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THE NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT – FIFTH SESSION – 2017

DEPARTMENTAL COMMITTEE ON TRANSPORT PUBLIC WORKS AND HOUSING

REPORT ON THE PETITION BY RESIDENTS OF NYERI TOWN CONSTITUENCY ON
THE USE OF ASBESTOS AS A ROOFING MATERIAL

DIRECTORATE OF COMMITTEE SERVICES,
CLERK'S CHAMBERS
PARLIAMENT BUILDINGS
NAIROBI

MARCH, 2017

ANNEXES

A. Adoption List

B. Committee minutes

CHAIRPERSON'S FOREWORD

The petition was presented before the House by the Hon. Esther Murugi, MP on behalf of the petitioners. This is in accordance with the provisions of Standing Order No. 225 (2)(a). The petitioners requested the Departmental Committee on Transport, Public Works and Housing to recommend to the Ministry of Transport, Infrastructure, Housing and Urban Development the immediate stoppage of Asbestos as a roofing material, removal of the Asbestos roofs and replacement with galvanized iron sheets in the said estate in Nyeri Town.

The petition was referred to the Departmental Committee on Transport, Public Works and Housing for consideration and report within sixty days as per the requirements of S.O. 227.

In considering the petition, the Committee held meetings with the Hon. Esther Murugi, MP, who appeared on behalf of the petitioners, and the Cabinet Secretary, Ministry of Transport, Public Works, Housing and Urban Development. The meetings were aimed at inquiring into the issues raised in the petition.

The Committee appreciates the assistance provided by the Office of the Speaker and the Clerk of the National Assembly that enabled it to discharge its functions in considering the petition.

On behalf of the Committee, and pursuant to Standing Order, 227 it is my duty to table on the Floor of the House the Report of the Committee on the petition.

Hon. Maina Kamanda, EGH, MP

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EXECUTIVE SUMMARY

The report entails presentations by the Hon. Esther Murugi, M.P, on behalf of residents of Nyeri Town Constituency, and the Cabinet Secretary from the Ministry of Transport, Infrastructure, Housing and Urban Development.

In this report the Committee has considered and responded to the prayers sought by residents of Nyeri Town Constituency in a petition regarding the use of Asbestos as a roofing material.

The Committee found out that the prayers pursued by the petitioners were reasonable given that the use of Asbestos as a roofing material is hazardous to human health and can cause an aggressive cancer known as Mesothelioma which affects the membrane lining of the lungs and abdomen and presents symptoms similar to those of respiratory illnesses.

2.0 MANDATE OF THE COMMITTEE

The Committee under Standing Order 227 is mandated to respond to the petitioner by way of a report addressed to the petitioner or petitioners and laid on the floor of the House.

The Committee is established in accordance with the provisions of Standing Order No. 216, with the following terms of reference: -

- i. To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;
- ii. To study the programme and policy objectives of Ministries and departments and the effectiveness of the implementation;
- iii. To study and review all legislation referred to it;
- iv. To study, access and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;
- v. To investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House or a Minister;
- vi. To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments); and
- vii. To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.

2.1 The Committee is mandated to consider the following subjects:-

- (i) Transport Services
- (ii) Roads Services
- (iii) Public Works
- (iv) Construction and Maintenance of roads, rails and buildings
- (v) Air
- (vi) Seaports and Housing

2.2 Oversight

In executing its mandate, the Committee oversees the following Government Departments and agencies, namely:-

- The State Department of Transport
- The State Department of Infrastructure
- The State Department for Public Works
- The State Department of Housing

2.3 MEMBERS OF THE COMMITTEE

1. The Hon. Maina Kamanda, M.P. – **(Chairperson)**
2. The Hon. Eng. Mahamud Maalim, M.P. – **(Vice Chairperson)**
3. The Hon. Eng. Stephen Ngare, M.P.
4. The Hon. Ali Wario, M.P.
5. The Hon. Arch. David Kiaraho, M.P.
6. The Hon. Cecily Mbarire, M.P.
7. The Hon. Capt. Clement Wambugu, M.P.
8. The Hon. Eng. John Kiragu, M.P.
9. The Hon. Gideon Konchella, M.P.
10. The Hon. Barchilei Kipruto, M.P.
11. The Hon. Mark Lomunokol, M.P.
12. The Hon. Grace Kipchoim, M.P.
13. The Hon. Mathias Robi, M.P.
14. The Hon. Joseph Lomwa, M.P.
15. The Hon. Peter Shehe, M.P.
16. The Hon. Stephen Manoti, M.P.

