

SPECIAL ISSUE

COUNTY ASSEMBLIES FORUM (CAF)
P. O. Box 73552 - 00200,
NAIROBI, KENYA

Kitui County Gazette Supplement No. 17 (Bills No. 15)



REPUBLIC OF KENYA

***KITUI COUNTY GAZETTE
SUPPLEMENT***

BILLS, 2014

NAIROBI, 29th October, 2014

CONTENT

Bill for Introduction into the Kitui County Assembly—

PAGE

The Kitui County Villages Bill, 2014 1

COUNTY ASSEMBLIES FORUM (CAF)
P. O. Box 73552 - 00200,
NAIROBI, KENYA

THE KITUI COUNTY VILLAGES BILL

ARRANGEMENT OF CLAUSES

PART I—PRELIMINARY

Clause

- 1—Short title.
- 2—Interpretation.

**PART II—ESTABLISHMENT AND ADMINISTRATION OF
VILLAGES**

- 3—Establishment of village units in Kitui County.
- 4—Establishment of the office of the Village Administrator.
- 5—Functions of the Village Administrator.
- 6—Establishment of village Councils.
- 7—Functions of the Village Councils.
- 8—Application of Kitui County villages Act, 2014.

**PART III—COUNTY VILLAGES
SCHEDULE**

THE KITUI COUNTY VILLAGES BILL, 2014**A Bill for**

AN ACT of the Kitui County Assembly to provide for the establishment of Villages, the effective co-ordination, management and supervision of the general administrative functions in the villages; and for connected purposes.

ENACTED by the Kitui County Assembly as follows—

PART I**PRELIMINARY**

1. This Act may be cited as the Kitui County Villages Act, 2014 and shall come in operation upon gazettment in County or *Kenya gazette*.

Short title and
Commencement.

2. In this Act, unless the context otherwise requires—

Interpretation.

“Ward” means an electoral area within a county delimited in accordance with Article 89 of the Constitution and section 26 of the County Government Act, 2012;

No. 17 of 2012

“Village” means the decentralized unit of the County Government delimited in accordance with section 48 of the County Government, Act, 2012.

No. 17 of 2012

“sub-county administrator” means the person responsible for co-ordination and administration of county affairs in any one of the eight sub-counties in Kitui County and appointed as such as per the County Governments Act;

No. 17 of 2012

“village administrator” means the person responsible for overall coordination and management of county affairs in a particular village in the county and appointed as such as per the County Governments Act;

No. 17 of 2012

“village council” means the council established under section 53(1) of The County Governments Act, 2012; and

No. 17 of 2012

“ward administrator” means the person responsible for overall coordination and management of county affairs in a particular ward in Kitui County appointed as such in accordance with the County Governments Act;

No. 17 of 2012

3. The object and purpose of this Act is to provide for the establishment of the village units in Kitui County so as

Purpose and
object of the Bill

to provide for the further decentralization of the functions and provision of services by the Kitui County Government in accordance with Article 176(2) of the Constitution.

PART II—ESTABLISHMENT AND ADMINISTRATION OF VILLAGES

4. There is established in Kitui County Two Hundred and Forty Six (read 246) villages for proper co-ordination and facilitation of citizen participation in the development of policies and plans and delivery of services.

Establishment of
Village units.

5. All villages established under this Act shall be as per the Schedule to this Act.

6. Each of the established village unit under section 3 shall be administered by a Village Administrator in accordance with the provisions of Section 52 of The County Governments Act, 2012.

No. 17 of 2012

7. The Village Administrator shall be appointed by the Kitui County Public Service Board from persons who possess professional and technical qualifications in public administration.

Establishment of
the office of the
village
administrator

8. The Village Administrator shall be responsible to the respective Ward Administrator and shall have the following responsibilities—

Functions of the
Village
Administrator

- (a) Co-ordinating, managing and supervising the general administrative functions in the village;
- (b) facilitating the community in the development of policies and plans;
- (c) ensuring effective service delivery by the county government;
- (d) co-ordinating county government development activities to empower the community;
- (e) providing and maintaining infrastructure and facilities for effective delivery of public services by the county.
- (f) exercising any functions and powers delegated to him or her by the County Public Service Board pursuant to provisions of section 86 of the County Governments Act, 2012.

No. 17 of 2012

9. Any Village Administrator may from time to time issue orders to be obeyed by the persons residing or being within the local limits of his or her jurisdiction for any of the following purposes—

Powers of the
Village
Administrators

- (a) ensuring that the Village Council works in furtherance of the provisions of the Constitution particularly those under Schedule 4 Part 2 paragraph 14;
- (b) prohibiting or restricting the consumption or possession of intoxicating liquor by, and the supply of such liquor to persons under the age of eighteen years;
- (c) prohibiting or restricting the holding of drinking bouts;
- (d) prohibiting or restricting the cultivation of poisonous or noxious plants, and the manufacture, transfer, sale and possession of noxious drugs or poisons;
- (e) preventing the pollution of the water in any stream, watercourse or water-hole, and preventing the obstruction of any stream or watercourse;
- (f) regulating the cutting of timber and prohibiting the wasteful destruction of trees;
- (g) preventing the spread of disease, whether of human beings or animals;
- (h) prohibiting any act or thing which may cause damage to any public road or to any work constructed or maintained for the benefit of the community;
- (i) for any other purpose authorized by this Act.

