

REPUBLIC OF KENYA



TWELFTH PARLIAMENT (FOURTH SESSION)
THE NATIONAL ASSEMBLY

PUBLIC PETITION

(No. 03 of 2020)

Approved,
RWA
SNA
26/02/2020
PARLIAMENT
OF KENYA
LIBRARY

**REGARDING COMPLETION OF MZEE WANYAMA WATER DAM
PROJECT IN NAKURU TOWN EAST CONSTITUENCY**

I, the **UNDERSIGNED**, on behalf of the residents of Nakuru Town East Constituency,

DRAW the attention of the House to the following:

- 1) THAT**, Article 43(1)(d) of the Constitution provides right to clean and safe water in adequate quantities for every Kenyan and that Article 21(2) places an obligation on the State to take measures to realize this right among others;
- 2) THAT**, in 2016, the Ministry of Water and Irrigation initiated construction of a water pan at Mzee Wanyama estate in Nakuru East Ward with hopes of mitigating the perennial water shortage experienced in the area;
- 3) THAT**, following commencement of the project, the contractor left the site before completion of the dam as stipulated on the plan;
- 4) THAT**, the dam in its current state is not functional and is instead a hazard as no barrier exists to prevent contamination of water and to ensure the safety of the locals;
- 5) THAT**, while the residents of Nakuru do appreciate the original intent of the project, they are dismayed by the fact that it was used in what they believe to be a means of embezzling public funds;

**REGARDING COMPLETION OF MZEE WANYAMA WATER DAM
PROJECT IN NAKURU TOWN EAST CONSTITUENCY**

- 6) THAT,** the continuous shortage of water is detrimental to their health, animals and plants as the area is prime for agricultural practice;
- 7) THAT,** efforts to have the matter resolved by the relevant state agencies have been futile;
- 8) THAT,** the matter raised in this petition are not pending in any court of law, constitutional or statutory body;

THEREFORE, your humble petitioners pray that the National Assembly, through the Departmental Committee on Environment & Natural Resources investigates into the stalling of the project and appropriately resolves the matters herein to ensure provision of clean and adequate water to the affected residents of Nakuru Town East Constituency;

And your **PETITIONERS** will ever pray.

PRESENTED BY:

HON. DAVID GIKARIA, MP
MEMBER FOR NAKURU TOWN EAST CONSTITUENCY

DATE... 20 | 02 | 2020

PUBLIC PETITION
REGARDING MZEE WANYAMA WATER PAN/DAM
IN NAKURU TOWN EAST CONSTITUENCY

TO THE SPEAKER OF THE NATIONAL ASSEMBLY,

P.O BOX 41842-00100,

NAIROBI.

19 FEB 2020

SERIAL No.....

RECEIVED

NATIONAL ASSEMBLY

15 FEB 2020

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I, the UNDERSIGNED, on behalf of the residents of Nakuru Town East Constituency;

DRAW attention of the House to the following:-

1. **THAT**, Article 43(d) of the constitution safeguards the provision of water as a constitutional right for every Kenyan by establishing the right to clean and safe water in adequate quantities;
2. **THAT**, Article 21(2) places an obligation on the state and state organs to take legislative and other measures to realize this right.
3. **THAT** the ministry of water somewhere in 2016 embarked on constructing a water pan at Mzee Wanyama estate in Nakuru east ward with a view of mitigating the perennial water shortage in this area.
4. **THAT** sometime after the commencement of the project, the contractor left the site without completing the dam as originally stipulated on the plan despite having not redesigned the dam.
5. **THAT** upto date the dam is not functional as it cannot hold water, there exists no barrier to prevent contamination of water and to ensure safety of locals operating within the area and the area was never cleared to provide a clean environment for the dam.

NATIONAL ASSEMBLY
PETITIONS DESK

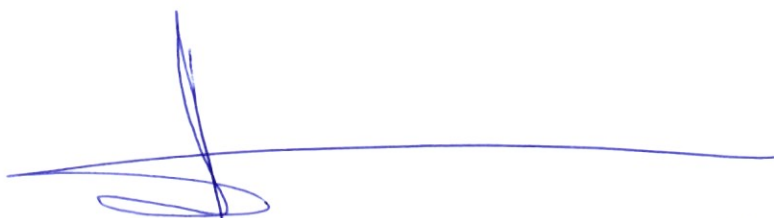
19 FEB 2020

SERIAL No.....

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6. **THAT** whereas the residents of Nakuru appreciate the original intent of the water pan, they harbour bitterness because what initially promised to be a solution to their problem ended up being a way of embezzling public funds.
7. **THAT** continued shortage of water is detrimental to their health, animals and plants as the area is prime for agricultural practice.
8. **THAT** efforts have been made to have the matters raised in this Petition addressed by the relevant ministry officers but there has been no response to this effect.
9. **THAT** the matters raised in this Petition are not also pending in any court of law in Kenya.
10. **THAT** the Petitioner therefore prays for-