NA: Report on a petition by Residents of Nyeri Town Constituency on the use of Asbestos as a roofing material.

17. The Hon. Emmanuel Wangwe, M.P.
18. The Hon. K.K. Stephen KinyanjuiMburu, M.P.
19. The Hon. Suleiman Dori, M.P.
20. The Hon. Rashid JumaBedzimba, M.P.
21. The Hon. Simon NyaundiOgari, M.P.
22. The Hon. Johnson ManyNaicca, M.P.
23. The Hon. MishiJuma, M.P.
24. The Hon. AdumaOwuor, M.P.
25. The Hon. ChachuGanya, M.P.
26. The Hon. Omar Mwinyi, M.P.
27. The Hon. Ahmed Abbas Ibrahim, M.P.
28. The Hon. Omulele Christopher, M.P.
29. The Hon. Mukwe James Lusweti, M.P.

2.4 COMMITTEE SECRETARIAT

Mr. Samuel Kalama	- Clerk Assistant I
Mr. AbdifatahBule	- Clerk Assistant III
Ms. Christine Ndiritu	- Clerk Assistant III
Mr. Salem Lorot	- Legal Counsel II
Mr. Humphrey Ringera	- Research officer III
Mr. James Chacha	- Fiscal Analyst III
Ms. Deborah Mupusi	- Media Officer III

2.5 LIST OF RECOMMENDATIONS

In response to the prayers by the petitioners, the Committee recommends that:-

1. The Ministry of Transport, Infrastructure, Housing and Urban Development should urgently conduct a site visit to Nyeri Town Constituency to survey and give a conclusive way forward on the Houses that are still roofed using Asbestos;
2. The Ministry, while preparing the budget for the Financial Year 2017/18 should include estimates for re-roofing works on Government owned houses that are still roofed with Asbestos in Nyeri Town Constituency and also in other parts of the country.
3. The Ministry of Health should conduct an assessment on all residents who have been exposed to Asbestos to determine the extent to which their health has been affected.

3.0 INTRODUCTION

3.1 The petition by residents of Nyeri Town Constituency regarding the use of Asbestos as a roofing material was tabled in the House pursuant to Standing Order 225 (2) (a) by the Hon. Esther Murugi, MP on Tuesday 18th July, 2016.

3.2 Pursuant to the House rules, the petition was referred to the Committee for consideration and preparation of a report within 60 days. The Committee considered the petition pursuant to the provisions of Standing Order 227.

3.3 The Petitioners wished to draw to the attention of the House on the following, that:-

1. Article 42 of the Constitution recognizes the right of every Kenyan to a clean and healthy environment protected for the benefit of present and future generations through legislative and other channels;
2. Residents of Blue Valley Estate in Nyeri Town have for decades lived in houses with Asbestos roofing material due to its components of versatility and resistance to heat transfer that makes it readily usable for insulation in cold areas;
3. Recent research has revealed that exposure to Asbestos is hazardous to human health and can cause an aggressive cancer called *Mesothelioma* which affects the membrane lining of the lungs and abdomen and presents symptoms similar to those of respiratory illnesses;
4. As a result of Mesothelioma Cancer and related illnesses, fifty five (55) countries all over the World have banned the use of Asbestos as a roofing material, a few of which are USA, New Zealand, Australia and Egypt;

5. Further, Australia banned the use of Asbestos and all products containing Asbestos on 31st December, 2003, and declared it illegal to import, store, supply, sell, install, use or re-use these materials;
6. The costs associated with treating Mesothelioma just like any other cancer-related illness are significantly high especially to the poor populations;
7. The matter in respect of which this petition is raised is not pending before any Court of law or constitutional body.

