

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Wednesday, 4th December, 2024

The Assembly met at the County Assembly Chambers at 9.00 am

The Speaker, (Mr. Lenamarle Stephen) in the Chair

PRAYER

MOTION

AD HOC Report on Bursary Fund Management for Financial Years, 2022/2023 and 2023/2024

Chairperson Ad Hoc Committee on Education and Vocational Training, (Hon. Lenamparasio Phelix): Hon. Speaker, I beg to move the following Motion:

THAT, pursuant to Standing Order No. 47, the County Assembly debates and adopts the report of the *Ad Hoc* Committee on investigation of the Bursary Fund Management for the Financial Years 2022/2023 and 2023/2024.

Thank you Hon. Speaker, let me take this opportunity to call Hon. Esther to support the Motion.

(Hon. Esther bows to second the Motion)

The Speaker, (Mr. Lenamarle Stephen): Hon. Members, I now propose the Motion; **THAT,** pursuant to Standing Order No. 47, the County Assembly debates and adopts the report of the *Ad Hoc* Committee on investigation of the Bursary Fund Management for the Financial Years 2022/2023 and 2023/2024.

Chairperson Ad Hoc Committee on Education and Vocational Training, (Hon. Lenamparasio Phelix): Hon. Speaker, the *Ad Hoc* Committee on investigation of the Bursary Fund management was established by the County Assembly of Samburu on 25Th September, 2024; during the Third Assembly, third session pursuant to Samburu County Assembly Standing Order No. 47 and relevant provision of The County Government Act, 2012.

As per the Standing Orders and with the concurrence of the Hon. Speaker, the deliberations of a Select Committee shall be confined to the mandate of the Committee and any extension limitation of that mandate as maybe directed by the House. Further, Order No. 1 espouses that; *where matters are not expressly provided for by these Standing Orders or by other Orders of the County Assembly, any procedural question shall be decided by the Speaker for the purpose of facilitating execution of business in the Assembly.*

Hon. Speaker, for the reasons advanced above, the House resolved to constitute an *Ad Hoc* Committee to investigate and to interrogate *inter alia* and to submit a report to the Assembly

within 90 days. The Committee was formed following approval of a Motion introduced by Hon. Lenamparasio Phelix, MCA for Loosuk Ward which highlighted the following concerns:

1. Issues of issuance of bouncing cheques for bursary funds
2. Concerns of the qualifications of the Bursary Fund Coordinator as stipulated in The Samburu County Bursary Fund Act, 2015
3. Failure to disburse bursary to students in secondary schools studying outside Samburu County
4. Unallocated Ward Fund bursary for the fiscal years 2022/2023 and 2023/2024 which has not been distributed

Hon. Speaker, the Motion underscored the critical role of bursary fund in supporting the education of students from Samburu County and ensuring equitable access to education resources. It further expresses the concerns that the lack of effective oversight and timely response to this issue could hinder the education aspiration of the deserving students.

The Assembly resolved to establish an *Ad Hoc* Committee to investigate and address the following issues:

1. Management of Bursary Fund; Evaluate the current management practices as proposed and propose necessary reforms.
2. Investigate the cause of this issue and recommend solutions to ensure reliable financial transactions.
3. Assess whether the current Bursary Coordinator meets the qualifications stipulated in The Samburu County Bursary Act, 2015.
4. Investigate the reasons for non- disbursement of bursary to students studying in secondary schools outside Samburu County and unallocated Ward Fund bursary for the fiscal years 2022/2023 and 2023/2024 and provide recommendations for the corrective actions.

Hon. Speaker, The County Assembly and its Committee draw their constitution mandate to oversight the Executive from Article 185 (3) of the Constitution of Kenya, 2010 which states that *“A County Assembly, while respecting the principle of separation of powers, may exercise oversight over the County Executive Committee and any other County Executive organ”*.

Further, Article 195 (1) gives the County Assembly or any of its Committees power to summon any person to appear before it for the purpose of giving evidence or providing information.

Section 14 (1) (b) of The County Government Act, 2012 provides that a County Assembly may establish a Committee in such a manner for such general or special purpose as it considers fit. Consequently, The County Assembly of Samburu Standing Orders confers Committees with the powers and privileges bestowed to the County Assembly by the Constitution and statutes, including; power to summon witnesses, request and receive evidence, papers and documents from Government and public.

In executing its mandate, the Committee exercised oversight over the Department of Education and Vocational Training ensuring compliance with the Samburu County Bursary Act, 2015, and proposing measures for improving the bursary fund's efficiency and transparency.

Based on the important role that the education fund play towards county development, there is need for proper utilization and accountability of public resources invested towards realization of mandates of the educational institutions used by residents of Samburu county.

It is on this basis that the Assembly resolved to establish an *Ad Hoc* Committee to investigate and address current management practices, including processes, regulations, and adherence to the Samburu County Bursaries Act, 2015, and propose necessary reforms. Based on the findings from the inquiries, the Committee was able to come up with various recommendations for consideration by the House

The following members constituted the *Ad Hoc* Committee:

1. Hon. Phelix Lenamparasio – Chairperson
2. Hon. Ether Lenolkulal – Vice-Chairperson
3. Hon. Patrick Leerte – Member
4. Hon. Osman Dube – Member
5. Hon. Francis Lemartile – Member
6. Hon. Christopher Lentukunye – Member

7. Hon. Silapia Lenamatiyo – Member

8. Hon. Jeremiah Leitoro-Member

9. Hon. David Lekuchula - Member

The *Ad Hoc* Committee relied on Constitutional and legal provisions as the basis of its consideration of the Investigation of Bursary Fund Management for the financial years 2022/2023 and 2023/2024 and to hold the responsible County Officers directly and personally liable for any loss of public funds under their trust. The Committee has and will continue to invoke these provisions in its recommendations to ensure that public resources channeled to the Bursary Fund in furtherance of its mandates is utilized to the benefits of the residents of Samburu County. These legal provisions were as follows:

- A) Article 185 of the Constitution of Kenya, 2010 which provides the Mandates of the County Assembly in regards to all matters related to the Fourth Schedule of the Constitution. In particular, Article 185 (3) of the Constitution provides as follows: *185 (3) A county assembly, while respecting the principle of the separation of powers, may exercise oversight over the county executive committee and any other county executive organs.*
- B) Article 201 of the Constitution of Kenya 2010 which provides for the fundamental principles that guide all aspects of Public Finance. These principles are *inter alia*: -
 - a. Article 201 (a) which states that there shall be openness and accountability, including public participation in financial matters;
 - b. Article 201 (d) which states that public money shall be used in a prudent and responsible way; and
 - c. Article 201 (e) which require that financial management shall be responsible, and fiscal reporting shall be clear
- C) Article 226(5) of the Constitution of Kenya which places a direct personal liability on the Management and administration of public funds on the responsible person. This legal provision has established the premise on the concept of individual and personal liability or responsibility; meaning that the act or omission complained of must have been done or

undertaken with the knowledge, consent or connivance of the person accused. Article 226 (5) provides as follows:

If the holder of a public office, including a political office, directs or approves the use of public funds contrary to law or instructions, the person is liable for any loss arising from that use and shall make good the loss, whether the person remains the holder of the office or not.

