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REPUBLIC OF KENYA



NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT – FOURTH SESSION – 2016

DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY

REPORT ON THE CONSIDERATION OF A PETITION BY KASIKEU WARD VILLAGE MANAGERS REGARDING RECOGNITION AND COMPENSATION FOR SERVICES RENDERED BY VILLIAGE ELDERS

08

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

APRIL, 2016

45

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Chair's foreword

The petition by Kasikeu village managers was tabled before the House pursuant to Standing Order No. 225 (2) (b) by Hon. (Dr.) Joyce Laboso, MP, deputy Speaker of the National Assembly on Thursday 6th August, 2015.

In considering the petition, the Committee held meetings with the Hon. on behalf of the petitioners and the Cabinet Secretary, Ministry of Interior and Coordination of National Government. The meetings were aimed at responding to the issues raised in the petition.

The Committee is thankful to the Office of the Speaker and the Clerk of the National Assembly for the logistical and technical support accorded to it during its Sittings. On behalf of the Committee, and pursuant to Standing Order, 227 it is my pleasant duty to table in the House the Report of the Departmental Committee on Administration and National Security on its consideration of a petition by Kasikeu village managers regarding recognition and compensation for services rendered by village elders.

The Hon. Asman Kamama, MGH, OGW, MP
Chairperson Departmental Committee Administration and National Security

1 EXECUTIVE SUMMARY

The purpose of this report was to consider and respond to the prayers sought by Kasikeu Ward Village managers. The Committee found out that the prayers sought by the petitioners are justifiable given that village elders play a crucial role in dispute resolution, Community mobilization, promoting development initiatives and handling security related issues in the villages. The elders also experience difficulty moving from one place to another due to transport costs which they could not meet. They also encountered difficulty in communicating due to lack of airtime.

The report concludes that the Ministry of Interior and Coordination of National Government should provide a facilitation stipend to village elders. The Ministry should also standardize the size of an area under the jurisdiction of a village elder and the number of village elders in one Sub Location to a minimum of three elders and a maximum of five elders taking into consideration gender equity and urban & rural settings.

1.0 PREFACE

1.1 On Thursday 6th August, 2015, a Petition was tabled before the House pursuant to Article 119 (1) of the Constitution and Standing Order No. 225 (2) (b) by the Hon. (Dr.) Joyce Laboso, MP, deputy Speaker of the National Assembly having been signed by Mr. Titus Nyamai on behalf Kasikeu Ward Village managers;

1.2 The House pursuant to Standing Order 227 referred the Petition to the Departmental Committee on Administration and National Security for preparation of the Report;

1.3 The Committee received the Petition on Thursday 6th August, 2015 and set out a procedure for the consideration of the petition and to report to the House within 60 days as set out in Standing order no 227(2).

2.0 MANDATE OF THE COMMITTEE

2.1 The Departmental Committee on Administration and National Security is established pursuant to the provisions of Standing Order No. 216 (1) and (5) with the following terms of reference:-

- (i) study and review all legislation referred to it;*
- (ii) make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;*
- (iii) 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;*
- (iv) to study the programme and policy objectives of Ministries and departments and the effectiveness of the implementation;*
- (v) 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;*
- (vi) 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.*

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

- i. National security
- ii. Police services
- iii. Public Administration
- iv. Public Service
- v. Prisons
- vi. Immigration
- vii. management of natural disasters

2.3 Oversight

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

- i. The Presidency
- ii. The State Department of Interior
- iii. The State Department for Coordination of National Government
- iv. The Public Service Commission,
- v. The National Police Service Commission
- vi. The Independent Police Oversight Authority

2.4 Members of the Committee

Chairperson	The Hon. Asman Kamama, MGH, OGW, MP
Vice Chairperson	The Hon. Alois M. Lentoimaga, MP
Members	The Hon. Ababu Namwamba, EGH, MP
	The Hon. Joseph Lekuton, MP
	The Hon. Alice Wahome, MP
	The Hon. Zakayo K. Cheruiyot, MP
	The Hon. Timothy W. Wetangula, MP
	The Hon. Patrick Ole Ntutu, MP
	The Hon. Ali Isaack Shaaban, MP
	The Hon. Samuel Moroto, MP
	The Hon.(Dr.) Humphrey Njuguna, MP
	The Hon. Francis K. Mwangangi, MP
	The Hon. Rashid J. Bedzimba, MP
	The Hon. David Gikaria, MP
	The Hon. Mohamed Shidiye, MP
	The Hon. Jane Machira, MP
	The Hon. Ibrahim Abdi Saney, MP
	The Hon. Joseph O. Ndiege, MP
	The Hon. (Maj. Rtd.) John K. Waluke, MP
	The Hon. Wanjiku Muhia, MP
	The Hon. Akuja Protus Ewesit, MP
	The Hon. Joseph M. Kahangara, MP
	The Hon. Ahmed Abdikadir Ore, MP
	The Hon. Grace Kiptui, MP
	The Hon. George Theuri, MP
	The Hon. James Bett, MP
	The Hon. Benard Shinali, MP

Committee Secretariat

First Clerk Assistant

Mr. Leonard Machira

Clerk Assistant

Ms. Rose Wanjohi

Clerk Assistant

Ms. Hellen Lokwang

Legal Counsel

Ms. Christine Odhiambo

Research & Policy Analyst

Ms. Fiona Musili

Fiscal Analyst

Mr. Edison Odhiambo

2.5 List of recommendations

1. The Ministry of Interior and Coordination of National Government should provide a facilitation stipend to village elders which should be provided for as a budgetary item in the Ministry's Budget for the 2016/17 Financial Year. Further the allowances should be disbursed to the village elders through their respective Assistant Chiefs
2. The Ministry of Interior and Coordination of National Government should standardize the size of an area under the jurisdiction of a village elder and the number of village elders in one Sub Location to a minimum of three elders and a maximum of five elders taking into consideration gender equity and urban & rural settings.

3.0 INTRODUCTION

3.1 The petition by Kasikeu village managers was tabled in the House by the Hon. Joyce Laboso, MP, Deputy Speaker of the National Assembly on 6th August 2015 pursuant to Standing Order 225 (2) (b).

3.2 Pursuant to the House rules, the petition was referred to the Committee on Thursday 6th August, 2015 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:-

- (i) Village elders play a crucial role in maintaining cohesive communities by helping solve disputes, petty criminal offences, promoting development initiatives and handling security related issues in the villages;
- (ii) Village elders are voluntarily dedicated to serving citizens and the nation
- (iii) The Village elders assist in the management of logistical and mobilization of residents during public barazas and official functions;
- (iv) The Village elders are trusted by the communities they serve; and
- (v) The Government has not recognized the crucial role played by the Village elders and has not facilitated the according.

3.4 The petitioners prayed that the National Assembly through the Departmental Committee on Administration and National Security compels the National Government to establish a mechanism to recognize, facilitate and compensate village elders as token of appreciation for the services rendered.

4.0 EVIDENCE

4.1 Evidence from the petitioners

The Committee held a meeting with the petitioners on Thursday 12th November, 2015 in the Committee Room, 2nd floor Continental House, Parliament Buildings. During the meeting the petitioners, led by Mr. Titus Nyamai, informed the Committee that they lodged the petition to highlight the plight of village managers (elders) who work voluntarily with chiefs in the villages. They stated that due to tough economic conditions and the demanding nature of the job. They would like to be considered for compensation by the Government.

