the official Teachers Shortage Status in the country; list the Teachers Shortage situation per County; and provide a list of Overstaffed Schools (per County) considering that the Cabinet Secretary is on record as having stated that the key problem in the education system is not Teachers Shortage but poor Teachers' Distribution?

(vii) Question No.108/2016 by the Member for Bomet Central (The Hon. Ronald K. Tonui, M.P.):

Considering that funding of Ksh 7.9 billion was allocated to the Teachers Service Commission (TSC) in April 2016 under Supplementary Appropriation for teachers' management expenditure, could the Cabinet Secretary provide a breakdown of how the funding was utilized; state whether the entire funding has been utilized, and if not, provide the reasons thereof; and explain how the TSC intends to use the Ksh 6.3 billion allocated to the Commission in the 2016/2017 Budget?

(viii) Question No.109/2016 by the Member for Matayos Central (The Hon. Geoffrey Odanga, M.P.):

Considering that Article 43(1)(f) states that every citizen has right to education, and in view of the fact that Article 56(b) requires the State to put in place affirmative action programmes designed to ensure that minorities and marginalized groups are provided special opportunities in educational fields, could the Cabinet Secretary apprise the Committee on the distribution of funds for infrastructural development in learning institutions for the fiscal years 2012/2013, 2013/2014, 2014/2015 and 2015/2016, with details on the amounts allocated and the beneficiary institutions in each county per financial year?

(ix) Question No.110/2016 by the Member for Matayos Central (The Hon. Geoffrey Odanga, M.P.):

Considering that the Teachers Service Commission is an independent commission created under Article 237 of the Constitution with an expectation of serving the entire country, could the Cabinet Secretary apprise the Committee on the employment status of the TSC, including details on the number of employees under the Commission, the positions/designations they hold, the communities they hail from, as well as their distribution in terms of counties of origin?

(x) Question No.111/2016 by the Member for Matayos Central (The Hon. Geoffrey Odanga, M.P.):

Could the Cabinet Secretary apprise the Committee on the staffing status of the Teachers' Service Commission, including details on the number of teachers/ tutors in primary schools,

secondary schools, technical training institutes and teachers training colleges in each of the forty-seven counties of the Republic?

III. Questions under the Departmental Committee on Lands

Questions to the Cabinet Secretary for Land and Physical Planning

(i) Question No. 068/2016 by the Member for Endebess (The Hon. Robert Pukose, M.P.):

Considering that Kingena Farmers Cooperative Society (formerly known as Ndiema Cherungut & Partners) bought the farm registered as L.R. 1112 in Trans-Nzoia County from the Agricultural Development Corporation (ADC) after a public advertisement dated 3rd August 1971 at a cost of Ksh. 200,000/= and as they prepared to occupy the land, the Agricultural Development Corporation (ADC) arbitrarily allocated it to the Ministry of Natural Resources without any explanations or refund; could the Cabinet Secretary explain the reasons behind the irregular allocation, the failure by ADC to either refund the Cooperative's money or give it alternative land and the failure by the National Land Commission to sufficiently act on Hon. Gonzi Rai's report of October 2009, and further facilitate the revocation of Gazette Notice No. 2479 of 25th August 1978?

(ii) Question No. 069/2016 by the Member for Kabete (The Hon. Ferdinand Waititu, M.P.):

Could the Cabinet Secretary inform this Committee when the Lake Kenyatta Settlement Scheme in Lamu County was established; the number of land titles issued and the list of owners of the said Scheme; provide the outcome, if at all, of the survey works done between 2013-2015 in the same area and in particular give details of F/R No. 399/29, 566/49, 554/39, 554/83 and 560/130 among others; state what plans the Ministry has in place to revoke any titles irregularly allocated and gazette the same?

(iii) Question No. 071/2016 by the Member for Kitui Rural (Hon. Charles M. Nyamai MP):

Could the Cabinet Secretary inform the Committee the position of Ukamba Agricultural Institute assets after the same was transferred to South Eastern Kenya University under Gazette Notice No. 102 of July 15, 2008 by H.E Mwai Kibaki; the current legal status of Ukamba Agricultural Institute in relation to South Eastern Kenya University; whether the Cabinet Secretary is aware that former Ukamba Agricultural Institute Directors in conspiracy with land officials, the University management and the Attorney General's Office have used the said assets as collaterals to acquire a 38 million loan from Dubai Bank (criminal case 2021/2015); and what is the Ministry doing to ensure that the University does not lose its property/assets?

(iv) Question No. 072/2016 by the Member for Embakasi South (The Hon. Irshadali M. Sumra, M.P.):

Considering that H.E the President gave a directive for the processing and issuance of title deeds for the Mukuru Kwa Njenga land occupied by Obi Chemicals, and in view of the fact that survey of the land has stalled since mid-2015 with the Surveyor citing lack of funds are reasons for the stalemate, could the Cabinet Secretary inform the Committee the reasons behind the inordinate delay in completion of survey of the said land particularly in light of the fact that the title processing exercise at Waitiki Area started after the presidential directive on Mukuru Kwa Njenga but finished much earlier; and further give timelines within which the exercise will be completed?

(v) Question No.090/2016 by the Member for Lamu County (The Hon. Shakila Abdalla, M.P.):

Could the Cabinet Secretary provide the full list of the Project Affected Persons (PAPs) within the land for the first three berths of Lamu Port and access road indicating acreages and amount of money paid to each beneficial; state whether there are any PAPS who have not yet been compensated, their respective acreages, amounts owed and the timelines within which their due payments shall be honoured; outline measures in place to ensure that land near the Port area is not grabbed; and further provide timelines within which the land owners at and near the Port shall be issued with title deeds?
