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THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT – SECOND SESSION – 2018

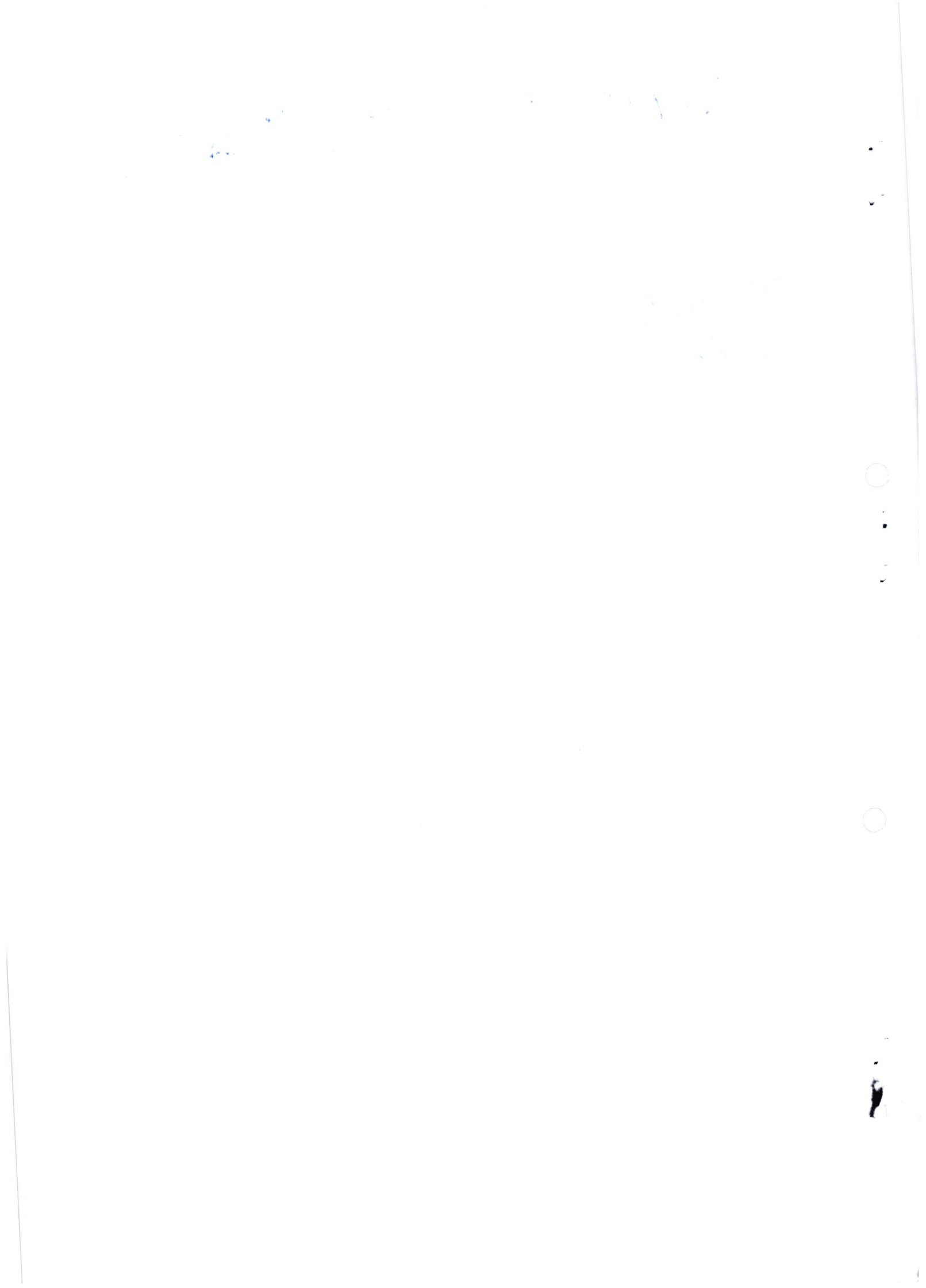
DEPARTMENTAL COMMITTEE ON ENERGY

REPORT ON THE PETITION BY MR. VINCENT MATHUKU OKOTI REGARDING MASSIVE POWER DISCONNECTION BY KENYA POWER IN SHIRAKALU VILLAGE, WEST BUTSOTSO WARD NAKAKHOLO CONSTITUENCY.

THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 06 DEC 2018	DAY: THURSDAY
TABLED BY:	Hon. Robert Pokose For Chair, Energy Committee
CLERK-AT-THE-TABLE:	Moses Lemura

DIRECTORATE OF COMMITTEE SERVICES
CLERK'S CHAMBERS
PARLIAMENT BUILDINGS
NAIROBI

DECEMBER, 2018



ANNEXES

A. Adoption List

B. Committee minutes

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FOREWORD

The petition was tabled before the House by Hon Speaker on behalf Mr. Vincent Mathuku Okoti from Shirikalu Village, Kakamega County. This is in accordance with the provisions of Standing Order No. 225 (2) (a). The petition requests the National Assembly to establish the reasons why there was massive power disconnection in Shirikalu village, cause for reconnection and compensation for all residents whose meter boxes were confiscated by Kenya Power and Lighting (KPLC).

The petition was referred to the Departmental Committee on Energy 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 Mr. Vincent Mathuku Okoti who appeared on behalf of the petitioners, residents of Shirikalu village during fact finding visit and the officials of the Kenya Power limited. 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. DR. ROBERT PUKOSE, MP

EXECUTIVE SUMMARY

The petition was tabled before the House pursuant to Standing Order No. 225 (2) (a) by Hon Speaker on behalf Mr. Vincent Mathuku Okoti from Shirikaluvillage, Kakamega County.

The Petitioner points out that, on Thursday 22nd February 2018, the Kenya Power and Lighting Company (KPLC) official accompanied by armed Administration Police raided Shirikaluvillage causing massive disconnection and cutting down poles on claims that the connection were illegal and non-systemized

The petition requests the National Assembly to establish the reasons why there was massive power disconnection in Shirikaluvillage, cause for reconnection and compensation for all residents whose meter boxes were confiscated by Kenya Power and Lighting (KPLC).

This report has considered and responded to the prayers sought by Mr. Vincent Mathuku Okoti from Shirikaluvillage, Kakamega County regarding massive power disconnection in Shirikaluvillage by Kenya Power officials.

1.0 MANDATE OF THE COMMITTEE

The Departmental Committee on Energy derives its mandate from the provisions of Standing Order No. 216(5) which grants the Committee amongst other functions:-

- a) 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;
- b) To study the programme and policy objectives of ministries and departments and the effectiveness of their implementation;
- c) To study and review all legislation referred to it;
- d) To study, assess and analyze the relative success of the ministries and departments measured by the results obtained as compared with their stated objectives;
- e) To investigate and enquire into all matters relating to the assigned ministries and departments as may be deemed necessary, and as may be referred to it by the House; and
- f) To make reports and recommendations to the House as often as possible, including recommendations of proposed legislation.

2.2 Further, the Second Schedule to the Standing Orders mandates the Committee consider matters relating to the following subjects Fossils fuel exploration, Development, production, maintenance and regulation of energy

2.3 In executing this mandate, the Committee oversees various State Departments, namely:

- i. The State Department of Energy ; and

- ii. The State Department of Petroleum.

2.0 MEMBERS OF THE COMMITTEE

The Committee comprises the following Members-

- | | | |
|--|---|-------------------------|
| 1. The Hon. David Gikaria, M.P. | - | Chairperson |
| 2. The Hon. (Dr.) Robert Pukose, M.P. | - | Vice Chairperson |
| 3. The Hon. Cecily Mbarire, M.P. | | |
| 4. The Hon. Ekomwa Lomenen James, M.P. | | |
| 5. The Hon. Joseph Wathigo Manje, M.P. | | |
| 6. The Hon. Lemanken Aramat, M.P. | | |
| 7. The Hon. Oscar Sudi, Kipchumba, M.P. | | |
| 8. The Hon. (Eng.) Vincent Musyoka Musau, M.P. | | |
| 9. The Hon. Amina Gedow Hassan, M.P | | |
| 10. The Hon. Abdikhaim Osman Mohamed, M.P | | |
| 11. The Hon. Clement Muturi Kigano, M.P. | | |
| 12. The Hon. Elisha Odhiambo, MP | | |
| 13. The Hon. Elsie Muhanda, MP | | |
| 14. The Hon. Gitau Faith Wairimu, M.P. | | |
| 15. The Hon. Julius Musili Mawathe, MP | | |
| 16. The Hon. Ken Chonga, MP | | |
| 17. The Hon. Tindi Nicholas Mwale, MP | | |
| 18. The Hon. Walter Owino, MP | | |
| 19. The Hon. Mohammed Ali Lokiro, MP | | |

2.1 COMMITTEE SECRETARIAT

- | | | |
|-------------------------|---|----------------------------------|
| 1. Mr Benjamin Magut | - | First Clerk Assistant–Lead Clerk |
| 2. Mr Douglas Katho | - | Third Clerk Assistant |
| 3. Ms Brigita Mati | - | Legal Counsel |
| 4. Mr David Ngeno | - | Research Officer |
| 5. Mr Salim Gorod | - | Fiscal Analyst |
| 6. Mr Joseph Okong'o | - | Media Relations Officer |
| 7. Mr John Ng'ang'a | - | Audio Recording Officer |
| 8. Ms Sheila Chebotibin | - | Sergent at Arms |

