

REPUBLIC OF KENYA

COUNTY GOVERNMENT OF GARISSA

GARISSA COUNTY ASSEMBLY



**Third County Assembly
(NO. 080)**



**Second Session
(NO.080)**

THIRD COUNTY ASSEMBLY – (SECOND SESSION)

ORDERS OF THE DAY

THURSDAY 26TH OCTOBER, 2023 AT 2:30 PM

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Statements

(STATEMENT SOUGHT FROM THE CHAIR COMMITTEE ON ENVIRONMENT, CLIMATE CHANGE AND NATURAL RESOURCES)

Hon. Speaker,

Pursuant to standing Order 41 (2) (c), I wish to request for a statement from the chairperson of the Sectoral Committee on Environment, Climate change and Natural Resources regarding the illegal mining of Gypsum and other Minerals extraction in Garissa County.

Hon. Speaker, H.E The Governor and the County Security committee gave executive directives and suspended the extraction on Monday 21st August, 2023 until further notice. But the reality on the ground is to the contrary.

Hon Speaker, the security status of the People of Waberi Ward is in question, the residents are complaining and the department of Water, Environment, Climate change and Natural Resources are doing nothing about the situation. If today someone is injured or passes on in that scene, the department of Environment, Climate change and Natural Resources will be responsible for it.

Hon. Speaker, in the statement the Chairperson should inquire into and report on;

1. Whether the department is aware of the illegal mining of Gypsum and Other mineral extractions? If yes,
2. What the department is doing to stop that illegal Gypsum mining and other Minerals extraction?

(STATEMENT SOUGHT BY HON ABUBAKAR HAJI SUGOW- MCA WABERI WARD)

7. Notice of Motion
8. Motions and Bills

Hon. Speaker Sir, I beg to move the following motion;

THAT, AWARE THAT, Pursuant to Article 6(1) and the first schedule of the Constitution of Kenya, 2010 that sets out Garissa County as one of the Counties within the Kenyan territory.

FURTHER AWARE THAT, section 52 (1) of the County Government Act, 2012 establishes the office of the village Administrator and section 52(4) of the same Act outlines the roles of such an office.

NOTING THAT, section 53 (1) of the County Government Act, 2012 does establish the village council at the local level and whose functions are further set out in section 53(2) of the same Act.

COGNIZANT OF THE FACT THAT, the role and the importance of the said office in the effort to strengthen devolved systems of governance as set out in Articles 174 and 176 (2) of the Constitution of Kenya, 2010.

FURTHER RECOGNIZING THAT, Article 187 (2) (b) provides for functions transferred and assigned by paragraph 14 of part 2 of the fourth schedule of the constitution of Kenya, 2010 to Garissa County Government in ensuring and coordinating the participation of communities and locations in governance at the local level.

CONCERNED THAT the continued delay in establishing the said office as provided for by the above relevant sections of the County Government Act, 2012 is an impediment to the effective service delivery and a contravention of the constitution of Kenya, 2010.

FURTHER CONCERNED THAT, there is need to fast track relevant county legislation establishing and operationalizing the office of the Village Administrator and Village Council in Garissa County Government.

NOW THEREFORE, this motion urges the County Executive to come up with the necessary legal framework establishing the office of the Village Administrators and subsequently transmit the Legislative Proposal to the County Assembly for ratification.

HON. OMAR ABDI HASSAN
MCA DAMAJALE WARD