The petitioners' prayers were that the National Assembly, through the Departmental Committee on Transport, Public Works and Housing;

1. Recommends to the relevant Ministry the immediate stoppage of Asbestos as a roofing material, removal of the Asbestos roofs and replacement with galvanized iron sheets in the said estate in Nyeri Town;
2. Makes any other order and/or direction that it may deem fit in the circumstances of the plight of the petitioners.

4.0 EVIDENCE

4.1 Presentation by the Hon. Esther Murugi, M.P on behalf of the residents of Nyeri Town Constituency.

The Hon. Esther Murugi, M.P. representing the residents of Nyeri Town Constituency appeared before the Committee on Thursday 17th November, 2016 and made the following presentation, that;

1. Residents of Blue Valley Estate in Nyeri Town have for decades lived in houses with Asbestos roofing material due to its components of versatility and resistance to heat transfer that makes it readily usable for insulation in cold areas;

2. Exposure to Asbestos is hazardous to human health and can cause an aggressive cancer called *Mesothelioma* which affects the membrane lining of the lungs and abdomen and presents symptoms similar to those of respiratory illnesses;
3. Residents of Nyeri Town Constituency use the asbestos roofs in water harvesting and as a result, chunks from the dilapidated asbestos roofing material are found in the drinking water. This further increases the risk of contracting *Mesothelioma* Cancer.
4. The costs associated with treating *Mesothelioma* just like any other cancer-related illness are significantly high especially to the poor populations;
5. The *Mesothelioma* cancer is discovered at a late stage of development, it has no known cure and the prognosis is usually poor. This poses a great danger to residents who have been exposed to Asbestos for a prolonged period;
6. The Ministry of Health should conduct an assessment on all residents who have lived under asbestos roofs to determine the extent to which their health has been affected.

4.2 Presentation by the Principal Secretary in the State Department of Housing and Urban Development on behalf of the Cabinet Secretary, Ministry of Transport, Public Works, Housing and Urban Development.

The Principal Secretary in the State Department of Housing and Urban Development, Ms. Aidah Munano, on behalf of the Cabinet Secretary ,Ministry of Transport, Infrastructure, Housing and Urban Development informed the Committee that:

1. The National Government houses in Blue Valley Estate in Nyeri town are roofed with Galvanized Iron Sheets. However, the Ministry has since established that the houses mentioned in the petition belong to the defunct Municipal Council of Nyeri and are currently under the County Government of Nyeri.
2. The National Government no longer uses Asbestos as a roofing material and in any case where Asbestos was used as a roof finish, the houses have been systematically replaced with other roofing materials.
3. The Ministry is aware that some houses in the Kenya Police Training College, Kiganjo, Wambugu Farm, MOW camp in Nyeri town have been roofed with Asbestos. Estimates for re-roofing works are currently being prepared for inclusion in the 2017/2018 financial year budget.
4. The funding for refurbishment of Government houses has been low. The budgetary allocation for refurbishment of 42,000 housing units across the country in the 2016/17 financial year stands at ksh.50 million. The entire budget for previous Head 673-Distric Government Estates Management has since been devolved to the Counties. The attendant effect of this is that the Ministry is unable to undertake comprehensive refurbishment works.

5. The Ministry had recommended to the National Treasury to reverse the entire budgetary allocation under the previous Head 673-District Government Estates Management to the National Government.
6. The Ministry would conduct a site visit to Nyeri Town Constituency to survey and give a conclusive way forward on the Houses that are still roofed using Asbestos;
7. Further, the Ministry would take stock on the number of houses and institutions in the country which use Asbestos as a roofing material.