Section 116 (1) of the Public Finance Management Act, 2012 which gives the County Executive Committee Member for Finance the power to establish public funds with the approval of the County Executive Committee and the County Assembly.

D) Section 116 (7) of the Public Finance Management Act, 2012 which provides for the procedures of accountability on County Public Funds. Section 116 (7) of the Public Finance Management Act, 2012 provides that:

The administrator of a county public fund shall—

- a) prepare accounts for the fund for each financial year;*
- b) not later than three months after the end of each financial year, submit financial statements relating to those accounts to the Auditor-General; and*
- c) Present the financial statements to the county assembly.*

E) The provisions of the Samburu County Bursaries Fund Act, 2015 (No.1 of 2015) which established the Education Fund and provided for the procedures for the management and administration of the Fund.

Hon. Speaker, the following are the members:

1. Parari Lemooge – Chairperson
2. Leonard Lengewa - Chief Officer-Education
3. Mevice Leshore - Member-Gender
4. Peter Bokosh – Member(PWDs Representative)
5. Timothy Lenduda - Member-Faith Based
6. Everlyne Lekashango – Member(Student Representative)
7. Marios Leterewa - Member

8. Kinya Magambo – Member
9. Benjamin Leitore - Bursary Coordinator

Hon. Speaker, the Bursary Fund bank signatories are:

10. Bursary Coordinator - Benjamin Leitore
11. Chief Officer Education - Leonard Lengewa
12. Chairperson - Parari Lemooge

Mr. Speaker Sir, The committee utilized several methods to conduct the investigation:

- Document Review: Analysis of the financial statements, bank records, and disbursement reports related to the Samburu County Bursary Fund for FY 2022/2023 and FY 2023/2024.
- Site Visits: Visits were made to educational institutions such as the African Institute of Research and Development Studies, Mt. Kenya University (Nakuru Campus), Samburu Technical Training College, Meru National Polytechnic, St. Johns College (Maralal), Maralal Teachers College and the Rift Institute of Science and Technology to verify the disbursement and utilization of bursary funds.
- Interviews: The Committee engaged with the County Executive Committee Member, Bursary Coordinator, Samburu County Bursary Committee, educational institutions and other stakeholders to gather insights into the fund's management.
- Audit Report Analysis: A review of the audit reports published by the Office of the Auditor General for the relevant financial years.

Following the observations and findings made from the Investigation, the Committee resolved to seek clarification and explanation from the County Executive Committee Member for Education and Vocational Training on the propriety of certain expenditures that were incurred from the Fund.

Pursuant to a letter dated 01st October, 2024 reference no. Ref: SBU/CK/ADHOCB/VOL.1/02/2024, submitted to the County Executive Committee for Education and Vocational Training by the Clerk of the Assembly, the County Executive

Committee Member was instructed to provide budgetary allocation for Bursary Fund for FY 2022/2023 and FY 2023/204 as approved

By the County Assembly, Requisition(s) by the Department made to County Treasury requesting for grant of credit to the Samburu County Bursary Fund for the two financial years including dates and the amount requisitioned, The bank statements for the Bursary Fund from 1st July 2022 to 30th June 2024, A detailed list of schools that received bursaries for FY 2022/2023 and FY 2023/2024, The cheques dispatch book/register for FY 2022/2023 and FY 2023/2024, The job description and qualification requirements for the bursary Coordinator position, as outlined in the Samburu County Bursaries Act, 2015 and relevant documents to ascertain the proper management of the Funds incurred for the FY 2022/2023 and FY 2023/2024.

Pursuant to the response from the department adduced before the Committee, the supporting schedules of the Fund Administration Cost incurred during the FY 2022/2023 and FY 2023/2024 was supposed to be submitted for the following expenditures:

Table 1: Breakdown of Fund Administration Costs for FY 2022/2023

Date	Beneficiary/Company	Amount (Kshs)	Description
28/10/2022	Nicholas Lemeteki	237,500	Cash withdrawal
28/10/2022	Nicholas Lemeteki	329,000	Cash withdrawal
02/11/2022	Parari Lemooge	272,000	Cash withdrawal
14/11/2022	Parari Lemooge	116,000	Cash withdrawal
16/11/2022	Benjamin Leitore	118,000	Cash withdrawal
17/11/2022	Benjamin Leitore	101,800	Cash withdrawal
22/11/2022	Parari Lemooge	110,000	Cash withdrawal

20/12/2022	Parari Lemooge	415,200	Cash withdrawal
21/12/2022	Joy Letoyia	413,200	Cash withdrawal
09/01/2023	Parari Lemooge	374,900	Cash withdrawal
17/01/2023	Parari Lemooge	695,000	Cash withdrawal
24/01/2023	Benjamin Leitore	83,400	Cash withdrawal
02/02/2023	Parari Lemooge	53,600	Cash withdrawal
14/02/2023	Parari Lemooge	45,000	Cash withdrawal
21/02/2023	Parari Lemooge	45,000	Cash withdrawal
01/03/2023	Parari Lemooge	95,000	Cash withdrawal
03/03/2023	Parari Lemooge	388,400	Cash withdrawal
05/03/2023	Benjamin Leitore	135,000	Cash withdrawal
11/03/2023	Benjamin Leitore	192,000	Cash withdrawal
16/03/2023	Benjamin Leitore	120,000	Cash withdrawal
TOTAL CASH WITHDRAWALS		4,224,000	
21/12/2022	Zange General Suppliers	480,000	Vendor payment
03/03/2023	Zange General Suppliers	300,000	Vendor payment
21/03/2023	Zange General Suppliers	86,000	Vendor payment
06/06/2023	Zange General Suppliers	23,600	Vendor payment

TOTAL VENDOR PAYMENTS		889,600	
GRAND TOTAL ADMINISTRATION COSTS (FY 2022/2023)		5,113,600	

Table 2: Breakdown of Fund Administration Costs for FY 2023/2024

Date	Beneficiary/Company	Amount (Kshs)	Description
18/07/2023	Leitore Benjamin	900,000	Cash withdrawal
04/08/2023	Parari Lemooge	260,000	Cash withdrawal
07/09/2023	Parari Lemooge	40,000	Cash withdrawal
14/09/2023	Parari Lemooge	50,000	Cash withdrawal
22/11/2023	Leitore Benjamin	270,000	Cash withdrawal
29/11/2023	Parari Lemooge	200,000	Cash withdrawal
07/12/2023	Leitore Benjamin	251,400	Cash withdrawal
14/12/2023	Parari Lemooge	318,000	Cash withdrawal
18/12/2023	Leitore Benjamin	489,000	Cash withdrawal