The petitioners explained how sometimes they had to work at night and in difficult terrain. They also stated that they had difficulty moving from one place to another due to transport costs which they could not meet. They also noted how they had difficulty communicating due to lack of airtime.

The petitioners also stated that most village elders were elderly people who had the respect and ability to settle disputes. Some of the petitioners stated that they had worked as village managers for over fifteen years.

The petitioners requested for a minimum of Kshs. 5000 per month as compensation for village elders. They stated that they had been asked to provide their bank details a few years back and nothing had come out of that. They confirmed that they would like the plea for compensation to be implemented in all villages in Kenya.

The Committee commended the petitioners for the good work they do in assisting Assistant Chiefs. The Members also noted that there was a need to establish the total number of village managers in the country if any compensation was to be paid to them by the Government.

The Members explained that paying village elders all across the country would be a huge expense on the Government. They noted that village elders work with representatives of the National Government at the lowest level and appreciated their importance. The Committee stated that it would consider the prayers made by the petitioners and respond accordingly.

4.2 Evidence from the Cabinet Secretary, Ministry for Interior and Coordination of National Government

The Committee held a meeting with the Cabinet Secretary, Ministry for Interior and Coordination of National Government on Tuesday 15th March, 2016 in the Committee Room 2nd floor Continental House, Parliament Buildings. During the meeting the Cabinet Secretary informed the Committee that the Government was not aware of the position of village managers. However, it was aware of the position of village elders. Though the Government recognized the crucial role that the village elders play, it had not facilitated them because;-

- (i) The Ministry had no budgetary allocation for the payment of allowances to the village elders;
- (ii) Most village elders are outside the employable age bracket approved by the Government; and
- (iii) The size of the villages had not been standardized.

The Cabinet secretary requested Parliament to recommend that a fund is established to facilitate the operations of the village elders in recognition of the important role they play by providing an important link in the National Government service delivery.

The Committee observed that ward administrators employed by the County Governments were well remunerated and if the same was not availed to National Government administrators including the village elders the National Government risked losing this vital link in the provision of National Government services to the public. Further the village administrators were being utilized to mobilize the public and drive the agenda of the County Governments.

The Cabinet Secretary informed the Committee that the Ministry had introduced a scheme of service for the National Administration Administrators which would provide opportunities of promotion, particularly for the Chiefs and Assistant Chiefs. The Committee proposed that a facilitation stipend for village elders to be included as a budgetary item in the Ministry's Budget for the 2016/17 Financial Year.

5.0 COMMITTEE OBSERVATIONS


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

1. Village elders play a crucial role in dispute resolution, Community mobilization, promoting development initiatives and handling security related issues in the villages.
2. Ward administrators employed by the County Governments were well remunerated and if the same was not availed to National Government administrators including the village elders the National Government risked losing this vital link in the provision of National Government services to the public.

6 COMMITTEE RECOMMENDATIONS

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

1. The Ministry of Interior and Coordination of National Government should provide a facilitation stipend to village elders which should be provided for as a budgetary item in the Ministry's Budget for the 2016/17 Financial Year. Further the allowances should be disbursed to the village elders through their respective Assistant Chiefs.
2. The Ministry of Interior and Coordination of National Government should standardize the size of an area under the jurisdiction of a village elder and the number of village elders in a Sub - Location to a minimum of three elders and a maximum of five elders taking into consideration gender equity and urban & rural settings.

Signed...  ...Date... 28/04/2016

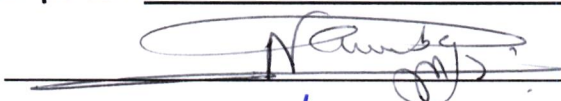
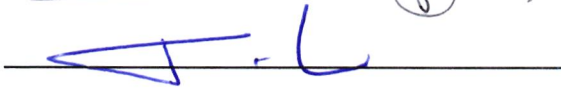
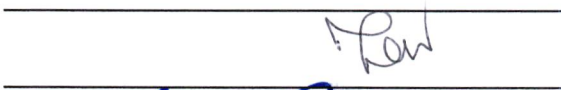
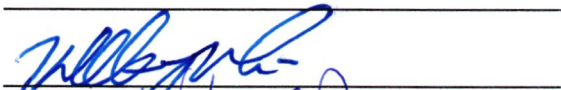
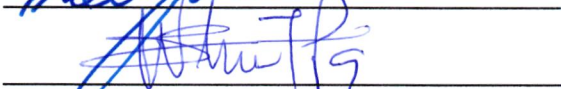
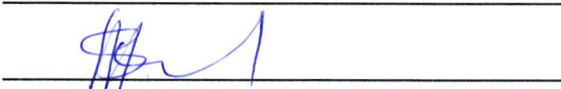

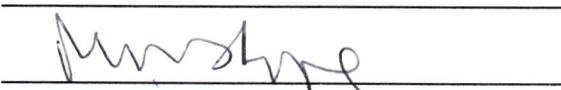
Hon. Asman Kamama, MGH, OGW, MP

Chairman, Departmental Committee on Administration and National Security

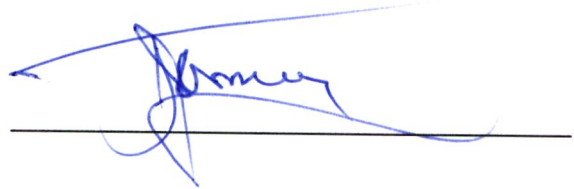
ANNEX I

ADOPTION LIST


We, Members of the Departmental Committee on Administration and National Security have pursuant to Standing Order 227(2) adopted this report on the consideration of a petition on behalf of the Kasikeu Ward Village Managers for the recognition, facilitation and compensation of Village Managers and affix our signatures to confirm our approval and confirm its accuracy, validity and authenticity on 29/03/2016 as per the attached adoption list.

1. The Hon. Asman Kamama, MGH, OGW, MP – Chairperson _____
2. The Hon. Alois M. Lentoimaga, MP- Vice Chairperson _____
3. The Hon. Ababu Namwamba, EGH, MP 
4. The Hon. Joseph Lekuton, MP 
5. The Hon. Alice Wahome, MP _____
6. The Hon. Zakayo K. Cheruiyot, MP 
7. The Hon. Timothy W. Wetangula, MP 
8. The Hon. Patrick Ole Ntutu, MP 
9. The Hon. Ali Isaack Shaaban, MP _____
10. The Hon. Samuel Moroto, MP 
11. The Hon.(Dr.) Humphrey Njuguna, MP 
12. The Hon. Francis K. Mwangangi, MP _____
13. The Hon. Rashid J. Bedzimba, MP _____
14. The Hon. David Gikaria, MP _____
15. The Hon. Mohamed Shidiye, MP 
16. The Hon. Jane Machira, MP _____
17. The Hon. Ibrahim Abdi Saney, MP _____

18. The Hon. Joseph O. Ndiege, MP



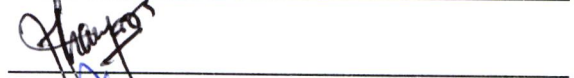
19. The Hon. (Maj. Rtd.) John K. Waluke, MP



20. The Hon. Wanjiku Muhia, MP



21. The Hon. Akuja Protus Ewesit, MP



22. The Hon. Joseph M. Kahangara, MP



23. The Hon. Ahmed Abdikadir Ore, MP



24. The Hon. Grace Kiptui, MP



25. The Hon. George Theuri, MP



26. The Hon. James Bett, MP



27. The Hon. Benard Shinali, MP



ANNEX II

MINUTES

MINUTES OF THE 56TH SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY HELD ON 12TH NOVEMBER, 2015 IN THE COMMITTEE ROOM, 2ND FLOOR, CONTINENTAL HOUSE, PARLIAMENT BUILDINGS AT 10.00 A.M.