5.0 FINDINGS

The Committee made the following observations from evidence adduced in the meetings, that;

1. The use of Asbestos as a roofing material was widespread in Nyeri Town Constituency and in other parts of the country;
2. Exposure to Asbestos is hazardous to human health and can cause *Mesothelioma* Cancer which affects the membrane lining of the lungs and abdomen and presents symptoms similar to those of respiratory illnesses;
3. The National Government no longer uses Asbestos as a roofing material and in cases where Asbestos was used as a roof finish; the houses have been systematically replaced with other roofing materials;

4. There has been a low budgetary allocation for the refurbishment of housing units across the country. As a result, the Ministry has not been able to sufficiently revamp Government houses countrywide;

6.0 RECOMMENDATIONS

In response to the prayers by the petitioners, the Committee recommends that:-

1. The Ministry of Transport, Infrastructure, Housing and Urban Development should urgently conduct a site visit to Nyeri Town Constituency to survey and give a conclusive way forward on the Houses that are still roofed using Asbestos;
2. The Ministry, while preparing the budget for the Financial Year 2017/18 should include estimates for re-roofing works on Government owned houses that are still roofed with Asbestos in Nyeri Town Constituency and also in other parts of the country.
3. The Ministry of Health should conduct an assessment on all residents who have been exposed to Asbestos to determine the extent to which their health has been affected.

Signed..........Date..........

Hon. Maina Kamanda. EGH, MP

Chairperson, Departmental Committee on Transport, Public Works and Housing.

MINUTES OF THE 56TH SITTING OF THE TRANSPORT, PUBLIC WORKS AND HOUSING COMMITTEE HELD ON SATURDAY 10TH DECEMBER, 2016 IN BOMA HOTEL, NAIROBI AT 9:00 AM

PRESENT

1. Hon. (Eng.) Mahamud Maalim, M.P. –**Vice Chairman**
2. Hon. Simon Nyaundi Ogari, M.P.
3. Hon. K.K. Stephen Kinyanjui Mburu, M.P
4. Hon. Aduma Owuor, M.P.
5. Hon. Ahmed Abbas Ibrahim, M.P
6. Hon. Mark Lomunokol, M.P.
7. Hon. (Arch.) David Kiaraho, M.P.
8. Hon. Barchilei Kipruto, M.P
9. Hon. Stephen Manoti, M.P.
10. Hon. Omar Mwinyi, M.P
11. Hon. Mathias Robi, M.P.
12. Hon. (Eng.) Stephen Ngare, M.P.
13. Hon. Johnson Manya Naicca, M.P
14. Hon. Joseph Lomwa, M.P.
15. Hon. Peter Shehe, M.P.

ABSENT WITH APOLOGY

1. Hon. Maina Kamanda, M.P. – Chairperson
2. Hon. Ali Wario, M.P.
3. Hon. Chachu Ganya, M.P.
4. Hon. Rashid Juma, MP
5. Hon. Gideon Konchella, M.P.
6. Hon. Omulele Christopher, M.P
7. Hon. Suleiman Dori, M.P.
8. Hon. Mukwe James Lusweti, M.P.
9. Hon. (Eng.) John Kiragu, M.P
10. Hon. (Capt.) Clement Wambugu, M.P.
11. Hon. Grace Kipchoim, M.P
12. Hon. Emmanuel Wangwe, M.P.
13. Hon. Mishi Juma, M.P.
14. Hon. Cecily Mbarire, M.P.

IN ATTENDANCE

- NATIONAL ASSEMBLY

- | | |
|--------------------------|-----------------------|
| 1. Mr. Samuel Kalama | First Clerk Assistant |
| 2. Mr. Abdifatah M. Bule | Third Clerk Assistant |
| 3. Ms. Christine Ndiritu | Third Clerk Assistant |
| 4. Mr. Salem Lorot | Legal Counsel |
| 5. Mr. James Chacha | Budget Officer |

MIN/DC-TPWH/2016/222 Preliminaries

The Chairperson called the meeting to order at 9:10 am with a word of prayer. He then presented the agenda as follows:-

1. Prayer
2. **Consideration and adoption of the following reports**
 - a) **Report on a petition by residents of Nyeri Town Constituency on the use of Asbestos as a roofing material;**
 - b) **Report on the petition by residents of Busia County regarding decongestion of Busia and Malaba towns;**
 - c) **Petition by the residents of Kakamega County regarding delayed rehabilitation of Kakamega Airstrip;**
 - d) **Petition by the residents of South Imenti Constituency regarding the status of Nkubu-Mikimbune road, and ;**
 - e) **Petition by the residents of Kathiani Constituency regarding non-completion of the Mumbuni-Kathiani road.**
3. Any Other Business