30/12/2023	Parari Lemooge	110,000	Cash withdrawal
16/01/2024	Leitore Benjamin	466,000	Cash withdrawal
31/01/2024	Parari Lemooge	122,000	Cash withdrawal
16/04/2024	Leitore Benjamin	615,600	Cash withdrawal
16/04/2024	Parari Lemooge	950,000	Cash withdrawal
20/05/2024	Parari Lemooge	379,200	Cash withdrawal
TOTAL CASH WITHDRAWAL		5,421,200	
14/12/2023	Tech Printers	49,035	Vendor payment
15/12/2023	Nabore LMT	966,000	Vendor payment
09/01/2024	Samburu Guest House	875,000	Vendor payment
31/12/2023	Tech Printers	168,000	Vendor payment
01/02/2024	Zange General Suppliers	219,000	Vendor payment
16/04/2024	Tech Printers	154,000	Vendor payment
26/04/2024	Zange General Suppliers	369,000	Vendor payment
22/05/2024	Zange General Suppliers	164,000	Vendor payment
05/06/2024	Obal Printers	107,000	Vendor payment
TOTAL VENDOR PAYMENTS		3,071,035	

18/07/2023	Miscellaneous Debit (Allowances)	788,400	
18/07/2023	Miscellaneous Debit (Allowances)	216,200	
TOTAL MISCELLANEOUS DEBITS		1,004,600	
GRAND TOTAL ADMINISTRATION COSTS (FY 2023/2024)		9,496,600	

The Fund Management was represented by Mr. Mark Egelan, the Chief Officer for the Department of Education & Vocational Training and Mr. Benjamin Leitore, the bursary coordinator who submitted before the committee some supporting documents on cash withdrawals. The committee noted that the procedural architecture of spending public funds pursuant to the Public Finance Management Act regulation policy follows that the payment voucher is the last authorization by the accounting officer meant to satisfy the price charged on a particular service are in accordance with the law and reasonable that the expenditure has been incurred in proper authority and certificate of value has been completed.

The funds, not pursuant to the response from the department adduced before the committee further shows that a breakdown of how the fund administration post of Kshs.14,610,200 for the years under review was spent. So, Hon. Speaker that is the total money they had spent for the two financial years. For financial year 2023-2024, the allocation for bursary was Kshs.133M, which the maximum allowable administration cost at Kshs.3.9M.

For the financial year 2023-2024 the fund received was Kshs.133M. The only allowable administration cost is 3.9M. These guys had used Kshs.9.4M yet the law provides that they only

use 3.9M as administration cost. The actual expenditure however surged to the 6.46 exceeding the limit by 5,506,000. These are some issues that the house needs to understand.

These guys went ahead and used the administration cost over one financial year by 5, 506, 000 the amount that they have overdrawn from the account. Supporting documents for cash withdrawal was not sufficient. No receipt or any evidentiary documents to support cash withdrawals in regards to bursary administration cost. Therefore the propriety of this expenditure cannot be ascertained, accumulative of expenditure of Ksh. 7, 131, 200 over the two financial years.

So, for the FY2023/2024, they have overspent 5.5M and 1.1M in the other year. In total, they have spent 7.1M which could have benefited more two thousand secondary students. Hon. Speaker, which is just administration cost for every FY. Hence, financial summary of the administrative cost is at (pg. 24).

The committee noted from that withdrawal is that payment voucher (under the name Benjamin Leitore) was not examined raising concerns about proper documentation and approval of the transaction. The voucher also lacked authorization signatures violating control protocols. Discrepancies were observed in particular numbers across the documents. The committee has taken notice of the participants in constituencies on supporting schedule on expenditure. Therefore, pursuant to these findings, it not possible to ascertain the proper propriety of the amount paid to Mr. Benjamin Leitore.

On 18th July, there was another payment done under the name miscellaneous debit. There was this cash withdrawn by Leitore and there is and miscellaneous withdrawn from the same account. These withdrawals were used as committee allowances but recorded under miscellaneous debit which is miss-clarification, casting doubt on the legitimacy of the allowance. No evidence of conference facilitation, work tickets to approve the journey were missing too, hence, illegitimate travel claims. No receipts and attendance lists to support per diem payment made to the committee. A significant overlap in the participants was noted for the two meetings that occurred simultaneously. Two payments with the same documents, same participant list paid the same day is a problem.

There was also irregular of cash withdrawal books. The bursary bank account was reportedly withdrawn beyond withdrawal limits of 15th September 2023 of Ksh. -26,464.55 up to 11th April, 2024 where the account ran at a negative of Ksh. -52, 093.55. On November 18th, the account was running at a negative of Ksh. 285, 425. 55.

Therefore, pursuant to section 142 (i) of Public Finance Management Act 2012, provides that the County Assembly may authorize short term borrowings by the county government entities for such management purposes only.

It is noteworthy that borrowing by the county governments is provided for under Article 212 of the Constitution and specifically section 58 140, 141 and 142 of the PFMA 2012. These provisions outline conditions on authority for borrowing by the county governments. A request for an overdrawn approval under said provisions can be allowed only if the loan's terms are set out in writing and in accordance with the following sections of the law: Article 212 of the Constitution, section 58 of the PFMA and section 42 of the PFM Act.

Bouncing cheques: we have given some samples on cheques written by the committee to the institutions but bounced. Between 17th March, 2023 and May 20th, 2024, the bursary coordinator reported that a total number of 170 cheques have bounced. Each instant attracted a penalty of Ksh. 3,600. Therefore the account lost Ksh. 612,000 just as penalties for bounced cheques which could have benefited 61 diploma students.

On 8th March, 2024, cheques number 13 to 48 amounting to Ksh. 12,000 written to Wamba nursing college bounced too. So the persistent issue of cheques bouncing and penalties highlights the urgent need to improve financial management practices ensuring sufficient funds are available in the account before the cheques issuance to prevent such losses and to guarantee that the funds are utilized efficiently to fulfill its intended purpose of supporting education.

Qualifications of the bursary co-coordinator: Section 5 (3 a) of Sambury County Government Fund Act, 2015 outlines that the bursary coordinator must possess a degree from a recognized university or its equivalent. However, upon reviewing documentations of the bursary coordinator, the committee recognized that the coordinator does not have a degree and hence is not qualified to hold that position. Section 1 (16 2) of Public Finance Management Act 2012 provides that for every public funds established, the County Executive Committee Member for

finance designates a person responsible for administering that fund. Due to lack of necessary documents, the committee does not ascertain the appointing authority of the current bursary coordinator.