PRESENT

1. The Hon. Humphrey Njuguna, MP - Chairing
2. The Hon. Wanjiku Muhia, MP
3. The Hon. Grace Kiptui, MP
4. The Hon. George Theuri, MP
5. The Hon. Mohamed Shidiye, MP
6. The Hon. Protus Akuja Ewesit, MP
7. The Hon. Patrick Ole Ntutu, MP
8. The Hon. Regina Nthambi Muia, MP
9. The Hon. Joseph Ndiege, MP
10. The Hon. Shaaban Ali Isaack, MP
11. The Hon. Alice Wahome, MP
12. The Hon. Francis Mwangangi, MP
13. The Hon. Ahmed Abdikadir Ore, MP
14. The Hon. James Bett, MP
15. The Hon. Jane Machira, MP
16. The Hon. Ibrahim Abdi Saney, MP
17. The Hon. Timothy Wetangula, MP
18. The Hon. Samuel Moroto, MP
19. The Hon. (Maj. Rtd.) J. K. Waluke, MP
20. The Hon. Joseph Kahangara, MP
21. The Hon. Rashid Bedzimba, MP

ABSENT WITH APOLOGY

1. The Hon. Asman Kamama, MGH, OGW, MP - Chairperson
2. The Hon. Alois Lentoimaga, MP - Vice Chairperson
3. The Hon. Joseph Lekuton, MP
4. The Hon. Zakayo Cheruiyot, MP
5. The Hon. Ababu Namwamba, MP
6. The Hon. David Gikaria, MP
7. The Hon. Benard Shinali, MP

IN ATTENDANCE - NATIONAL ASSEMBLY

1. The Hon. Dido Rasso, MP

IN ATTENDANCE - NATIONAL ASSEMBLY

1. Mr. Leonard Machira - First Clerk Assistant
2. Mr. Mohamed Boru - Third Clerk Assistant
3. Ms. Hellen Lokwang - Third Clerk Assistant
4. Mr. Salem Lorot - Legal Counsel
5. Mr. Eugene Apaa - Researcher

MIN.NO.207/ANS/2015 - PRELIMINARIES

The Chairperson called the meeting to order at 10.20 am. A prayer was said.

MIN.NO.208/ANS/2015 - CONSIDERATION OF PETITION BY RESIDENTS OF KASIKEU WARD

The petitioners informed the Committee that they came up with the petition to highlight the plight of village managers (elders) who work voluntarily with chiefs in the village. They stated that tough economic conditions and the demanding nature of the job strenuous and they would like to be considered for compensation by the government.

The village managers explained how sometimes they had to work at night and in difficult terrain. They also stated that they had difficulty moving from one place to another due to transport costs which they could not meet. They also noted how they had difficulty communicating due to lack of airtime.

The petitioners noted that most village managers were elderly people who had the ability to settle disputes. Some of the petitioners stated that they had worked as village managers for over fifteen years.

The petitioners requested for a minimum of Kshs. 5000 per month as compensation for village managers. They stated that they had been asked to provide their bank details a few years back and nothing had come out of that. They confirmed that they would like this to be implemented in all villages in Kenya.

The Committee commended the petitioners for the good job they have been doing on behalf of their country. The Members noted that there was a need to establish the total number of village managers in the country if any compensation was to be paid to them by the government.

The Members explained that paying village managers all across the country would be a huge expense on the government. They noted that village managers work with representatives of the national government at the lowest level and appreciated their importance. The Committee stated that it would look into the prayers of the petitioners and respond accordingly

The Committee raised objections to the conduct of The Hon. Regina Nthambi Muia, MP during the hearing of submissions by the petitioners. They noted that her conduct was unbecoming and stated that she should have been ejected from the sitting.

MIN.NO.209 /ANS/2015 - CONSIDERATION OF PETITION BY RESIDENTS OF DAKABARICHA LOCATION

The Hon. Dido Rasso, MP appeared on behalf of the petitioners from Dakabaricha location, having submitted the petition.

The Hon. Member informed the Committee that a new chief had been appointed in Dakabaricha location and the area residents were not happy with the choice of the appointee. He explained that the appointee allegedly finished in third position during the interview process but could not substantiate this position due to confidentiality in the recruitment process. He however stated that the Committee could access the documents from the interview process if it so wished.

The Member explained that he had picked up the matter with the Cabinet Secretary and Principal Secretary for Interior without success.

The Hon. Member stated that the existing policy is that the sitting Assistant Chief has to be given preference when appointing a new chief. He also expressed his opinion that the area Member of Parliament should have a say when a Chief was being appointed.

The Hon. Member alleged that bribery had occurred for the current appointee to get the job. He noted that the appointee was a political campaigner of one of the candidates for Member of Parliament position in the 2013 election. He stated that this would create a conflict of interest and lead to poor working relations with the area MP.

The Committee noted that there were lots of similarities between this petition and a petition presented to the Committee by The Hon. Joseph Nkaissey when he was the Member for Kajiado North in 2013. The Committee concurred with the Hon. Dido Rasso, MP that the policy for promotion should give preference to the sitting Assistant Chief.

The Committee resolved to invite the Cabinet Secretary for Interior on 24th November, 2015 to respond to the matters raised in the petition.