MIN/DC-TPWH/2016/223

(a) Consideration and adoption of the Report on a petition by residents of Nyeri Town Constituency on the use of Asbestos as a roofing material;

The Committee considered and adopted the report on the petition by residents of Nyeri Town Constituency on the use of Asbestos as a roofing material. The adoption of the report was proposed and seconded by the Hon. Mathias Robi, M.P and the Hon. Omar Mwinyi, M.P respectively with the following observations and recommendations:-

Observations

The Committee made the following observations, that:-

1. The use of Asbestos as a roofing material was widespread in Nyeri Town Constituency and in other parts of the country;
2. Exposure to Asbestos is hazardous to human health and can cause Mesothelioma Cancer which affects the membrane lining of the lungs and abdomen and presents symptoms similar to those of respiratory illnesses;
3. The National Government no longer uses Asbestos as a roofing material and in cases where Asbestos was used as a roof finish; the houses have been systematically replaced with other roofing materials;
4. There has been a low budgetary allocation for the refurbishment of housing units across the country. As a result, the Ministry has not been able to sufficiently revamp Government houses countrywide;

RECOMMENDATIONS

In response to the prayers by the petitioners, the Committee recommends that:-

1. The Ministry of Transport, Infrastructure, Housing and Urban Development should urgently conduct a site visit to Nyeri Town Constituency to survey and give a conclusive way forward on the Houses that are still roofed using Asbestos;
2. The Ministry, while preparing the budget for the Financial Year 2017/18 should include estimates for re-roofing works on Government owned houses that are still roofed with Asbestos in Nyeri Town Constituency and also in other parts of the country.
3. The Ministry of Health should conduct an assessment on all residents who have been exposed to Asbestos to determine the extent to which their health has been affected.

b) Consideration and adoption of the Report on the petition by residents of Busia County regarding decongestion of Busia and Malaba towns

The Committee considered and adopted the report on the petition by residents of Busia County regarding decongestion of Busia and Malaba towns. The adoption of the report was proposed and seconded by the Hon. Simon Nyaundi Ogari, M.P and the Hon. (Arch.) David Kiaraho, MP respectively with the following observations and recommendations:-

Observations

The Committee made the following observations, that:-

1. Both Busia and Malaba Towns are heavily congested by transit trailers that crisscross the border;
2. Decongestion of both towns was multifaceted; it required expansion of the roads leading to the border posts to dual-carriage ways; construction of by-passes; opening up of additional border posts; and fully operationalizing the OSBP at the two border towns so as to speed up clearance and reduce congestion;
3. The OSBP system was already operational at Busia town, albeit being faced with various systemic challenges. These include unsynchronized operations by the multiple agencies involved in the system and strained infrastructure;
4. At Malaba, the facility for OSBP system was under construction. The Kenyan section was nearly complete while the Uganda section would be completed in about four months from the time the Committee visited the town;
5. Both the county government of Busia and relevant agencies of the national government did not have requisite funds for carrying out expansion of the roads and construction of by-passes;

COMMITTEE'S RECOMMENDATIONS

In response to the prayers by the petitioners, the Committee recommends as follows:-

1. The Ministry of Transport and Infrastructure, in conjunction with the County Government of Busia, identifies viable routes for construction of by-passes around Busia and Malaba Towns, and fast-tracks acquisition of land for construction of the by-passes and trailer parks so as to ease congestion in the two towns;
2. The national government, through the Ministries of East African Affairs engages the government of the Republic of Uganda to explore possibilities for opening new Border Posts, possibly at Mulwanda, Lwakhakha, Kapesuru and Buteba, so as to spread the clearance of transit goods across the multiple Customs Offices thereby reducing congestion at the existing two Posts of Busia and Malaba;
3. The Ministry of Transport, Infrastructure, Housing and Urban Development, in conjunction with the County Government of Busia should identify an alternative bus station and fast-track the relocation of the bus terminal from the entry point to Busia border post as a measure to ease congestion at the border point.
4. Considering the strategic importance that Busia and Malaba Border Points hold in regional economy, the Commission on Revenue Allocation (CRA) should consider making provisions for *special allocation* of funds to Busia County Government to

undertake major infrastructure expansion projects in Busia and Malaba towns so as to ease congestion and make the two border points competitive in the region.