Failure to disburse bursary: there was failure to disburse ward fund bursaries especially to students studying outside Samburu; that is, for secondary schools. This practice was noted to be inconsistent with the principle of equity which mandates fair and inclusive access to resources regardless of geographical location. There is no need of discriminating students based on where they are studying.

We noted that some degree students were allocated Ksh. 15, 000 each but there are some students was given forty thousand shillings so there was non-adherence to the allocation criteria. You cannot give one student doing degree 15,000 and another 40,000. There was conflict of interest where the bursary coordinator was among the beneficiary of Samburu County Bursary Fund and the funny thing was that while other students were receiving 15,000 he was awarding himself 60,000 just as degree holder. The list that includes his name is annexed in this report for the Members to look in annexure three on the last page down there. In one Financial Year he received bursary twice, a check having three students 40,000 each and another of five students receiving 20,000 each.

For the two checks the bursary coordinator was among the beneficiaries. There is another issue serious that we noted unsupported gift scholarship we saw a lot of money paid to KCB Bank as KCB scholarship; the Committee noted there was significant discrepancies in management of KCB scholarship under the Samburu County Bursary Fund. Despite repeated requests no comprehensive list of beneficiaries disbursed amounts of selection criteria for the Financial Year 2023/2024 have been provided.

Additionally, the Committee has not received critical documentation agreement of MOU between Samburu County and KCB. So, these guys were paying a lot of money amounting to 31 million to KCB and nobody knew what the amount was for. The last thing that we noted as a Committee was this Committee was not ready to provide information for the Committee as requested. A number of times we wrote to them requesting information which they total refused.

The Committee noted the appearance of the Samburu County bursary Committee most members confessed that they were not involved in the day to day activities. When the Committee appeared before us apart from the Fund Administrator and the Chairperson who were absent the rest of the Committee confessed that they do not know what was happening the account is just at the mercy of the Fund Administrator, the Chairperson and I think the CO.

The CEC in charge of Education confessed here that the bursary coordinator does not take any recommendation or directive from him so we saw that there was a very bad working relationship.

Following the Committee consideration of the Samburu County Bursary Fund Management for the Financial Year 2022/2023 2023/2024 the Committee makes the following recommendations;

1. An urgent special audit to be conducted by the office of the auditor general for the financial year 2022/2023 and 2023/2024 on the Samburu County Bursary Fund.
2. The CEC for Education should immediately disband the Samburu County Bursary Committee and the current Samburu County Bursary Coordinator by the name Benjamin Leitore should be removed for mismanagement of the fund and not meeting the qualification stipulated in the Samburu County Bursary Fund Act 2015.
3. The Committee request the controller of budget to suspend all further funds released in the bursary fund account until new Samburu County Bursary Committee is in place.
4. The Samburu County Bursary Fund Act 2015 be amended to align with Section 116 of the PFM Act 2012.
5. The observation and recommendation of this report should be submitted to respective Government Agencies for further action.

When we called the controller of budget he confirmed that he was so shocked to realize it was the same Benjamin Leitore administering this Fund while from the office of the controller of budget they had written a letter of removing Benjamin Leitore from administering that Fund. I now beg this House to adopt this report, thank you Mr. Speaker.

MCA Wamba West Ward, (Hon. Lemartile Francis): Thank you Mr. Speaker. I raise to contribute on this report and specifically to the bouncing cheques. From the report the bursary committee confirm to us that 170 cheques were not paid because of several reasons which they are giving; that shows negligence given to you because giving out 170 we will accept some of

commission and omission errors in management but 170 cheques is willingly and fraud denying the kids of Samburu to get this bursary. How do you write cheques to 170?

Secondly it has implications to our County and Institutions tarnishing Samburu County reputation from other institutions which is not good. On bouncing cheques, you are giving them to assist students in paying the fees balance normally the banks charge the drawer Ksh.3,600 and charge the receiver Ksh.3,600 so by doing so you are burdening a student to get an extra charge of Ksh.3,600 which is not good Mr. Speaker.

As a Member of the Committee I also noted the treasury has given all the budgetary allocations to this fund and each and every Financial Year or the two Financial Years we have complains of over drawings which have not been approved by either treasury or this House so they are contradicting the existing laws Mr. Speaker. This matter shows that not to reflect those financial mismanagement but also bluntly violation of several laws;

1. Public Finance Management Act, Section 196 of the Act provides that all public funds must be managed in a manner that ensures transparency, accountability and financial prudence. Issuing of cheques without sufficient funds violates this principle and constitutes financial negligence.
2. The second law violated by issue of bouncing cheques is Public Procurement and Public Disposal act Section 44 of the Act mandate accounting officers to ensure integrity of financial transaction issuing bouncing cheques undermine the integrity and trust in the management of public resources which contravene this provision.
3. Penal Code Cap 63 Laws of Kenya Section 316/A of the Penal Code criminalize the issuance of dishonored cheques considering it as an offence of obtaining financial advantage by false pretense this express the County Government to possible legal action from the other institution.
4. The Banking Act Cap 488 Section 19 which outlines penalties for Financial Institution involved in issuing dishonored cheques which could implicate the County Treasury or the County Bursary Fund Management for negligence and financial transaction.

Mr. Speaker the accumulated loss of Ksh. 612, 000 could have been used to benefit students from this County, this is denying the Samburu populace the needy student the purpose for

intended money for you paying penalties and it was supposed to be bursary. I request and recommend this Hon. House to adopt the report for disciplinary action against the responsible officers for that gross misconduct.

2. We need immediate review of tightening of our financial management controls in the bursaries fund to prevent a resource recurrence of the same.

3. A comprehensive audit of all transaction related to the bursary fund during the years in question.

Finally, Mr. Speaker, I (Inaudible) the road public trust in our ability to manage public resources effectively. We must act decisively to restore confidence in the bursary fund and ensure that it serves its intended purpose. Hon. Members I support the recommendation of the Committee and appreciate our able Chair for leading us to conclude this report in the required time possible, thank you Mr. Speaker.

Specially Elected MCA, (Hon. Osman Dube): Asante sana Mheshimiwa Spika kwa nafasi. Mimi niko kwa kamati hili na nimekubaliana na hayo. Umeskia vile limesomwa. Nilpoapa kwa mbele ya mwenyezi mungu na nikasema nitafanya haki na siwezi ingia mahali mtoto masikini anadhulumiwa na mtoto mlemavu anadhulumiwa. Mfano ni tulipoenda St. Johns Watoto 12 walemavu hawakupata bursary na hawana namna ilhali mtu mmoja au wawili wanachota pesa kama maji. Nakubaliana na vile tuliandika na kusema huyu Benjamin Leitore aende. Itakuaje Fund Manager kujilipa bursary ilhali wengine hawana. Nakubali kamati, Benjamin Leitore na Mwenyekiti wote waende kwa haraka. Hata tumechelewa. Mimi kama mwakilishi wa Walemavu nakubaliana na hao kuwa waende nyumbani.