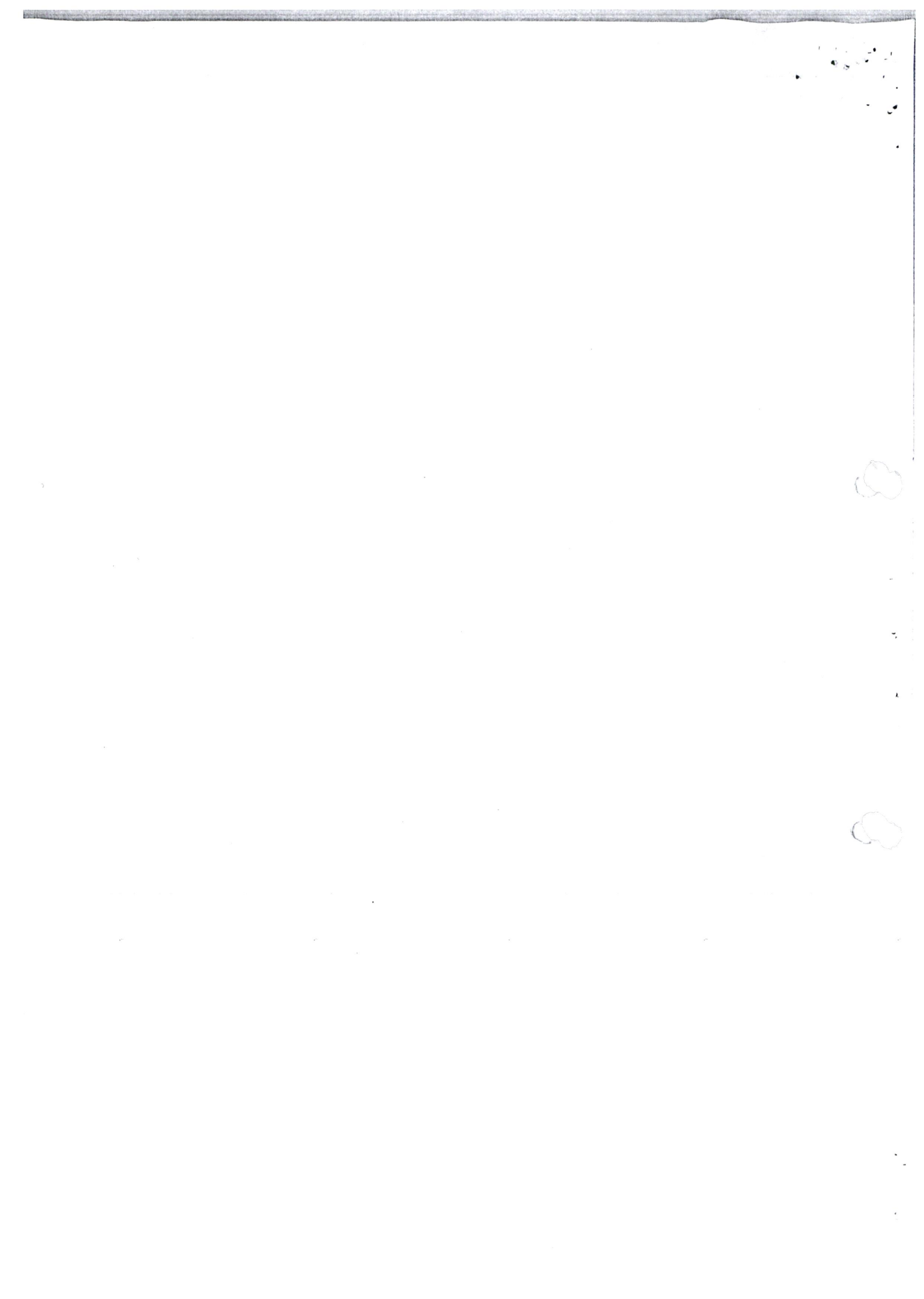
MIN.NO.210 /ANS/2015 - ANY OTHER BUSINESS

The Committee was informed that planning for the field visit to Murang'a was in advanced stages and they would be notified of the travel dates during the next meeting.

MIN.NO. 211 /ANS/2015 - ADJOURNMENT OF THE MEETING

There being no other business the meeting was adjourned at 1.25 pm. The next meeting will be held on Tuesday, 17th November, 2015 at 10.00 a.m.

Signed.......... Date.....14th Dec, 2015.....
(Chairperson)



MINUTES OF THE 19TH SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY HELD ON TUESDAY, 29TH MARCH 2016 AT THE BOARDROOM, 4TH FLOOR, PROTECTION HOUSE AT 11.00 A.M.

PRESENT

1. The Hon. Asman Kamama, MGH, OGW, MP - Chairperson
2. The Hon. Alois Lentoimaga, MP - Vice Chairperson
3. The Hon. Joseph Ndiege, MP
4. The Hon. Grace Kiptui, MP
5. The Hon. George Theuri, MP
6. The Hon. David Gikaria, MP
7. The Hon. James Bett, MP
8. The Hon. Alice Wahome, MP
9. The Hon. Samuel Moroto, MP
10. The Hon. Ibrahim Abdi Saney, MP
11. The Hon. Wanjiku Muhia, MP
12. The Hon. Zakayo Cheruiyot, MP
13. The Hon. Ababu Namwamba, MP
14. The Hon. Shaaban Ali Isaack, MP
15. The Hon. Francis Mwangangi, MP

ABSENT WITH APOLOGY

1. The Hon. Jane Machira, MP
2. The Hon. Protus Akuja Ewesit, MP
3. The Hon. Benard Shinali, MP
4. The Hon. Dr. Humphrey Njuguna, MP
5. The Hon. Joseph Lekuton, MP
6. The Hon. Mohamed Shidiye, MP
7. The Hon. Patrick Ole Ntutu, MP
8. The Hon. Timothy Wetangula, MP
9. The Hon. Ahmed Abdikadir Ore, MP
10. The Hon. Joseph Kahangara, MP
11. The Hon. (Maj. Rtd.) J. K. Waluke, MP
12. The Hon. Rashid Bedzimba, MP

IN ATTENDANCE

COMMITTEE SECRETARIAT

Mr. Leonard Machira - First Clerk Assistant
Ms. Hellen Lokwang - Third Clerk Assistant
Mr. Eugene Apaa - Research Officer

MIN.NO.076/ANS/2016 - PRELIMINARIES

The Chair called the meeting to order at 11.30 a.m. with a word of prayer.

MIN.NO.079 /ANS/2016 - CONFIRMATION OF MINUTES

The minutes of the 6th Sitting were confirmed as true records of the meeting having been proposed and seconded by Hon. Joseph Ndiege, MP and Hon. Samuel Moroto MP respectively.

The minutes of the 7th Sitting were confirmed as true records of the meeting having been proposed and seconded by Hon. Grace Kiptui, MP and Hon. Wanjiku Muhia, MP respectively.

The minutes of the 8th Sitting were confirmed as true records of the meeting having been proposed and seconded by Hon. David Gikaria, MP and Hon. Alois Lentoimaga MP respectively.

The minutes of the 9th Sitting were confirmed as true records of the meeting having been proposed and seconded by Hon. George Theuri, MP and Hon. Wanjiku Muhia, MP respectively.

The minutes of the 10th Sitting were confirmed as true records of the meeting having been proposed and seconded by Hon. Shabaan Isaack,MP and Hon George Theuri, MP respectively.

MIN.NO. 078/ANS/2016 - MATTERS ARISING

Under MIN.N0.25/2016 – IPOA’s

- (i) IPOA’s Establishment of an Anti-Corruption Unit

The Committee allocated Kshs. 50 million to IPOA during the Supplementary Budget Estimates FY 2015/16. The members raised issues on IPOA’s request for funds to establish an anti-corruption unit and requested for a justification over the matter. The Chair informed the members that more clarification on the same will be addressed during a retreat with IPOA scheduled from 7th to 10th April 2016.

MIN.NO.080/ANS/2016 - REPORT ON A PETITION BY THE HON. DIDO RASSO, MP ON BEHALD OF RESIDENTS OF DAKABARICHA LOCATION

ON THE REVOCATION OF THE APPOINTMENT OF MR. DAVID MULATO AS THE CHIEF OF DAKABARICHA LOCATION, SAKU CONSTITUENCY.

The Committee did not confirm the report but rather resolved to invite for the second time Hon. Dido Rasso to give more information on the petition before concluding on the matter.

MIN.NO.090/ANS/2016 - REPORT ON A PETITION BY RESIDENTS OF KASEKO WARD ON COMPENSATION FOR SERVICES RENDERED BY VILLAGE MANAGERS.

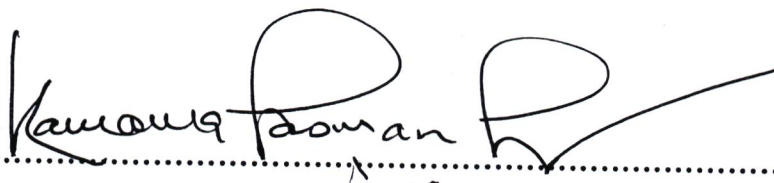
The report was adopted and ready for tabling on the floor of the House. However, the Committee recommended that:-

- (i) The Ministry of Interior and National Coordination should develop a policy on how village elders shall be appointed and proposed that a minimum of 3 and maximum of 5 elders may be appointed per sub-location taking into consideration the matters of gender.