3.0 LIST OF RECOMMENDATIONS

Having considered the petition and met the petitioners and other stakeholders the Committee therefore recommends that:-

- 1) Kenya Power and Lighting Company Ltd restore power to the affected residents of Shirikalu Village including the confiscated meter boxes within thirty (30) days.
- 2) Kenya Power and Lighting Company Ltd investigates which contractor(s) connected power to village, circumstances in which this contractor(s) connected grid power to affected residents of Shirikalu village without its authority knowledge and report back to the Committee within (30) day
- 3) Kenya Power and Lighting Company Ltd provides way-leave compensates the Mr. a resident of Shirikalu Village whose trees were felled during laying of the power line.
- 4) Kenya Power and Lighting Company to undertake a stock of all the connections done by its contractors in the last 3 years and where it finds illegal connections by which has been done to required standards avoids criminalizing it and instead regularize the illegal power-lines
- 5) The Auditor general to institute a special audit on the power connections by Kenya Power and Lighting Company under the last mile project and report to the Committee within six (6) months

4.0 ACKNOWLEDGMENT

The Petition was tabled before the House by Hon Speaker on behalf Mr. Vincent Mathuku Okoti from Shirikalu Village, Kakamega County in accordance with the provisions of Standing Order No. 225 (2)(a).

The Petitioner requested the National Assembly to establish the reasons why there was massive power disconnection in Shirikalu village, cause for reconnection and compensation for all residents whose meter boxes were confiscated by Kenya Power and Lighting (KPLC).

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.

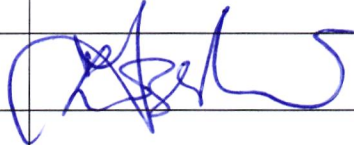


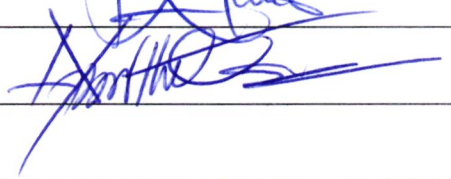
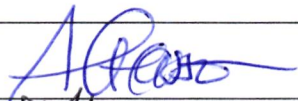
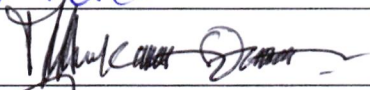
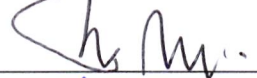

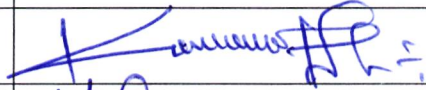
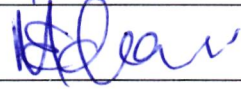
On behalf of the Committee, and pursuant to Standing Order, 227 it is my duty to table on the Floor of the House the Report of the Committee on the Petition.

Sign..........Date.....

THE HON. DR. ROBERT PUKOSE, MP

VICE CHAIRPERSON, DEPARTMENTAL COMMITTEE ON ENERGY

ADOPTION LIST FOR COMMITTEE REPORT ON PUBLIC PETITION

	NAMES	SIGNATURE
1.	Hon. David Gikaria , MP Chairperson	
2.	Hon. (Dr) Robert Pukose , MP (Vice Chair)	
3.	Hon. Cecily Mbarire , MP	
4.	Hon. Ekwoma Lomenen James , MP	
5.	Hon. Joseph Waithigo Manje ,MP	
6.	Hon. Lemanken Aramat, MP	
7.	Hon. Oscar Sudi Kipchumba , MP	
8.	Hon. Vincent Musyoka Musau ,MP	
9.	Hon. Amina Gedow Hassan ,MP	
10.	Hon. Abdikahim Osman Mohamed ,MP	
11.	Hon. Clement Muturi Kigano, MP	
12.	Hon. Elisha Odhiambo, MP	
13.	Hon. Elsie Muhanda, MP	
14.	Hon. Gitau Faith Wairimu , MP	
15.	Hon. Julius Musili Mawathe , MP	
16.	Hon. Kern Chonga , MP	
17.	Hon. Mohamed Ali Lokiro , MP	
18.	Hon. Tiindi Nicholas Mwale , MP	
19.	Hon. Walter Owino ,MP	