Specially Elected MCA, (Hon. Lenamatiyo Silapia): Thank you Mr. Speaker. I take this opportunity to thank your office and the office of the Clerk on enabling this Committee on Ad Hoc to carry this investigation. We do not just take this for granted but we really thank you with your office and also the office of the Clerk and also our secretariat. I also take this opportunity to thank the Committee on Ad Hoc led by our Hon. Chair for Loosuk Ward and also the Vice Chair who is my friend Hon. Esther Lenolkulal and the Whole Members of Committee and the Secretariat.

I want to contribute on two matters that is the administration fund and also the KCB scholarship; Mr. Speaker as you heard from our able Chair when he was reading this report he was also taking time to explain to this Hon. House how the bursary fund was managed. First when you look at the Samburu County Bursary Act it only allows the bursary Committee to us 3.4 million as administration but what we are seeing here the office of the bursary just takes the laws of this County Assembly for granted; they surpass by their own decision. This shows that they have not respected the Samburu County Bursary Act, the regulation of that Act they have not adhered to respect the PFM Act so Mr. Speaker on that matter show that the whole Committee that is bursary Committee and also led by their Chair by the Bursary Coordinator they are not competent to be in that office because they lack respect for the Samburu County Government Act passed by this House.

When you roughly calculate the 7.1 million for secondary students who get Ksh4,000 you will get 1700 students benefitting and yet up to today the 2023/2024 students studying outside Samburu for secondary have not yet received their bursary just because somebody is withdrawing day and night money for those students .

Hon. Members, we are really pained to know that someone sitting in an office withdrawing the benefits of the students studying outside Samburu County. Let us pass this report now and then later write a letter to the Executive to make sure that person will not be in that office tomorrow or even today because it is painful. Members are aware that their electorates and students miss bursary because of two people who have become animals. With your leadership I just want to tell Hon. Members that let us support this report as it is so that we can have an office that will be able to disburse this bursary to all our students and not an office that withdraws day and night.

Mr. Speaker, when you look at that 7.1 million; that is only the administration cash withdrawn. When you look at the vendors that is Zange, I do not know what it is but I want to know. Zange has to be surcharged these money because it cannot be given a tender twice in one month. I am seeing 3rd March 2023, 21st March 2023 which is the same within one month.

They never gave the Ad Hoc Committee documents for accountability of these money and support of these payments. I stand here to tell the House that the whole expenditure of the administration fund is 7.7 million which would have benefited Samburu students studying

outside the County. They have failed to provide documents for explanation on why they have surpassed so they are not able to perform the duties in that office though let them go.

The second one is on the KCB scholarship; first, I am a Member of the Committee on Budget and I went through the Controller of Budget Report the bursary coordinator is not in that report because the Executive decided to write a letter to the Budget Controller to inform that this person is not the bursary coordinator. The Budget Controller has already given the authority to the Executive that they have to close the KCB account when we come across this one again when we are doing investigation we saw that there is something fishy between the bursary and the KCB bank just because they are saying there is KCB scholarship amounting 31 million and they never gave the Committee documents to support these large amount of money.

If they do not give us the document how do we know that these money has been used in a good way that was intended to. They are not competent to be in that office. I just want to tell the Hon. Members of this House that Samburu students are crying all over because of two people in the office eating money day and night and make them lack that opportunity to get these bursary. 197/1 and d of the PFM Act gives the Committees and the House power to call anybody holding office in this County to give evidence but they do not give us. Let them go home if they cannot handle issues as they are supposed to, thank you.

MCA Porro Ward, (Hon. Leerte Patrick): Asante Mheshimiwa Spika kwa kunipa nafasi. Naungana na wenzangu kwa yale wamesema. Nashukuru ofisi ya Bwana Spika, Clerk na Mwenyekiti kwa kazi nzuri kwa kuwezesha kamati kufanya yale wamefanya. Swala ya Bursary imeleta shida sana na ni unapomwona Mheshimiwa Silapia akitaka kuruka hapa ni bahati hao watu hawako hapa kwani wangeumwa na meno. Sisi kama waliochaguliwa tunaandika bursary kwa mwanafunzi na akirudi anarudi na hiyo bouncing cheques. Ukiona huyo mzaszi vile anakuja na hasira kwamba kama hukuwa unataka kumpa mtoto wangu bursary mbona ulimpa a bouncing cheque ilhali sio makosa yako.

Wale wanaandika hiyo bouncing cheques wanatuharibia majina sana. Mzazi anafikiria ni mheshimiwa ndio ameandika cheque na sio coordinator. Kama kazi inamshinda kuna wengi wanaweza hiyo kazi. Katika hizo bouncing cheques imesemekana 170 karibu kumi ni ya Porro Ward. Nilileta hata duplicate. Watoto ambao wangefaidika wangekosa nafasi hiyo kwa sababu

bouncing cheques zao zilibounce na cheques zikaandikwa na watakosa kupata, Bw. Spika jambo ligine pesa ambazo mwenyekiti amesoma kwamba ile matumizi ambayo inapaswa kutumiwa kwa ofisi katika matumizi imepita karibu mara mbili na hizi pesa tunaenda kupata ni ngumu na tunasikia uchungu sana mtu nanaenda kutoa elfu mia tano cash sijui kama kuna mtu yeye huwa analipa sijui kama yupo na firm, hata jumapili inatakikana ichunguzwe mimi ninachuku ni wao. Baada ya wiki mbili anapewa baada yua wiki mbili anapewa kwani hamna supplier mwingine angepewa.

Ipo wakati tuliongea mambo ya bursary nafikiri tukiwa Baragoi na hiyo kitu imenikuimbusha kwamba Tuliambiwa huko kwamba hawa hawa mcas wanapinga kelele wanataka kupewa pesa na mpesa. Bw. Spika jambo hilo linauma sana kwa sababu tungepewa pesa kwa mpesa ndio mtu atoe evidence kwamba tuliitisha pesa kwa mpesa.

Ushahidi imetoka ya kwamba ile pesa ambayo walikuwa wanakataza Watoto wa wasamburu na wale wanaishi hapa ndio hizi zinafanyiwa kitendo baada ya siku mbili umeenda kutoa baada ya wiki moja unaenda kutoa elfu mia nne kwa sababu pesa zingetumika kwa haki ofisi hii Haingepata pesa za kutoa kwa hivyo pesa hizi ambazo Watoto wetu wananyimwa ndio zinakuwa withdrawal in cash.