MIN.NO.091/ANS/2016 - ADJOURNMENT OF THE MEETING

There being no other business the meeting was adjourned at 12.45 p.m. and the next meeting will be held on Thursday, 31st March 2016.

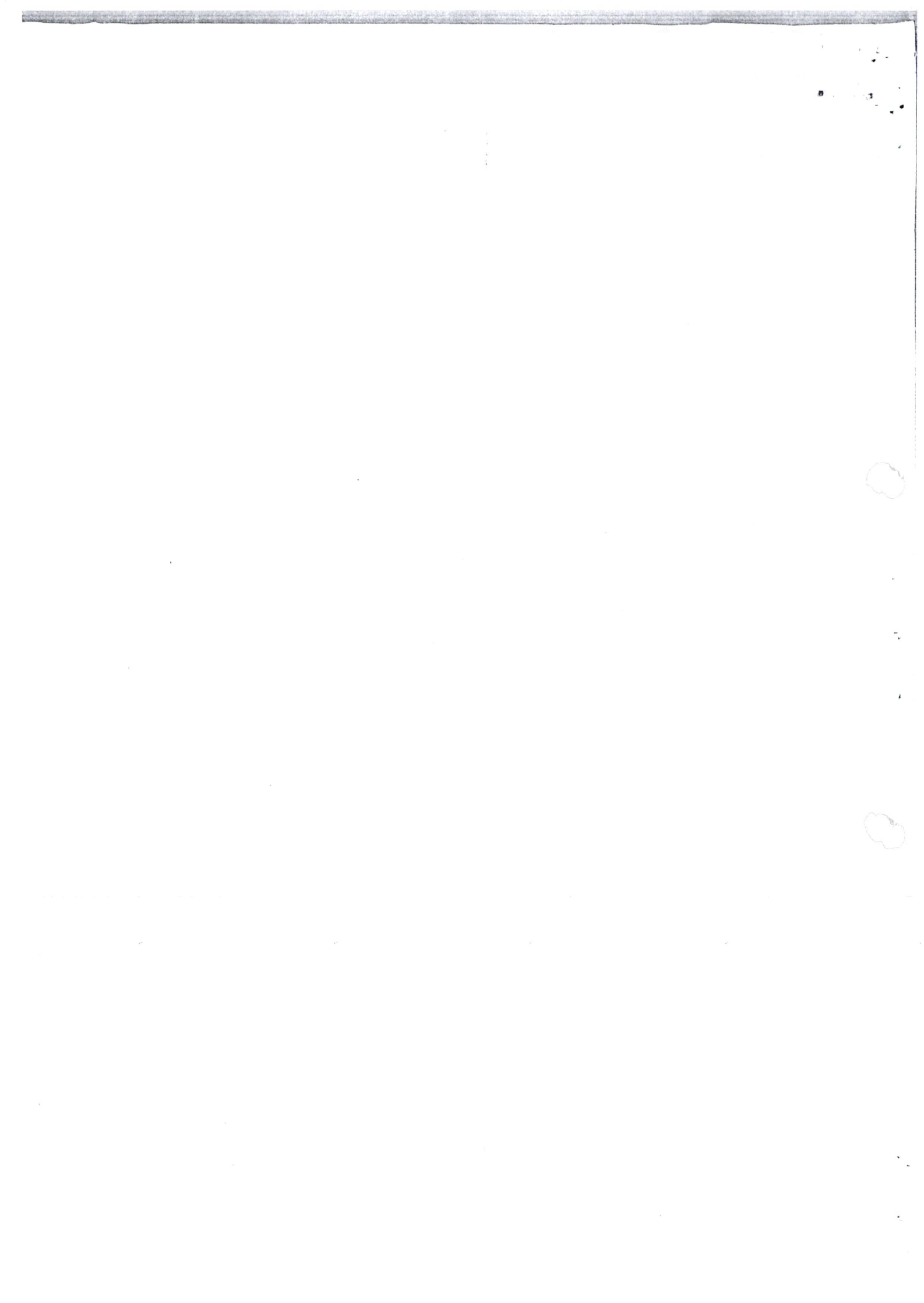
Signed.....



(Chairperson)

Date.....

26/04/2016



THE 15TH SITTING OF DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY HELD ON 15TH MARCH, 2016 IN THE COMMITTEE ROOM, 2ND FLOOR, CONTINENTAL HOUSE, PARLIAMENT BUILDINGS AT 10:00 AM

PRESENT:

1. The Hon. Asman Kamama, MGH,OGW,MP - **Chairperson**
2. The Hon. Ababu Namwamba, EGH, MP
3. The Hon. Zakayo K. Cheruiyot, MP
4. The Hon. Grace Kiptui, MP
5. The Hon. Bernard Shinali, MP
6. The Hon. Joseph Lekuton, MP
7. The Hon. Jane Machira, MP
8. The Hon. Francis K. Mwangangi, MP
9. The Hon. Akuja ProtusEwesit, MP
10. The Hon. Samuel Moroto, MP
11. The Hon. Ibrahim Abdi Saney, MP
12. The Hon. Ahmed Abdikar Ore, MP
13. The Hon. (Dr.) Humphrey Njuguna, MP
14. The Hon. Wanjiku Muhia, MP
15. The Hon. George Theuri, MP

ABSENT

1. The Hon. Alois M. Lentiomaga, MP - **Vice- Chairperson**
2. The Hon. Alice Wahome, MP
3. The Hon. Mohamed Shidiye, MP
4. The Hon. Patrick Ole Ntutu, MP
5. The Hon. Shabaan Ali Isaack, MP
6. The Hon. Joseph Kahangara, MP
7. The Hon. Joseph O. Ndiege, MP
8. The Hon. James Bett, MP
9. The Hon. Rashid J. Bedzimba, MP
10. The Hon. (Maj. Rtd.) John K. Waluke, MP
11. The Hon. David Gikaria, MP
12. The Hon. Timothy W. Wetangula, MP

IN ATTENDANCE- NATIONAL ASSEMBLY

The Hon. Onesmus Muthomi Njuki, MP

MINISTRY OF INTERIOR AND COORDINATION OF NATIONAL GOVERNMENT

1. Hon. Maj. Gen.(Rtd) Joseph Nkaissery, MGH, CBS - Cabinet Secretary
2. Ms. Mary Njenga - Parliamentary Liaison Officer

NATIONAL ASSEMBLY

1. Mr. Leonard Machira - First Clerk Assistant
2. Ms. Rose Wanjohi - Second Clerk Assistant
3. Mr. Fiona Musili - Research & Policy Analyst III

MIN.NO. 057/ANS/2016: PRELIMINARIES

The Chairperson called the meeting to order at half past ten o'clock. A prayer was said.

MIN. NO.058 /ANS/2016: CONFIRMATION OF MINUTES

Minutes of the 1st Sitting were confirmed as a true record of the proceedings as proposed by the Hon. Zakayo K. Cheruiyot, MP and seconded by the Hon. Ahmed Abdikadir Ore, MP.