5.0 INTRODUCTION

- 5.1 The Petition by Mr. Vincent Mathuku Okoti a resident of Shirikalu village, Navokholo constituency regarding massive disconnection of power in Shirikalu Village by Kenya Power Ltd was tabled in the House by pursuant to Standing Order 225 (2) (b) by the Hon. Speaker on behalf of the petitioner on Wednesday 3rd October , 2018.
- 5.2 Pursuant to the House rules, the petition was referred to the Committee 3rd October, 2018 for consideration and preparation of a report within 60 days. The Committee considered the petition pursuant to the provisions of Standing Order 227.
- 5.3 The Petitioners wished to draw to the attention of the House on the following, that:
1. On 22nd February 2018 a team from Kenya Power accompanied by armed Administration Police raided the village causing massive disconnection and cutting down of electricity poles on claims that the connections were illegal/non systemized.
 2. The disconnection were done without notice and team gave no room for negotiated
- 5.4 Petitioners in their prayers, sought that the National Assembly
1. Establishes the reasons for the massive disconnection.
 2. Causes KPLC to compensate all people whose meter boxes were confiscated.
 3. Causes KPLC to undertake reconvention of power to affected people and
 4. Makes direction that it may deem fit in the circumstances

6.0 SUBMISSIONS AND EVIDENCE

6.1 Presentation by the Petitioners

On 22nd February 2018 a team from Kenya Power accompanied by armed Administration Police raided the village causing massive disconnection and cutting down of electricity poles on claims that the connections were illegal/non systemized.

KPLC had encroached into private land of a resident of Shirikalu Village and without his consent destroyed his property on the land that had a plantation of blue gum trees.

The disconnection were done without notice and team gave no room for negotiated

6.2 Fact finding Visit to Shirikalu Village by the Committee

On the 10th November, 2018, the Departmental Committee on Energy undertook a fact-finding visit to the County of Kakamega to verify the contents of the Petition regarding the massive disconnections in the Shirakalu village by Kenya Power (KPLC).

The Committee heard from the KPLC officials who accompanied them during the fact finding visit that the power-lines that were disconnected in January, 2018 at the Shirakalu village were substandard and illegal.

That, a member of the Public had written to KPLC accusing it of having encroaching into his private land without his consent and destroyed his property which included a plantation of blue gum trees.

That, on inquiry of the matter, KPLC found out that these connections were not done by the Kenya Power but by a contractor who entered into agreement by conning the users and that they were done probably at night and that the meters that were issued were stolen meters meant for other consumer's location.

The Committee also heard that some of the connections did not have meters and that some were done below the standard of KPLC and by unauthorized contractors and therefore was punishable offence in law.

KPLC officials told the Committee that the power connections in Shirakalu were of quite a distance from the 15KV transformers and that KPLC could not have done such an anomaly.

KPLC made a commitment during the public hearing that a bigger transformer and a new transformer shall be installed by the village by 15th of November, 2018

KPLC also made a commitment during the meeting that a team from the marketing division will be on the ground to undertake sensitization of the Community with regard to power distribution in the area.

7.0 OBSERVATIONS

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

- a. There is a need for KPLC to effectively engage and sensitize both their existing and prospective customers by clearly communicating their services and providing an effective Communication hotline.
- b. The Committee observed that the manner in which the KPLC and the Security agencies who were enforcing the disconnection order in the Shirakalu village was against the principles of human rights and very inhuman and that the customers did not deserve that kind of treatment.
- c. The Committee also observed that KPLC has been receiving payments on the bills with the meters that were meant for other areas for about two years without any detections. This has necessitated KPLC to re-reference all their meters so that it will be easier to identify their locations in the database.
- d. The Committee observed that there is a need to decriminalize all illegal connections that have been done up to the required standard as well as regularize the illegal power-lines.
- e. The Committee observed that there is a need to involve both the Public and the most importantly the elected leadership of the County and sub-county during the installation of new projects as well as having a designated official contractor for each business unit so as to eliminate bogus contractors who would conn the public.

8.0 RECOMMENDATIONS

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

- 6) Kenya Power and Lighting Company Ltd restore power to the affected residents of Shirikalu Village including the confiscated meter boxes within thirty (30) days.
- 7) Kenya Power and Lighting Company Ltd investigates which contractor(s) connected power to village, circumstances in which this contractor(s) connected grid power to affected residents of Shirikalu village without its authority knowledge and report back to the Committee within (30) day
- 8) Kenya Power and Lighting Company Ltd provides way-leave compensates the Mr. a resident of Shirikalu Village whose trees were felled during laying of the power line.
- 9) Kenya Power and Lighting Company to undertake a stock of all the connections done by its contractors in the last 3 years and where it finds illegal connections by which has been done to required standards avoids criminalizing it and instead regularize the illegal power-lines
- 10) The Auditor General to institute a special audit on the power connections by Kenya Power and Lighting Company under the last mile project and report to the Committee within six (6) months

Signed..........Date.....5/12/2018'.....

HON. DR. ROBERT PUKOSE, MP
Vice Chairman, Departmental Committee on Energy.