Hata nimeona jina ya mtu ambayo sitalitaja jina lake kwa sababu limeandikwa pale alikuwa katika ofisi hii kwa assembly ya serikali iliyopita, nieona yeye ametoa wakati kura ilipigwa na yeye pia akaenda kuclear pesa alitoa pesa elfu mia sita kwa hivyo Bw. Spika tukiendelea kupatia nafasi wale watu ambao hawana huruma na Watoto wa watu si vizuri Bw. Spika kwa hivyo mimi pia kwa maoni yangu hii Hon. House na Members waweze ku adapt ripoti hii na mtu aende nyumbani Watoto wengi wa Samburu wapo ambao wanataka kazi na ofisi hii hata ukienda kuanzia jumatatu hadi ijumaa siku moja pekee wako siku hizo nyingine hawapo zinafungwa.

Hakuna mtu anapokea simu, ni vizuri twende na sheria ile sheria imesema ifanyike namna hiyo kwa sababu bila sheria hakuna kitu itaenda vizuri, jinsi ambavyo imesomwa nimesikia na mimi ninaunga Mheshimiwa Spika Mkono ripoti hii iwe adapted na isichelewe iweze kufanya kazi hata leo ni katikati ya wiki bado tunazo siku mbili ambayo jambo hilo linaweza tekelezwa, ninaunga mkono ripoti asante.

Specially Elected MCA, (Hon. Stacey Nareyo): Thank you Mr. Speaker first of all allow me to take this opportunity to really acknowledge the good work that the *AD HOC* Committee has done they have really submitted a hefty and a well detailed report, I want to commend them for that headed by their chairperson Hon. Kaunda. I will not take time because there is no point of discussion here.

Especially knowing that many students in Samburu county entirely depend on bursaries due to financial constraints from where they are coming from Mr. Speaker, therefore I want to stand by the truth and support the report and I will also want to urge the Committee on Education to pull up their socks and also (not on a bad note though) but I also recommend them to maybe come up with a Bursary Fund Management Bill supported by the legal team so as to regulate the allocation process and define the penalties for violation of the Bursary Fund, I stand to support the recommendations and I think I urge other Members especially those who are not part of the Committee to adapt the recommendations and support the Motions so that we can restore the confidence in this House, thank you Mr. Speaker.

Wamba East Ward MCA, (Hon. Lelenkeju Jackson): Thank you Mr. Speaker, I stand to support the Motion and I first recommend the Committee for thorough work that they gave a lot of research it leaves no doubt that the mess is huge and cannot be ignored. We have laws that guide public monies and we have laws that guide governments.

Samburu County government is not a lesser child when it comes to counties, it is an equal child to the rest and laws must be followed at all cost. Mr. Speaker sir even from a lay-man's point of view, I take a very simple example here for Samburu County Bursary Act 2015, and regulations 197 1 (d) of PFM plus regulation of 2015 of Samburu County Government Act provides for 3% of operations of the Fund. The same Committee exceeded that 3% by 7, 131, 200 as provided in the annexes and the report of the Committee.

We usually give ten thousand per Diploma student and the amount missing here for the FY 2022-2023 is 1, 624, 600 if you divide that amount by 10,000 per student 162 Diploma students missed bursaries because of this loss. When you go to 2023-2024, 5, 506, 600 divided by 10,000 550 Diploma students missed in total, for the two years 712 students missed bursaries.

You can imagine how crucial this Fund is in eradicating illiteracy level amongst our people. We do not need to say much about this mine is to recommend and call all the Members to unanimously pass the report so that we move forward, I think the Governor had good intention by appointing the Committee but this is a serious let down to everybody we are not being biased here we are doing a role that has brought us here. The role of representation to our people, oversight and regulation on matters to do with laws. I do not think there is much to argue on and waste time here.

The Committee did thorough job and it is here it is clear with us we are only here to recommend and to pass the recommendation of the Committee while recommending or urging the responsible authorities to move with speed because we have witnessed lots of things we do in this House which disappear. We need speed and work to be done in accordance with recommendation and I fit is not followed I commend the Committee to be on stand by so that we move to another level, thank you Mr. Speaker.

Specially Elected MCA, (Hon. Lenolkulal Esther): Asante Bw Spika Nachukua fursa hii kumshukuru mungu kwa kutuwezesha kufika hapa. Ninafikiri ni mara ya kwanza kupata tumaini katika Nyumba hii. Mimi kama mama ambaye ninasimamia kina mama wale wako nyumbani, nina huzuni sana kwa sababu nikion aofisi hiyo ya basari watu wawili wanatoa pesa hizo na tunajua kuwa wana mshahara ambayo wanalipwa kila mwezi na nikiwa mama ambaye anategemewa huko nje nikiona basari imekuliwa, ninaskia uchungu na kuhuzunika.

Ninajua kuwa watoto wa maskini wanaokata makaa wangeweza kufaidika na pesa hizo ambazo zinaliwa na watu amabo wana mishahara nono. Ninapongeza kamati ya *ad hoc* kwa kazi nzuri ambayo walioweza kufanya. Hamna kitu nzuri kama haki, tufanye kazi kwa haki na pia mungu atatuona kwa kuwa mungu atatuona tukifanya kwa haki, kwa sababu kuna wengi wangeweza kufika hapa lakini kwa kuwa ni sisi tuko Bw. Spika na tusipofuata haki katika Nyumba hii ni wapi tutaenda kufuata haki?

Kwa maelekezo yako tunganese hawa watu watoke kwa ofisi kuanzia sasa hivi waende kabisa hatutaki kuhesabu watu kama watu wetu na wanatushika shingo n akunyanyaza Watoto maskini. Ni aibu sanakabla tutoke katika Nyumba hii barua ifike watoke katika ofisi. Hatuwezi endelea

kuumia hivi watu wetu wanaumia huko nje na basari ndio inaweza kuswasaidia, Asante Bw Spika.

Minority Leader, (Hon. Leleruk James): Thank you Mr. Speaker, I also rise to support the report on several issues, before I give out my contributions I would like to thank you, the clerk and the Committee for the good work they have done. When I look up on the report, it is a comprehensive report. The investigative agencies work has been made easier to act. immediately, so that the public money must be returned.

There was this issue of bouncing cheques, we have been raising several times as Hon. Members, that cheques have been dis honored. We have been bullied by the so-called bloggers by some politicians but today they have the record that 170 cheques have been dishonored for Samburu County. It is very shameful Mr. Speaker, and even to me who represents this government. I want to direct this to the governor so that he takes action and go forward, because if the money that the cheques has bounced and the students are asking the parents to pay such amount of money 1.2 million just because of someone's negligence.

I think that office is a scene of crime starting now because we knew that the intention was not good. As I stand here as an Hon. Member of Suguta Ward I have not received bursary for my Ward Fund. Students who are studying in colleges and universities have not received my bursary from the ward fund the names are in that office. The other time it was written in the media that I have added my daughter 100, 000 who is studying at the University of Kampala whereby I have no such child. My child is very young and has not reached University level.