Minutes of the 2nd Sitting were confirmed as a true record of the proceedings as proposed by the Hon. Ahmed Abdikadir Ore, MP and seconded by the Hon. Akuja Protus Ewesit, MP.

Minutes of the 3rd Sitting were confirmed as a true record of the proceedings as proposed by the Hon. Zakayo K. Cheruiyot, MP and seconded by The Hon. Wanjiku Muhia, MP.

Minutes of the 4th Sitting were confirmed as a true record of the proceedings as proposed by the Hon. Ahmed Abdikadir Ore, MP and seconded by the Hon. Francis K. Mwangangi, MP.

Minutes of the 5th Sitting were confirmed as a true record of the proceedings as proposed by the Hon. George Theuri, MP and seconded by the Hon. Zakayo K. Cheruiyot, MP.

MIN. NO.059 /ANS/2016: SUBMISSIONS BY THE CABINET SECRETARY ON PETITIONS

The Cabinet Secretary, Ministry of Interior and Coordination of National Government in response to petitions before the Committee, stated that:-

1. **Petition by residents of Dakabaricha Location regarding revocation of the appointment of Mr. David Mulato as the Chief of Dakabaricha Location, Saku Constituency.**

The Deputy County Commissioner, Marsabit Central Sub County chaired a panel that conducted interviews for the position of the Chief Dakabaricha Location on 26th January, 2015. The best four candidates, Mr. Omar Jillo Sage, Mr. David Mulato Ndonche, Ms. Amina Aila Ote and Mr. Yohana HirboBaqe in that order, were all residents of the Dakabaricha Location and members of the Burji ethnic community.

Before the appointments could be finalized, the Hon. Col (Rtd) Dido Ali Rasso, MP allegedly objected to the appointment proposed Mr. Halkano Dambi for the position. However, Mr. Halkano Dambi was not among the candidates shortlisted for interview leading to appointment to the position.

Mr. Omar Jillo Sage who emerged as the best candidate during the interviews had worked as an assistant chief in Dakabaricha Sub County from 1997 to the present day. However, at one time during his employment he was suspended and charged in a court of law for the offence of incitement to violence. He was acquitted by the court and later reinstated to his current position of Assistant Chief.

In view of the past record of Mr. Omar Jillo Sage and considering the person proposed by the Hon. Col (Rtd) Dido Ali Rasso, MP had not been shortlisted for the interviews. Mr. David Mulato Ndonche, who was ranked second in the interviews, was appointed as the chief Dakabaricha Location on 20th April, 2015. Mr. David Mulato Ndonche attained C- (Minus in KCSE, though the minimum academic requirement as per the scheme of service is C+ (plus). However, the Public Service Commission granted a temporary waive on academic requirements to facilitate appointment of applicants who had a minimum of Kenya Certificate of Primary Education to the existing vacancies in the grade of Chief and Assistant Chief in Marsabit County.

The Cabinet Secretary further informed the Committee that the recruitment and selection process were well managed and appealed to the Committee to recommend that the Ministry upholds the appointment of Mr. David Mulato Ndonche to the position of Chief, Dakabaricha location. He further stated that the assertions made by Hon. Col (Rtd) Dido Ali Rasso, MP that the residents of Dakabaricha Location had serious reservations on the appointment were not accurate. Noting that the location was predominantly occupied by the Burji Community and Mr. David Mulato Ndonche is a member of the same community. He further stated that since the Chief started working in 20th July, 2016 no single incident of demonstration by locals over the appointment had been reported.

2. Kiseku Ward village managers regarding alleged compensation for services offered.

Cabinet Secretary informed the Committee that the Government was not aware of the position village managers. However, it was aware of the position of village elders. Though the Government recognized the crucial role that the village elders play, it does not facilitate them because;-

- The Ministry had no budgetary allocation for the payment of allowances;
- Most village elders were outside the employable age bracket approved by the government; and
- The size of the villages had not been standardized.

The Cabinet secretary requested Parliament to set up a fund to facilitate the operations of the village elders in recognition of the important role they play by providing an important link in the National Government service delivery.

The Committee observed that the ward administrators employed by the County governments were well remunerated and if the same was not availed to National Government administrators including the village elders the National Government risked losing this vital link in the provision of National Government services to the public. Further the village administrators were being utilized to mobilize the public and drive the agenda of the County Governments.

The Cabinet Secretary informed the Committee that the Ministry had introduced a scheme of service for the National Administration Administrators which would provide opportunities of promotion, particularly for the Chiefs and Assistant Chiefs. The Committee proposed that the facilitation of village elders to be included as a budgetary item in the Ministry's Budget for the 2016/17 Financial Year.

3. Petition by Hon. Muthomi Njuki, MP on behalf of the residents of Chuka IgambaNg'ombe Constituency on the delayed creation of a new administrative unit in Karingani location, Meru South Sub county

The Cabinet Secretary informed the Committee that the Ministry had received over 500 petitions for delineation of various administrative units across the country. The Ministry had commenced the process of rationalization and harmonization of all administrative units. The creation of administrative units would be based on recommendations from the exercise. The process would however depend, among other factors, on budgetary allocations to the Ministry.

The Hon. Muthomi Njuki, MP informed the Committee that with the development of Chuka University there was increased population growth in Karingani Location which required services yet the residents administratively report to a chief who was in a different ward. He further stated that Karingani Location has six sub locations. The Cabinet Secretary requested copies of the County Commissioners recommendations on the matter and which the Hon. Muthomi Njuki, MP agreed to provide.

The Hon. Muthomi Njuki, MP also stated that the recent public sacking of some Chiefs in Meru County had been perceived as humiliating by officers by residents. The Cabinet Secretary responded that the sacking of the Chiefs was done under his directive to serve as an example to other officers on the need to ensure the eradication of illicit brews.

**MINUTES OF THE 19TH SITTING OF THE DEPARTMENTAL COMMITTEE ON
ADMINISTRATION AND NATIONAL SECURITY HELD ON TUESDAY, 29TH
MARCH 2016 AT THE BOARDROOM, 4TH FLOOR, PROTECTION HOUSE AT 11.00
A.M.**

PRESENT

1. The Hon. Asman Kamama, MGH, OGW, MP - Chairperson
2. The Hon. Alois Lentoimaga, MP - Vice Chairperson
3. The Hon. Joseph Ndiege, MP
4. The Hon. Grace Kiptui, MP
5. The Hon. George Theuri, MP
6. The Hon. David Gikaria, MP
7. The Hon. James Bett, MP
8. The Hon. Alice Wahome, MP
9. The Hon. Samuel Moroto, MP
10. The Hon. Ibrahim Abdi Saney, MP
11. The Hon. Wanjiku Muhia, MP
12. The Hon. Zakayo Cheruiyot, MP
13. The Hon. Ababu Namwamba, MP
14. The Hon. Shaaban Ali Isaack, MP
15. The Hon. Francis Mwangangi, MP

ABSENT WITH APOLOGY

1. The Hon. Jane Machira, MP
2. The Hon. Protus Akuja Ewesit, MP
3. The Hon. Benard Shinali, MP
4. The Hon. Dr. Humphrey Njuguna, MP
5. The Hon. Joseph Lekuton, MP
6. The Hon. Mohamed Shidiye, MP
7. The Hon. Patrick Ole Ntutu, MP
8. The Hon. Timothy Wetangula, MP
9. The Hon. Ahmed Abdikadir Ore, MP
10. The Hon. Joseph Kahangara, MP
11. The Hon. (Maj. Rtd.) J. K. Waluke, MP
12. The Hon. Rashid Bedzimba, MP

IN ATTENDANCE

COMMITTEE SECRETARIAT

Mr. Leonard Machira - First Clerk Assistant
Ms. Hellen Lokwang - Third Clerk Assistant
Mr. Eugene Apaa - Research Officer

MIN.NO.076/ANS/2016 - PRELIMINARIES

The Chair called the meeting to order at 11.30 a.m. with a word of prayer.