(c) Consideration and adoption of the report on petition by the residents of Kakamega County regarding delayed rehabilitation of Kakamega Airstrip;

The Committee considered and adopted the report on the petition by the residents of Kakamega County regarding the delayed rehabilitation of Kakamega Airstrip. The adoption of the report was proposed and seconded by the Hon. Barchilei Kipruto, MP and the Hon. K.K. Stephen Kinyanjui Mburu, M.P respectively with the following observations and recommendations:-

Observations

The Committee made the following observations, that:-

1. Operations at the Kakamega Airstrip were terminated due to runway surface failure. However, the airstrip has immense economic viability due to its strategic location to serve travelers and business people from the county, neighbouring counties and Uganda. Investing in its expansion was therefore worthwhile since flights to the route reportedly had sufficient passengers and cargo prior to termination;
2. Compensation for some families as promised during acquisition of land to pave the way for establishment of the airstrip in 1981 had not been effected to date, raising feelings of historical injustice among residents.
3. The current acreage of the airstrip's land was too small and prohibitive to present and future expansion to accommodate an extended runway and modern facilities requisite for large domestic carriers as demand for air transport to the destination increases.
4. In recognition of the economic importance of the airstrip, the Kakamega County Government identified land around the airstrip with a view to increase the total acreage to 56 acres. The government was liaising with the National Land Commission to negotiate and formulate an agreeable compensation framework for owners of the land earmarked for acquisition.
5. The county government had made budgetary provisions in the 2016/2017 FY to cater for compensation for land and property. It was also in the process of acquiring 113 acres of land in Likuyani Sub-County for resettlement of families whose land would be acquired for the project. However, the process of acquiring the said land was not yet complete.
6. The residents within the area of the proposed expansion of the airstrip were willing to relinquish their land subject to reasonable compensation for their land and developments thereto. However, fears that the injustices of 1981, viz in commensurate compensation,

delayed payments or failure to be compensated, may be replicated in the proposed acquisition of land for the airstrip's expansion.

7. The county government had taken care of environmental safety considerations and commenced the process of acquiring 15 acres of land at Mung'ang'a for setting up a waste treatment plants outside a radius of 13km from an airport/airstrip in accordance with ICAO requirements.
8. The rehabilitated runway was uneven and dilapidated to the extent that deep depressions had developed, mainly along the path used by rear wheels of the aircraft during taxing, take-off and landing. This casts doubts to the quality of works done by the contractor who undertook the resurfacing of the runway.
9. The actual runway PCN value for the runway rehabilitated in 2011 was rated as 7 but was reported as 10 by the Aeronautical Information Publication. However, the source of information and motive behind the grave misreporting by AIP was unclear.
10. Survey and designs for the new runway and facilities were done by the KAA and KCAA. However, it was unknown when construction would commence since it was established that the national government had not factored the Kshs. 500 million estimated for the project in its 2016/2017FY.

Recommendations

In response to the prayers by the petitioners, the Committee recommends as follows:-

1. On the first prayer with regard to investigations into the quality of the resurfacing works done on the Airstrip's pavements in 2011 with a view to ascertain whether the reported pavement failures was occasioned by poor workmanship by the contractor; the Committee recommends that: The KAA/KCAA officers responsible for the alleged misreporting of the runway's PCN as 10 instead of 7 by AIP, be held personally liable for the damages caused on the newly rehabilitated but barely used runway, since by misrepresenting facts, aircrafts with ACN above the pavement's surface strength of PCN 7 were allowed to operate on the weak airstrip.
2. On the second prayer with regard to the rehabilitation and extension of the airstrip's pavements to International Civil Aviation Organization (ICAO) standards by the ministry the Committee recommends that the Ministry through Kenya Airports Authority should immediately allocate sufficient funds for extension of the runway and construction of suitable facilities for the envisioned modern airstrip in the 2017/2018 Financial year
3. The Ministry of Lands and NLC intervenes to:
 - i. Establish claims of historical injustices arising from non-compensation for land Acquired in 1981 and causes completion of all pending compensation claims; and