MINUTES OF THE 103RD SITTING OF THE DEPARTMENTAL COMMITTEE ON ENERGY HELD DURING THE REPORT-WRITING RETREAT IN GRAND ROYAL HOTEL IN KISUMU ON FRIDAY 30TH NOVEMBER, 2018 AT 10.00 AM

MEMBERS PRESENT

1. The Hon. David Gikaria, M.P. - Chairperson
2. The Hon. (Dr.) Robert Pukose, M.P. - Vice Chairperson
3. The Hon. Elisha Odhiambo, MP
4. The Hon. Ken Chonga, MP
5. The Hon. Amina Gedow Hassan, M.P
6. The Hon. Abdikhaim Osman Mohamed, M.P
7. The Hon. Clement Muturi Kigano, M.P.
8. The Hon. Tindi Nicholas Mwale, MP
9. The Hon. Joseph Wathigo Manje, M.P.
10. The Hon. Oscar Sudi, Kipchumba, M.P.
11. The Hon. Walter Owino, MP

ABSENT WITH APOLOGY

1. The Hon. Cecily Mbarire, M.P.
2. The Hon. Lemanken Aramat, M.P.
3. The Hon. Elsie Muhanda, MP
4. The Hon. Julius Musili Mawathe, MP
5. The Hon. Gitau Faith Wairimu, M.P.
6. The Hon. Ekomwa Lomenen James, M.P.
7. The Hon. Vincent Musyoka Musau, M.P.
8. The Hon. Mohammed Ali Lokiro, MP

IN ATTENDANCE: NATIONAL ASSEMBLY

1. Mr. Benjamin Magut - Clerk assistant I (Lead Clerk)
2. Mr. Douglas Katho - Clerk Assistant III
3. Mr. Abdirahman Gorod- Fiscal Analyst
4. Mr. John Ng'ang'a - Audio Officer

MIN. NO. NA/ENERGY/2018/377: PRELIMINARIES AND INTRODUCTORY REMARKS

The meeting was called to order at 10am and prayers were said by the session Chairperson. The Chairman informed the meeting that the Committee had retreated to consider a number of reports pending before the Committee.

MIN. NO. NA/ENERGY/2018/378: CONSIDERATION AND ADOPTION OF THE DRAFT REPORT ON THE PETITION BY MR. VINCENT MATHUKU OKOTI REGARDING MASSIVE POWER DISCONNECTION BY KENYA POWER IN

SHIRAKALU VILLAGE, WEST BUTSOSO WARD
NAVAKHOLO CONSTITUENCY

The Members were taken through the draft report of the Committee on a the petition by Mr. Vincent Mathuku Okoti regarding massive power disconnection by Kenya Power in Shirakalu village, west butsoso ward, Navakholo constituency.

The Committee thereafter unanimously adopted the Report and agreed that the Report be tabled before the House does on recess on the 6th December, 2018.

MIN. NO. NA/ENERGY/2018/378: CONSIDERATION AND ADOPTION OF THE DRAFT REPORT ON THE PETITION BY HON. QALICHA GUFU WARIO, MP (MOYALE CONSTITUENCY) REGARDING POWER OUTAGES IN MOYALE CONSTITUENCY.

The members were taken through the draft report of the committee on the petition by hon. Qalicha Gufu Wario, MP (Moyale Constituency) regarding power outages in Moyale Constituency.

The Committee thereafter unanimously adopted the Report and agreed that the Report be tabled before the House does on recess on the 6th December, 2018.

MIN. NO. NA/ENERGY/2018/379: ANY OTHER BUSINESS AND ADJOURNMENT

There being no Other Business, the meeting was adjourned.

SIGNED.....



(CHAIRPERSON)

DATE.....

5/12/2018

MINUTES OF THE 96TH SITTING OF THE DEPARTMENTAL COMMITTEE ON ENERGY HELD DURING THE FACT FINDING VISIT IN SHIRAKALU VILLAGE, NAVAKHOLO CONSTITUENCY ON FRIDAY 10TH NOVEMBER, 2018 AT 10.00 AM

MEMBERS PRESENT

1. The Hon. David Gikaria, M.P. - Chairperson
2. The Hon. Elisha Odhiambo, MP
3. The Hon. Elsie Muhanda, MP
4. The Hon. Ken Chonga, MP
5. The Hon. Amina Gedow Hassan, M.P
6. The Hon. Walter Owino, MP