MIN.NO.079 /ANS/2016 - CONFIRMATION OF MINUTES

The minutes of the 6th Sitting were confirmed as true records of the meeting having been proposed and seconded by Hon. Joseph Ndiege, MP and Hon. Samuel Moroto MP respectively.

The minutes of the 7th Sitting were confirmed as true records of the meeting having been proposed and seconded by Hon. Grace Kiptui, MP and Hon. Wanjiku Muhia, MP respectively.

The minutes of the 8th Sitting were confirmed as true records of the meeting having been proposed and seconded by Hon. David Gikaria, MP and Hon. Alois Lentoimaga MP respectively.

The minutes of the 9th Sitting were confirmed as true records of the meeting having been proposed and seconded by Hon. George Theuri, MP and Hon. Wanjiku Muhia, MP respectively.

The minutes of the 10th Sitting were confirmed as true records of the meeting having been proposed and seconded by Hon. Shabaan Isaack,MP and Hon George Theuri, MP respectively.

MIN.NO. 078/ANS/2016 - MATTERS ARISING

Under MIN.N0.25/2016 – IPOA’s

(i) IPOA’s Establishment of an Anti-Corruption Unit

The Committee allocated Kshs. 50 million to IPOA during the Supplementary Budget Estimates FY 2015/16. The members raised issues on IPOA’s request for funds to establish an anti-corruption unit and requested for a justification over the matter. The Chair informed the members that more clarification on the same will be addressed during a retreat with IPOA scheduled from 7th to 10th April 2016.

MIN.NO.080/ANS/2016 - REPORT ON A PETITION BY THE HON. DIDO RASSO, MP ON BEHALD OF RESIDENTS OF DAKABARICHA LOCATION

ON THE REVOCATION OF THE APPOINTMENT OF MR. DAVID MULATO AS THE CHIEF OF DAKABARICHA LOCATION, SAKU CONSTITUENCY.

The Committee did not confirm the report but rather resolved to invite for the second time Hon. Dido Rasso to give more information on the petition before concluding on the matter.

MIN.NO.090/ANS/2016 - REPORT ON A PETITION BY RESIDENTS OF KASEKO WARD ON COMPENSATION FOR SERVICES RENDERED BY VILLAGE MANAGERS.

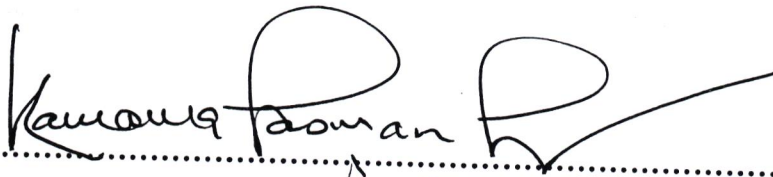
The report was adopted and ready for tabling on the floor of the House. However, the Committee recommended that:-

- (i) The Ministry of Interior and National Coordination should develop a policy on how village elders shall be appointed and proposed that a minimum of 3 and maximum of 5 elders may be appointed per sub-location taking into consideration the matters of gender.

MIN.NO.091/ANS/2016 - ADJOURNMENT OF THE MEETING

There being no other business the meeting was adjourned at 12.45 p.m. and the next meeting will be held on Thursday, 31st March 2016.

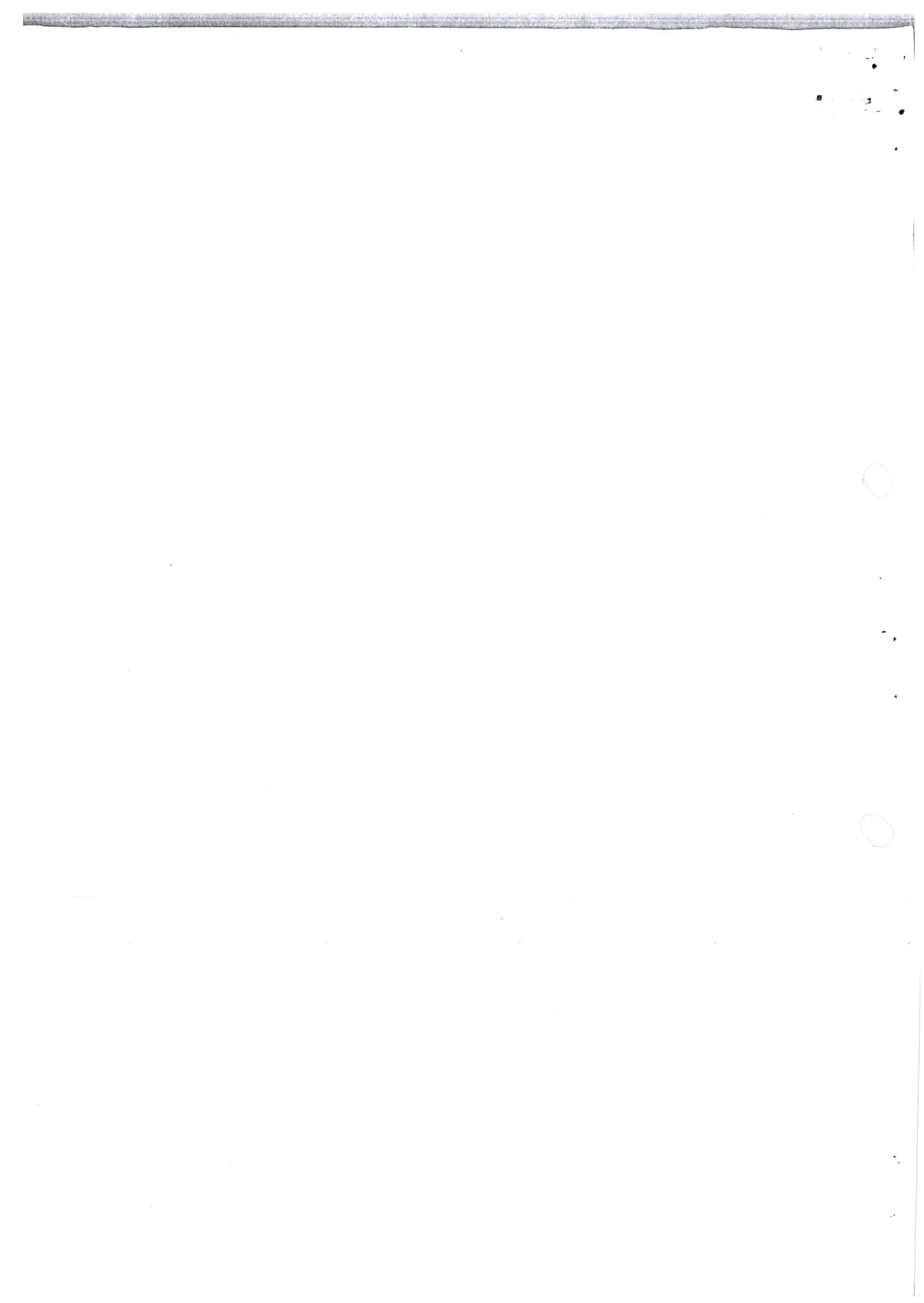
Signed.....