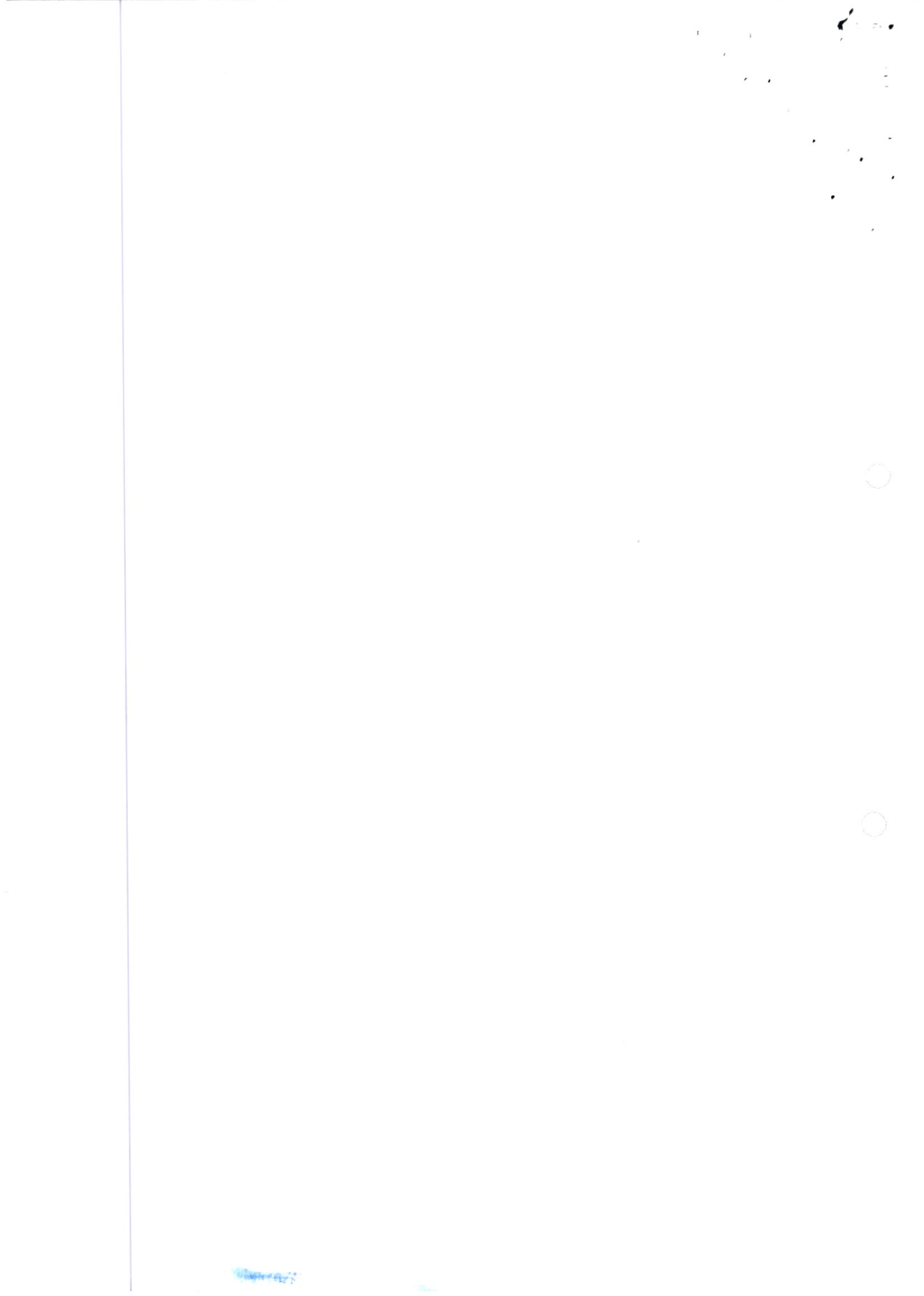
- (a) pursuant to Standing Order 216(5)(a), the relevant Committee of the House does investigate and inquire into all the matters raised in this Petition in particular on why the contractor was paid in full despite abandoning the dam incomplete and for legal action to be taken on the officers who were responsible for the dam
- (b) Pursuant to Standing Order 216(5)(a), the relevant Committee of the House does make recommendations.










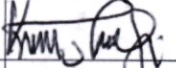
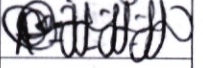
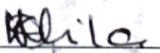

.....
David Gikaria MP,
Nakuru Town East Constituency.

.....
Date 19/2/2020










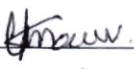


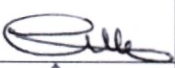
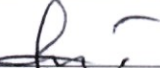
On behalf of:



PUBLIC PETITION
REGARDING MZEE WANYAMA WATER PAN

S/No	NAME OF PETITIONER	ID NUMBER	CONTACT	SIGNATURE
1.	RISPER OBUOR	33483912	0742844304	
2.	Josphat Maina	35028147	0703490686	
3.	Ruth Nduta	24114860	0798191777	
4.	NETY MUNENE	32779987	0708809843	
5.	ROSE GITHUA	26771901	0716008843	
6.	Hortali Nyambegera	27325342	0715536057	
7.	Millicent Nurene	24874217	0736332321	
8.	KEVIN ONGERI	27369626	0712253241	
9.	Orino Odun	22954358	0705737524	
10.	Catherina Wanjeri	13272696	0716111197	
11.	James Karuki	13332861	0722537830	
12.				
13.				
14.				
15.				

PUBLIC PETITION
REGARDING MZEE WANYAMA WATER PAN

S/No	NAME OF PETITIONER	ID NUMBER	CONTACT	SIGNATURE
1.	EVANS EKUICHE	11071468	0729918269	
2.	ESTHER WANJA	32206048	0706772424	
3.	MUHAMMED KAHERU	20424687	0724888231	
4.	Rebecca Wanjohi	34482462	0796013122	
5.	Karanja Susan	31046082	0713687722	
6.	Jane Atieno	22144834	0720511814	
7.	Barnebet Mwendu	26823502	0720977212	
8.	SUSAN NJAMBI	3553362	0721417570	
9.	Bernard Gikonyo	8844339	07221229280	
10.	keah Kamau	13464604	0721608496	
11.	IRENE ONCHIEKU	27040724	0723317852	
12.	Joseph Karuru	29312726	0700 211 292	
13.	GRACE WACUKA	22726949	0710347619	
14.	FRANCIS WATITU	22311728	0713593378	
15.	Joseph KAMAU	29593150	0703800167	