- ii. Support Kakamega county government by fast tracking the process of acquisition of land, resettlement and compensation of families whose land is earmarked for acquisition for expansion of the airstrip

(d) Consideration and adoption of the report on petition by the residents of South Imenti Constituency regarding the status of Nkubu-Mikimbune road,

The Committee considered and adopted the report on the petition by the residents of South Imenti Constituency regarding the status of Nkubu-Mikimbune road. The adoption of the report was proposed and seconded by the Hon. Aduma Owuor, M.P. and the Hon. Ahmed Abbas Ibrahim, M.P respectively with the following observations and recommendations:-

Observations

The Committee made the following observations, that:-

1. The Nkubu-Mikimbune road had received some funding from KeRRA to the tune of Ksh. 10 million and therefore the Authority should endeavor to get additional finding for the completion of the road.
2. During the classification exercise done by the Ministry of Transport, Infrastructure, Housing and Urban Development, a number of errors were made on various roads across the country. This saw some roads, including the Nkubu-Mikimbune road, being erroneously classified as County Roads yet they fall under the National Government.

Recommendations

In response to the prayers by the petitioners, the Committee recommends that:-

The Ministry of Transport, Infrastructure, Housing and Urban Development should allocate adequate funds from the Emergency Kitty which is under the Cabinet Secretary to ensure completion of the Nkubu-Mikimbune road.

(e) Consideration and adoption of the report on petition by the residents of Kathiani Constituency regarding non-completion of the Mumbuni-Kathiani road.

The Committee considered and adopted the report on the petition by the residents of Kathiani Constituency regarding non-completion of the Mumbuni-Kathiani road. The adoption of the report was proposed and seconded by the Hon. Johnson Manya Naicca, M.P. and the Hon. Joseph Lomwa, M.P respectively with the following observations and recommendations:-

Observations

The Committee made the following observations, that:-

1. The project road is 22km long and lies in Kathiani Sub- County of Machakos County. The road starts at Mumbuni, some 3km North of Machakos town on the Machakos – Kangundo road (C99). It takes a generally North Easterly course as road E484 up to Kathiani where it changes to a southerly direction and ends at Thwake river.
2. The contract for the project was awarded to Nyoro Construction Company Ltd at a contract sum of Kshs.637,194,171.20.
3. The initial contract period was 24 months and the expected completion date was supposed to be 22nd October, 2013; before an additional extension of time (EOT) of 16 months. Work done now stands at 78.63% against 146.25% time elapsed;
4. The access road to Mbee Market and secondary school was added to the initial contract. Initial estimates for these works were issued to the contractor for his concurrence after which the contractor was issued with instructions to commence works.

Recommendations

In response to the prayers by the petitioners, the Committee recommends that:-

The Ministry of Transport, Infrastructure, Housing and Urban Development should fast track and complete the Mumbuni-Kathiani Road by April 2017.

MIN/DC-TPWH/2016/224 Adjournment

The Chairperson adjourned the meeting at 1.00 pm to be convened at a later date to be communicated.

SIGNED..........

DATE5/4/2017

Hon. Maina Kamanda, EGH, M.P. (Chairperson)

THE NATIONAL ASSEMBLY



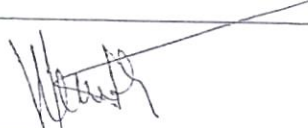


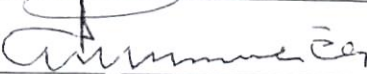
ELEVENTH PARLIAMENT – 4TH SESSION

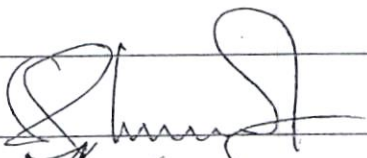
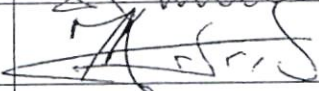
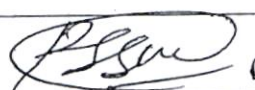
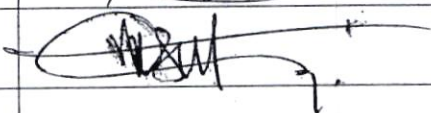