(Chairperson)

Date.....

26 / 04 / 2016



ANNEX III

COPY OF PETITION

REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY
ELEVENTH PARLIAMENT
(THIRD SESSION)

PUBLIC PETITION
ON

RECOGNITION AND COMPENSATION OF VILLAGE MANAGERS BY MR.
TITUS NYAMAI

I, Mr. Titus Nyamai, on behalf of the Kasikeu Ward Village Managers from Makueni County,

DRAW the attention of the house to the following.

- i. THAT, Village managers are voluntarily dedicated to serving citizens and this nation socially;
- ii. That Village Managers play a crucial role in maintaining cohesive communities by helping resolve disputes, petty criminal offences, promoting development initiatives and handling security relate issues in the villages;
- iii. That, the Village Managers assist in management of logistic and mobilization of the residents during public 'barazas' and official functions such as public celebrations and festivities for instance Madakara and Mashujaa Day;
- iv. THAT, the village managers are trusted by the communities and well versed by virtue of interactions with the society;

PUBLIC PETITION
ON
RECOGNITION AND COMPENSATION OF VILLAGE MANAGERS BY
MR. TITUS NYAMAI

- v. FURTHER THAT, the Government is yet to recognize these crucial roles played by village managers and facilitate them accordingly;

HEREFORE, your humble petitioner PRAYS that Parliament through the Departmental Committee on Administration and National Security, establishes mechanism to recognize, facilitate and compensate the village managers as a token of appreciation for the services rendered by the Village Managers.

And your will ever pray.

PRESENTED BY



MR. TITUS NYAMAI

Date: 28/7/2015

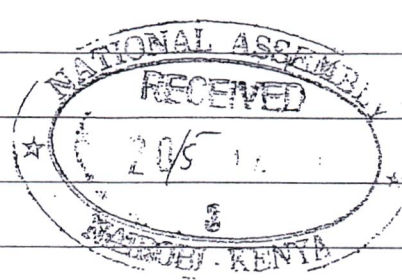
	NAME OF MANAGERS	ID NO	SIGN
1	Gideon mutune	3331221	Signature
2	christopher m mutunga	7709066	Signature
3	Rebecca K. Hdambuki	5063499	Signature
4	Joseph m. ndivu	1269456	Signature
5	Beatrice n. nzyoka	9782422	Signature
6	Paul L LUMO	4593063	Paul
7	Joseph n mwasya	7384972	Signature
8	John mutuku nzioka	17421290	mutuku
9	Margaret n UKwale	5041871	nduku
10	Daniel K ngundo	0900200	Signature
11	Theressia n Wambua	5041780	Theressia
12	Diston n Mbindyo	1342067	Signature
13	Mutua Mwangangi	7052859	Mutua
14	Maria Kyengo	7055515	Signature
15	Philip Mutuku Kamuya	5063163	Phk
16	Daniel M. Mbuvi	5040609	Kango
17	Maitua Hariga	7384948	Nditiva
18	James Z. Kasoni	7053461	Signature
19	John N. Koso	5063728	Signature
20	David Mwinda	7053332	Mwinda
21	Alexander V. Mbilu	11677691	Signature
22	Martin S. Kilai	7384864	Kilai
23	Jane M. Kilo	12584302	Josephine
24	Josephine Maitha	7708740	Signature
25	Samuel M. Kathonguwa	30507419	Signature
26	Agnes M. Muluwa	12766178	Signature
27	James M. Mbowi	7709346	Signature
28	Anastasia m. Kioko	29919505	Signature
29	Rebecca Mwangi	10353537	Rebecca
30	Maria m. Mutungi	16118507	Signature
31	Mutinda Kitku	7708469	Signature

Mr. J. N. J. N. J. N.
Does this qualify as a petition?
In my view it does not. They should be addressed

JCT

KASIKU KWARA VILLAGE MANAGER
MUKAA SUB - COUNTY
MAKUENI COUNTY
P.O. Box 98 - 90132 Sultan Hamud
23/4/2015 - 0726 413 280

THE CLERK
NATIONAL ASSEMBLY OF KENYA
P.O. Box
NAIROBI



J. N. J. N.
Pse
dear
Sola
LJL

Dear Sir / Madam
RE: REQUEST TO COMPENSATE VILLAGE MANAGERS

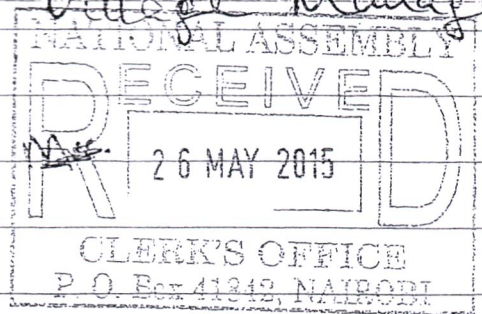
We as Concerned Village Managers in Kenya, Kindly Submit this letter to the Kenya National Assembly to consider us for Compensation. We have been working for a long time without payment.

We leave our work back at home to settle disputes cases in the community, Mobilize people to attend public baraza, Organize people to attend National Holiday functions.

We shall be very glad if you consider our request.

Yours faithfully
Kasiku ward Village Managers

cc. The Clerk Senate



Faint, illegible handwriting on lined paper, possibly bleed-through from the reverse side. The text is mostly obscured by noise and low contrast.

ANNEX IV

SUBMISSIONS BY THE CABINET SECRETARY, MINISTRY OF INTERIOR
AND COORDINATION OF NATIONAL GOVERNMENT

PETITION ON RECOGNITION AND COMPENSATION OF VILLAGE MANAGERS

Mr. Chairman, Mr. Titus Nyamai, on behalf of Kasikeu Ward village managers presented a petition that a mechanism be established to recognize, facilitate and compensate village managers as a token of appreciation for the services rendered.

In the petition he noted that village managers:

- i. Are voluntarily dedicated to serving citizens and the nation socially;
- ii. Play a crucial role in maintaining cohesive communities by helping resolve disputes, petty criminal offences, promoting development initiatives and handling security related issues in the villages;
- iii. Assist in mobilization of residents during public barazas and official functions such as Madaraka and Mashujaa Day celebrations;
- iv. Are trusted by the communities and well versed by virtue of their interactions with the society; and,
- v. Are yet to be recognized and facilitated by the Government for the crucial roles they play.

I wish to state as follows:


Mr. Chairman, the Government is not aware of positions of village managers. However, it is aware of the positions of village elders. If the petition refers to village elders, then I wish to state that the

Government recognizes the crucial role that village elders play in their respective areas. However, no facilitation has been provided for these elders on the following grounds:

- a) The Ministry has no budgetary allocation for the payment of village elders;
- b) Most village elders are outside the employable age bracket approved by the Government; and,
- c) There has not been any standardization on the sizes of villages.

Finally **Mr. Chairman**, the Government reiterates that village elders are a very important link in National Government service delivery especially on security management and Parliament should set up a fund to facilitate them.

Thank you **Mr. Chairman**.



HON. MAJ. GEN. (RTD) JOSEPH NKAISSERRY, EGH, CBS
Cabinet Secretary
Ministry of Interior and
Coordination of National Government

11th MARCH, 2016