ABSENT WITH APOLOGY

1. The Hon. (Dr.) Robert Pukose, M.P. - Vice Chairperson
2. The Hon. Cecily Mbarire, M.P.
3. The Hon. Lemanken Aramat, M.P.
4. The Hon. Oscar Sudi, Kipchumba, M.P.
5. The Hon. Abdikhaim Osman Mohamed, M.P
6. The Hon. Julius Musili Mawathe, MP
7. The Hon. Joseph Wathigo Manje, M.P.
8. The Hon. Gitau Faith Wairimu, M.P.
9. The Hon. Ekomwa Lomenen James, M.P.
10. The Hon. Vincent Musyoka Musau, M.P.
11. The Hon. Clement Muturi Kigano, M.P.
12. The Hon. Mohammed Ali Lokiro, MP
13. The Hon. Tindi Nicholas Mwale, MP

IN ATTENDANCE: NATIONAL ASSEMBLY

1. Mr. Douglas Katho - Clerk Assistant III
2. Mr. John Ng'ang'a - Audio Officer
3. Mr. Onesmas Kragu - Serjeant at arms

MIN. NO. NA/ENERGY/2018/356: SUBMISSIONS BY THE PETITIONERS

During the fact-finding visit; the Petitioner Mr. Vincent Mathuku Okoti and other residents of Shirakalu village appeared before the Committee and made presentations as follows:

That on Thursday, 22nd February, 2018, the Kenya Power and Lighting Company (KPLC) officials accompanied by armed Administration Police Officers raided Shirakalu village causing massive disconnections and cutting down electricity poles on claims that the connections were illegal and non-systemized.

That the team did not give room for any negotiations as the raid was done without prior official notification or communication to the residents. This occasioned alleged unlawful arrest of innocent residents.

The Petitioner prays that the National Assembly;-

- a. Establishes the reasons for the massive disconnections;
- b. Caused KPLC to compensate all people whose meter boxes were confiscated;
- c. Causes KPLC to undertake reconnections to the affected people ; and
- d. Makes other direction that it may deem fit in the circumstance of this petition.

MIN. NO. NA/ENERGY/2018/357: SUBMISSIONS BY THE KENYA POWER OFFICIALS AT THE MEETING.

The Committee heard from the KPLC officials who accompanied them during the fact finding visit that the powerlines that were disconnected in January, 2018 at the Shirakalu village were substandard and illegal.

That a member of the Public had written a correspondence to KPLC and accusing KPLC to have encroached into his private land without a permission and destroyed his property on the land that had a plantation of blue gum trees.

That on inquiry of the matter, KPLC found out that these connections were not done by the Kenya Power but by a contractor who entered into agreement by conning the users and that they were done probably at night and that the meters that were issued were stolen meters meant for other consumer's location.

The Committee also heard that some of the connections did not have meters and that some were done below the standard of KPLC or any of its contractors and therefore that it is a punishable offence in law.

KPLC officials told the Committee that the power connections in Shirakalu were of quite a distance from the 15KV transformers and that KPLC could not have done such an anomaly.

KPLC made a commitment during the public hearing that a big transformer and a new transformer shall be installed by the 15th of November, 2018

KPLC also made a commitment during the meeting that a team from the marketing division will be on the ground to undertake sensitization of the Community with regard to power distribution in the area.

MIN. NO. NA/ENERGY/2018/358: COMMITTEE OBSERVATIONS

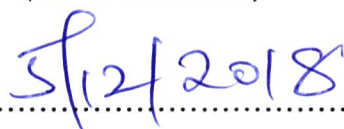
1. There is need for KPLC to effectively engage and sensitize both their existing and prospective customers by clearly communicating their services and providing an effective Communication hotline.

2. The Committee observed that the manner in which the KPLC and the Security agencies who were enforcing the disconnection order in the Shirakalu village was against the principal of human rights and very inhuman and that the customers did not deserve that kind of treatment.
3. The Committee also observed that KPLC has been receiving payments on the bills with the meters that were meant for other areas for about two years without any detections. This has necessitated KPLC to reference all their meters so that it will be easier to make identify their locations in the database.
4. The Committee observed that there is need to decriminalize all illegal connections that have been done up to the required standard as well as regularize the illegal power-lines
5. The Committee observed that there is need to involve both the Public and the most importantly the elected leadership of the County and sub-county during the installation of new projects as well as having a designated official contractor for each business unit so as to eliminate bogus contractors who would conn the public.

MIN. NO. NA/ENERGY/2018/359: ANY OTHER BUSINESS AND ADJOURNMENT

There being no Other Business, the meeting was adjourned.

SIGNED.....
(CHAIRPERSON)

DATE.....

679

NATIONAL ASSEMBLY
RECEIVED
02 AUG 2018
DIRECTOR, LEGISLATIVE SERVICES
WING

Directorate of L&P (NA)
The Table Office

MEMO

TO: DIRECTOR, COMMITTEE SERVICES

FROM: PRINCIPAL CLERK ASSISTANT I
(HEAD OF TABLE OFFICE)

DATE: August 02, 2018

SUBJECT: PUBLIC PETITIONS

The following Petitions were presented to the House, on Thursday, August 02, 2018: -

1. Public Petition regarding massive power disconnections by Kenya Power in Shirakalu Village, Navokholo Constituency of Kakamega County (*referred to the Departmental Committee on Energy*); and
2. Public Petition regarding amendment of the Constitution and the Elections Law in respect of the Presidency and Governorship by the Hon. Fred Ouda, MP (Kisumu Central) (*referred to the Departmental Committee on Justice and Legal Affairs*).