See how this people are daring in tarnishing Hon. Members who are trying to say bad things happening within our county. I also urge the Committee, there is this report brought here about SUSA students, 2 million which was said SUSA students were given I remember when the breakdown was being given, that there was no money that was within the account 2 million was given to SUSA students I have perused this Statements and I have not seen those 2 million if indeed they were given.

I do not know if the Committee has called the representatives to come and shade light those SUSA students were given and I do not know if the Committee called SUSA representatives to come and shade light because I have those reports that states that SUSA received 2 million. I

have not seen where the chief officer of Education being mentioned or action taken because I do not think this money can just be withdrawn by one person. I am yet to be informed how many people are supposed to sign the withdrawals because 7.9 Million Kenyan money lost and the work of this Assembly is to oversight, legislate and represent. I also suggest we can amend that this money must be recovered so that this money can help our students, we are not here on political ground that we want to please someone we want to work and not side shows. I urge Hon. Members, to take and adapt this report so that we can get the right way how students will get money.

There is also this issue of KCB sponsored students 31 million being given to KCB. KCB Bank I know is a bank which does its work diligently, this money must be investigated the 31 million as a representative of Suguta I want to know how many students are sponsored within my ward. If indeed this students are sponsored where are these students studying?

It is not a miracle that there is no list that has been produced here to show that there are students that are being sponsored maybe an example the one that was made that money for Suguta has been given... I do not know maybe, let them provide for us the list that one million has been accounted for. 31 million bursary fund is not small amount of money and I think that is not the reason that we are not getting this ward fund as representatives of these wards.

We have been told we have not provided lists of the beneficiaries' people have been playing hide and seek games within those offices. I urge the Hon. Members that we pass this report, the Hon. Members have done a very good and a thorough investigation. In my profession I am an investigator, I have seen that this work has been done by the professionals, I thank them because they have done their work diligently I think even if this report will go to the police here in Maralal those people will be landing in cells and taken to court.

There is no any other reference that is being required for them to be taken to court and the money for our students to be recovered. On the issue of 31 million, I only ask the Committee and the Committee of Education, to follow and give us full list and ensure that we get full evidence concerning this 31 million, I think KCB will be able to provide this information.

To our media fraternity, to take this news that the money for Samburu County Bursary has been misappropriated. The reason why our students are not getting money, this is the reason. 7.1

million went to someone's pocket. Regarding Sanke and the other vendors we need to know how they have been procured? how given work to do? Because it is not just possible one company deceiving all the money and maybe all those people need to be investigated. I believe the Committee correctly and should be given to media, government agencies, so that they can do their work. As Assembly we have done the best and I congratulate the Committee thank you.

Nachola Ward MCA, (Hon. Lorunyei Lawrence): Thank you Mr. Speaker for giving me time to say something on this report first, I recommend the Committee for their work. Through their findings, observations and recommendations they have done their work under the chairman, and with the support of the supporting staff, I recommend them and say thank you for the good work. We have seen a lot from the reports and also when you give out people to speak, the Committee was trying to pump and venting making us to believe the report because they were the ones who prepared the report and then they are bringing to this Honorable House so that we can deliberate.

AWARE THAT, we are here as a House and this time as a neutral court just to hear and give our resolutions as per the facts given. We know we are a government if you go to the constitution Article 176 which is the County Government; there shall be a County Government 1) for each County government consisting of County Assembly and County Executive. We are one government in two sides.

We are discussing about the failures that we have made as the government and then how to correct our failures. We are not opposition, we are not competing we are here to deliver service to our people. As leaders we are trying to make perfection and as executive they are to implement the policies this House has approved. Going by the recommendations Mr. Speaker;

1) says that the urgent special audit be conducted by the Auditor General.

Thus I concur with the Committee because we need at-least to go to the bottom of the issue because public money has been used and we want to know every penny where it went and the office which can go to the bottom is the office of the Auditor General because us here we are limited, we are here just giving the resolution and also knowing that we do not have power of firing we recommend, there are those who fires. Ours is just to impeach the governor and the

executive but junior officers their offices and processes of taking discipline. On recommendation 1 that office of the Auditor General to act with speed...

Hon. Lorunyei:...so that we can get a comprehensive report because we are not experts Mr. Speaker.

Mr. Speaker, it is good that the Bursary Committee was not working and that the Bursary Coordinator was misappropriating money, we recommend that the Chief Executive Committee Member should disband the Committee immediately and remove the current Bursary Coordinator from office.

On the third issue; requesting the Office of Controller of Budget not to release the money for bursary. Our students are suffering without the bursary. Mr. Speaker, the money should be in the bursary account but not cannot be used because the committee is disbanded.

Mr. Speaker, we have seen the alignment in The Bursary Act and with it is a smooth operation and progression. Mr. Speaker when I speak I see beyond the office, we will also leave office in 2027, all we do should be helping, correcting and ensuring good governance and service delivery to the Samburu people.

Mr. Speaker we do not have powers to fire anybody but we recommend and then their offices start the process of disciplining and removal from the office. Mr. Speaker, I suggest that the public money should be recovered by following a due process by the County Public Service Board...

(Point of information by Hon. Lenamatiyio Silapia)

The Speaker, (Mr. Lenamarle Stephen): Do you need to be informed Hon. Lorunyei?

MCA, Nachola Ward, (Hon. Lorunyei Lawrence): I do not need to be informed because it is my time

The Speaker, (Mr. Lenamarle Stephen): Then continue

MCA, Nachola Ward, (Hon. Lorunyei Lawrence): Because according to...

(Interjection on a point of order by Hon. Lenamatiyio Silapia)

The Speaker, (Mr. Lenamarle Stephen): Order Hon. Silapia

MCA, Nachola Ward, (Hon. Lorunyei Lawrence): According to Standing Orders, if an Hon. Member needs to be informed it is for me who needs to be informed, but if I do not want to be informed I continue Mr. Speaker.

The Speaker, (Mr. Lenamarle Stephen): Just continue if you do not want to be informed

MCA, Nachola Ward, (Hon. Lorunyei Lawrence): Mr. Speaker, I am not against the report but trying how to correct, if somebody goes to court...

(Interjection on a point of order by Hon. Lenamatiyio Silapia)

Specially Elected MCA, (Hon. Lenamatiyio Silapia): Thank you Hon, Speaker. I rise to tell Hon. Lorunyei that he either support or oppose the report. Hon. Speaker, The Samburu County Bursary Act is not clear on who is to be appointed as a Bursary Coordinator and at the same time the Hon. Member is saying we direct the County Public Service Board, the Board is nowhere to be seen in that ACT. The Hon. Member is misleading this House and that is why I wanted to inform him.

Hon. Speaker, the Hon. Member should conquer with the recommendations of the Committee or oppose, that is it.