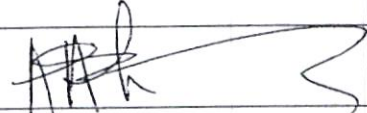

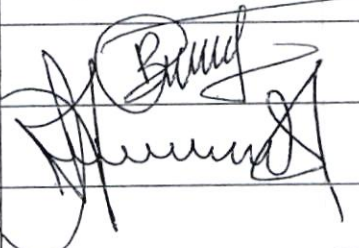
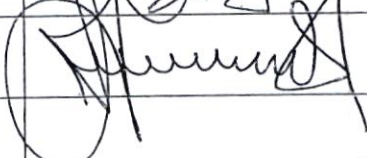
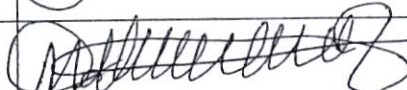
DEPARTMENTAL COMMITTEE – TPWH: TRANSPORT, PUBLIC WORKS AND HOUSING

Adoption list for the Reports on the following Petitions

Saturday 10th December, 2016

- a. Petition by the Member for Nyeri Town Constituency, the Hon. Esther Murugi, M.P. on behalf of residents of Nyeri Town on the use of Asbestos as a roofing material;
- b. Petition by the Member for Matayos Constituency, the Hon. Geoffrey Odanga, M.P. regarding decongestion of Busia and Malaba Towns;
- c. Petition by the Member for Ikolomani, the Hon. Bernard Shinali regarding delayed rehabilitation of Kakamega Airstrip;
- d. Petition by the Member for South Imenti Constituency, the Hon. Kathuri Murungi, M.P. regarding the Status of Nkubu-Mikimbune road, and;
- e. Petition by the Member for Kathiani Constituency, the Hon. Robert Mbui regarding non-completion of the Mumbuni-Kathiani road.

NO.	MEMBER	SIGNATURE
1.	Hon. Maina Kamanda (Chairperson), MP	
2.	Hon. (Eng.) Mohamed Maalim (Vice Chairperson), MP	
3.	Hon. KK Stephen Kinyanjui Mburu, MP	
4.	Hon. Christopher Omulele, MP	
5.	Hon. (Eng.) Stephen Ngare, MP	
6.	Hon. Johnson M. Naicca, MP	
7.	Hon. (Eng.) John Kiragu, MP	

8.	Hon. Stephen K. Manoti, MP	
9.	Hon. Joseph Lomwa, MP	
10.	Hon. (Capt.) Clement M. Wambugu, MP	
11.	Hon. Emmanuel Wangwe, MP	
12.	Hon. Grace J. Kipchoim, MP	
13.	Hon. Cecily M. Mbarire, MP	
14.	Hon. Mishi Juma Khamis, MP	
15.	Hon. Peter Shehe, MP	
16.	Hon. Omar Mwinyi, MP	
17.	Hon. Suleiman Dori, MP	
18.	Hon. Rashid Juma Bedzimba, M.P	
19.	Hon. Aduma Owuor, MP	
20.	Hon. Gideon Konchella, MP	
21.	Hon. Abass Ahmed Ibrahim, MP	
22.	Hon. Ali Wario, MP	
23.	Hon. David Kiaraho, MP	
24.	Hon. Barchilei Kipruto, MP	
25.	Hon. Simon Nyaundi Ogari, MP	
26.	Hon. Edick Omondi Anyanga , MP	
27.	Hon. Mathias N. Robi , MP	
28.	Hon. Mukwe James Lusweti, MP	
29.	Hon. Mark Lomunokol, MP	