Enclosed, please find attached the Petitions for your necessary action.

for: *Rana*

RANA K. TIAMPATI

(Encls.)

Copy to: -

1. Clerk of the National Assembly
2. Director of Legislative & Procedural Services
3. Chairperson, Departmental Committee Justice and Legal Affairs
4. Chairperson, Departmental Committee on Energy

George Gazamba
Benjamin Magut

Pls TNA.

3/8/2018



REPUBLIC OF KENYA

TWELFTH PARLIAMENT (SECOND SESSION)
THE NATIONAL ASSEMBLY

PUBLIC PETITION
REGARDING MASSIVE POWER DISCONNECTIONS BY KENYA POWER
IN SHIRAKALU VILLAGE, WEST BUTSOTSO WARD, NAVAKHOLO
CONSTITUENCY OF KAKAMEGA COUNTY.

Honourable Members,

Pursuant to the provisions of Standing Order 225 (2) (b), I wish to convey to the House that my office is in receipt of a petition by one Mr. Vincent Mathukhu Okoti of ID No. 29272203 and of P. O. Box 2466-50100 from Kakamega County.

Honourable Members,

The Petitioner contends that on Thursday, 22nd February, 2018, the Kenya Power and Lighting Company (KPLC) officials accompanied by armed Administration Police officers raided Shirakalu village causing massive disconnections and cutting down electricity poles on claims that the connections were illegal and non-systemized.

Honourable Members,

The Petitioner further contends that the team did not give room for any negotiations as the raid was done without prior official notification or communication to the residents. This occasioned alleged unlawful arrest of innocent residents.

Honourable Members,

Therefore, the Petitioner prays that the National Assembly: -

- a) establishes the reasons for the massive disconnections;
- b) causes KPLC to compensate all people whose meter boxes were confiscated;
- c) causes KPLC to undertake reconnections to the affected people; and
- d) makes other direction that it may deem fit in the circumstance of this petition.

Honourable Members,

Pursuant to the provisions of Standing Order 227, this Petition therefore, stands committed to the Departmental Committee on Energy for consideration. In considering the Petition, the Committee is encouraged to engage the Petitioners and report its findings in accordance with Standing Order 227(2).

Thank you!



THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Wednesday, August 1, 2018

**THE NATIONAL ASSEMBLY
DIRECTORATE OF LEGAL SERVICES**

TO: THE SENIOR DEPUTY CLERK, NATIONAL ASSEMBLY

② D L & P
House Arrange
for tabling
2715

THRO: THE DIRECTOR, LEGAL SERVICES-NA

① Forwarded: The petition complies with the law and may be forwarded to the Speaker for tabling in the House.

THRO: SENIOR LEGAL COUNSEL -NA

④ P. Karani - Process. Rkaini 10/5
Please

③ Head table office
PIS process to
Ambassador
Resumption of
House
10/5

FROM: LEGAL COUNSEL

DATE: 4th MAY, 2018

RE: KENYA POWER TEAM MASSIVE DISCONNECTION IN SHIRAKALU VILLAGE, WEST BUTSOSO WARD, NAVAKHOLO CONSTITUENCY OF KAKAMEGA COUNTY ON 22ND FEBRUARY 2018.

The above matter and your instructions to the Directorate of Legal Services to peruse and establish whether the above Petition dated 30th April, 2018 presented by Mr. Vincent Mathuku Okoti complies with the National Assembly Standing Orders refer.

In the petition, the Petitioners raises the following issues;

1. THAT on 22nd February 2018 a team from Kenya Power accompanied by armed Administration Police officers raided the village causing massive disconnections and cutting down of electricity poles on claims that the connections were illegal/non systemized;
2. THAT the disconnections were done without notice and the team gave no room for negotiations.

The Petitioners therefore prays that the National Assembly;

1. Investigates and seeks clarification on :
 - a. How the connections are being done illegally without the knowledge and consent

- of Kenya Power officials with the materials from Kenya Power;
- b. Whether the massive disconnections and the cutting down of the electricity poles and cables was the best solution from Kenya Power to solve the problem if indeed it existed;
 - c. Where the electricity poles, cables and electricity meters indicated “ property of KPLC” came from;
 - d. Where the money paid as pre-paid electricity bills from the connections has been going;
 - e. Whether the residents whose electricity meters paid for and taken away by the Kenya Power team will be compensated;
 - f. When Kenya Power will reconnect back the electricity in the village ; and
 - g. Whether Kenya Power will withdraw the ongoing case.