The Speaker, (Mr. Lenamarle Stephen): Hon. Silapia, let us give him time, continue Hon. Lorunyei

MCA, Nachola Ward, (Hon. Lorunyei Lawrence): Mr. Speaker, I am not here to be forced, I have my own opinion. I cannot be like parliament whereby we do things and then the president comes to parliament and then do the contrary.

Hon. Speaker, I need to inform Hon. Silapia that the Bursary Coordinator is supposed to be employed by the County Public Service Board but because the Board was not requested then it is the way it is. Mr. Speaker the County Public Service Board is the board mandated employ, establish and abolish offices Mr. Speaker but in this case no recruitment was done.

Mr. Speaker, I am told that I either support or oppose the report, I am giving my opinion. Mr. Speaker, I support the recommendations with a reservation that the Controller of Budget should not release the funds to the County, thank you Mr. Speaker.

The Majority Leader, (Hon. Lentukunye Christopher): Mr. Speaker may I take this opportunity to appreciate the work done by my Committee and the contributions made by the Hon. Members on this particular matter on this particular sitting.

Mr. Speaker, I am a member of the *Ad Hoc* Committee that was charged by this House to do an investigation of the mismanagement of the bursary fund.

(Applause)

Mr. Speaker, while I support the report, I just want to point out a particular recommendation; disbandment of the Bursary Committee. The Bursary Coordinator and the heads of the Department of Education and Vocational Training were all present on the first day that we summoned the Bursary Committee.

Mr. Speaker, when we were interrogating the Committee, all members of the Bursary Committee narrated to the *Ad Hoc* Committee that they were not even in a single day part of the management of the bursary fund. Mr. Speaker, the CEC himself told the Committee that the Bursary Coordinator is not involving him in the day to day activities of the fund.

Mr. Speaker, why I am very interested on disbandment of the Bursary Committee; Mr. Speaker, the Committee informed *Ad Hoc* Committee that they were not aware of the management of the bursary fund account while they were withdrawing money for allowances.

Mr. Speaker, there are two ways of decision making, when given an opportunity to make a decision, you either give or make a decision as a team or as an individual but there are people who are not in support of the decision or the idea but decide to keep quiet. Mr. Speaker, those Bursary Committee members, whether they knew or did not know what was going on as far as

the fund account is concerned but kept quiet and give the Bursary Coordinator an opportunity to do whatever he feels like

(Applause)

Mr. Speaker, the Bursary Committee must be dissolved

(Applause)

They should cease to work as Committee members as soon as I end my contribution here Mr. Speaker.

(Applause)

Mr. Speaker, we have been singing a song of bouncing cheques day in day out, but the only response we got from the person concerned is “we were challenged to bring those bouncing cheques”. Mr. Speaker, as indicated by my colleague, my friend whom we nicknamed him as “Auditor General” Hon. Lemartile Francis Member for Wamba West, that it is criminal, I do not know which act he cited

(Laughter) (Applause)

For one to present a cheque; knowingly or unknowingly that the account to be charged has no money, it is criminal

(Applause)

Mr. Speaker, that goes without saying that something must be done to those people concerned

(Applause)

Mr. Speaker, a lot of money that was not part of the money withdrawn as administration fee was lost as a result of issuance of bouncing cheques. Mr. Speaker, this is known as a House of rules and order and by so Mr. Speaker, those rules, orders, policies and ACTS are made by this House.

Hon. Speaker, I inform the Hon. Members that we have to exercise the responsibilities given to us by the Constitution of Kenya

(Applause)

We can only exercise through, legislation, oversight and representation. Mr. Speaker, when I say representation; the needy students of Wamba North were denied their rights of benefiting from bursary

(Applause)

While those officers charged with the responsibility of administering those funds found out that it is prudent for them to utilize those funds meant for Wamba North needy students, Mr. Speaker I do not think whether they are utilizing on behalf of Wamba North or they are utilizing for their personal gain.

Mr. Speaker, I am emotional Mr. Speaker. Mr. Speaker, allow me to end my contribution

(Applause)

by urging the Hon. Members and this House to pass this report by supporting the recommendations by the *Ad Hoc* Committee, thank you Mr. Speaker.

The Speaker, (Mr. Lenamarle Stephen): Hon. Member, because of lack of time. I could have given you time to deliberate on the issue but we have a lot of work ahead of us and we have a very little time, I want to give the Chairperson of the *Ad Hoc* Committee, because now I know he is going to cease being a Chairperson right from now . I want to give him time to say something before I put the Question.

Chairperson *Ad Hoc* Committee on Education and Vocational Training, (Hon. Lenamparasio Phelix): Thank you Hon. Speaker for giving me a chance to contribute as the Chairperson of the *Ad Hoc* Committee, I have not even done my personal contribution regarding to this matter, but the Committee's recommendations are enough for me to read as the Chairperson.

I have asked permission from the Hon. Speaker to respond to the issue raised by one of the senior Member of this House on the disbursement of money to bursary fund account by the Controller of Budget.

Hon. Speaker, the reason as to why we saw it as necessary as the Committee that the Controller of Budget not to release funds to that account is because the Financial Year 2024/2025

requisitions are being done. The bursary fund account runs at Kenya Commercial Bank (KCB), once money is released into that account, and nobody is in control of that account, the same signatories can just go and withdraw money the way they feel like

(Applause)

As the new government was sworn in, the Chair who was the Bursary Coordinator for the last government run to the bank and withdrew some cash because he knew that his term was ending. This account is run just like a personal account because you just need three signatories.

We have recommended to the Chief Executive Committee Member for Education and Vocational Training to disband the current committee and immediately form a new committee. If the CEC by Monday next week forwards a committee to this House not for approval but for information, the House through the Clerk will write to the Controller of Budget to release the funds because we have a new committee and a new Fund Administrator.

I want to take this opportunity to thank the office of the clerk, the office of the Speaker, secretariat, Hon. Members for both the *Ad Hoc* Committee and none *Ad Hoc* Members. A number of Hon. Members did a memorandum to us especially on Ward bursary for this report to be such, our secretariat you did marvelous, I just want to commend our secretariat for the good work you have done.

Hon. Speaker, I pray that as quick as this House resolves to adopt this report the people managing the bursary account should cease from holding the office immediately

(Applause)

Hon. Speaker, as you give direction because I am optimistic that we are adopting this report, the Clerk should write to the CEC Education and Vocational Training so that if he wants to form another committee as tomorrow, we will be so happy.

Thank you and I hope you adopt this report for the best management to come and administer bursary fund meant for Samburu students as stipulated by The Samburu County Bursary Act, 2015. Thank you very much Mr. Speaker.

(Question put and passed)

ADJOURNMENT

The Speaker,(Mr. Lenamarle Stephen): Hon. Members, the time being twelve minutes to Noon O'clock and their being no other business, this Assembly now adjourns until Wednesday 4th December, 2024 at 2:30 pm