We have perused the Constitution, the Petitions to Parliament (Procedure) Act, No. 22 of 2012 and the National Assembly Standing Orders and advise that the Petition complies with the same and should therefore be forwarded to the Speaker for tabling.

Submitted for your consideration and further directions.



Colletah Sigilai
LEGAL COUNSEL,
NATIONAL ASSEMBLY

PETITION :KENYA POWER TEAM MASSIVE DISCONNECTIONS IN SHIRAKALU VILLAGE, WEST BUTSOTSO WARD, NAVAKHOLO CONSTTUENCY OF KAKAMEGA COUNTY ON THURSDAY 22ND FEBRUARY 2018.

The constitution of Kenya 2010, Section 119 provides for the right of person(s) to petition parliament to consider any matter within its authority.

WE, THE UNDERSIGNED,

Of Shirakalu village, West Butsotso ward, Navakholo constituency of Kakamega County wish to inform the Parliament that we were shocked by what we termed as a raid, that was conducted by the Kenya Power team in the village on Thursday 22nd February, 2018 accompanied by armed Administration police officers. There was massive disconnections and cutting down of the electricity poles in pieces using power saws, with claims that the connections were illegal/ non systemized. The team did not give room for any negotiations. This was done without any prior official notification or communication to the residents. This led to the arrest and arraignment to court of one of the residents who does not have any technical knowhow in matters of electricity and connections thereof, and was charged.

DLS
to advise
can
2/5/18

THAT

Kenya Power officials did not honor their verbal promise they made after the exercise in the village, of meeting the residents particularly the affected, the following Monday which was 26th February 2018 in the village to discuss the matter. Several efforts to meet Kenya Power officials are fruitless since then.

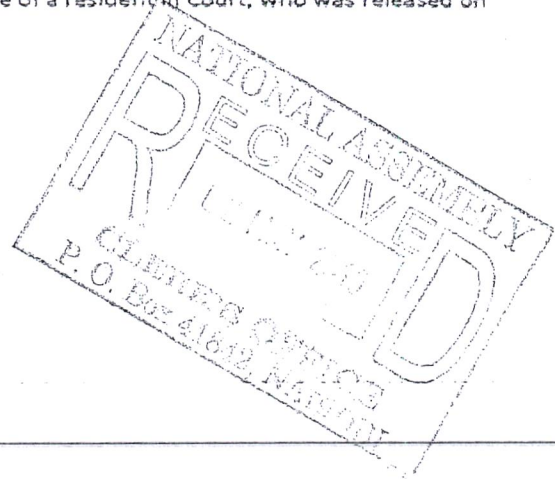
THAT

The issue being addressed here by the petitioners is not pending before any court of law, constitutional body or legal body.

THEREFORE, your humble petitioners pray that the Parliament-


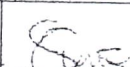
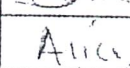



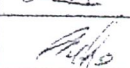




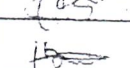
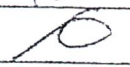

Investigate and seek clarification on:

1. How the connections are being done illegally without the knowledge and consent of Kenya Power officials with the materials from Kenya Power.
2. Whether the massive disconnections and the cutting down of the electricity poles and cables in pieces was the best solution from Kenya Power to solve the problem if indeed it existed.
3. Where the electricity poles, cables and electricity meters indicated "property of KPLC" come from.
4. Where the money paid as prepaid electricity bills from the so called illegal connections have been going.
5. Whether the residents whose electricity meters which they paid for and were taken away by the Kenya Power team will be compensated.
6. When Kenya Power will reconnect back the electricity in the village.
7. Whether Kenya Power is going to withdraw the ongoing case of a resident in Court, who was released on a cash bail.



Ms Dlati LC
Kudry attend to
this matter
for 3/5/18

PETITION :KENYA POWER TEAM MASSIVE DISCONNECTIONS IN SHIRAKALU VILLAGE, WEST BUTSOTSO WARD,
NAVAKHOLD CONSTITUENCY OF KAKAMEGA COUNTY ON THURSDAY 22ND FEBRUARY 2018.

NAME OF PETITIONER	FULL ADDRESS	ID /PASSPORT No.	SIGNATURE /THUMB IMPRESSION
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PREPARED (On behalf of the petitioners) by:

NAME: VINCENT MATHUKHU OKOTI

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MOBILE: 0707029735

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EMAIL ADDRESS: okovinauditt@gmail.com or vincent.okoti@yahoo.com

SIGNATURE: 

DATE: 30/04/2018