10. There shall be established in each Village Unit a village council in accordance with line with Section 53 of the County Governments Act, 2012. The village council shall consist of the Village Administrator and five (5) other members with the Village Administrator as the chairperson.

Establishment of
village council

No. 17 of 2012

11. The Village Councils shall be responsible for the following—

Functions of the
village council

- (a) Co-ordinating and ensuring citizen participation in the County governance;
- (b) assisting respective village to develop administrative capacity for the effective exercise of function and powers;
- (c) monitoring the implementation of policies and programs at the village level;
- (d) advising the Ward Administrator and Sub-county Administrator on the matters pertaining to the village; and
- (e) any other function necessary for the better administration of the village.

12. The provisions of this Act shall be complimentary to the provisions of the County Governments Act in relation to the establishment and administration of the Village units within the County.

Provisions in the
Act are
Complimentary.

SCHEDULE

The two hundred and forty six county villages

Constituency	County Assembly Wards Codes	Ward	Size (Km2)	Population (Knbs, 2009)	Population Density	Village Code	Village Name
MWINGI NORTH	331	Ngomeni	1,619.00	18,477	11.41	1	1. Kimela/Syumani
						2	2. Mitamisyi/Kathalaani
						3	3. Ndatani/Kamusiliu
						4	4. Kalwa/Kavuti
						5	5. Kavaani/Ikime
	332	Kyuso	751.50	40,375	53.72	6	1. Kyuso
						7	2. Mivukoni
						8	3. Itiva Nzou
						9	4. Kamuwongo
						10	5. Ngaai
						11	6. Kimu
						12	7. Kimangao
						13	8. Twimyua
						14	9. Kamula
	333	Muumoni	659.60	34,225	51.8	15	1. Mutanda
						16	2. Nguuku
						17	3. Katse
						18	4. Mukong'a
						19	5. Kakuyu
						20	6. Tyaa
						21	7. Ngungani
	334	Tseikuru	1,328.00	33,800	25.45	22	1. Kaivirya/Ngongoni
						23	2. Tseikuru/Nziitu
						24	3. Ngalange/Nzanzeni
						25	4. Karingo
						26	5. Musavani
						27	6. Masyungwa
						28	7. Katumbi
						29	8. Mulangoni
	335	Tharaka	410.70	13,084	31.86	30	1. Gakombe
						31	2. Gacigongo

The Kitui County Villages Bill, 2014

COUNTY ASSEMBLIES FORUM (CAF)
P. O. Box 73552 - 00200
NAIROBI, KENYA

						32	3. Kanyengya/Gatoroni
						33	4. Kanthungu
						34	5. Kamaindi
MWINGI WEST	336	Kyome/ Thaana	308.00	26,274	85.31	35	1. Winzyeii (Winzyeii, Wikivuvwa)
						36	2. Kyome (Kyome, Ndalani)
						37	3. Thitani (Kasanga, Kavaini)
						38	4. Kanyaa (Kanyaa, Kitulani)
						39	5. Thokoa (Thokoa, Kasevi, Nguuni)
						40	6. Thaana Nzau (Yenzuva, Kyusyani, Thaana Nzau)
						41	7. Musuani(Musuani, Kanyekini, Thokoa)
	337	Nguutani	209.70	27,265	130.2	42	1. Muivu
						43	2. Kikiini/Nzauni
						44	3. Muthioni/Katoten
						45	4. Nzawa/Mavuni
						46	5. Ngongoni/Mathunzini/Kav oloi
						47	6. Nzalae/Kakululo
						48	7. Nguutani/Katuyu/Mukauni
	338	Migwani	685.10	24,338	35.52	49	1. Kyamboo/Kaliluni
						50	2. Migwani/Itoloni
						51	3. Nzatani/Ilalambyu
						52	4. Nzeluni/Mung'alu
						53	5. Kisovo
						54	6. Katalwa/Mumbuni
	339	Kiomo/ Kyethani	385.40	25,897	67.2	55	1. Kavuvwani
						56	2. Mbondoni
						57	3. Kiomo
						58	4. Kairungu
						59	5. Kyethani
						60	6. Karura/Wikithuki

KITUI RURAL						98	3. Musengo
						99	4. Mithini
						100	5. Mutonguni
						101	6. Kakeani
	347	Kauwi	245.30	25,385	103.49	102	1. Kauwi
						103	2. Mutini
						104	3. Kivani
						105	4. Mutanda
						106	5. Kyeng'e
						107	6. Katutu
	348	Matinyani	72.10	24,081	334	108	1. Kalimani
						109	2. Maseki
						110	3. Kyondoni
						111	4. Katheuni/Kaliakatya
						112	5. Kauma/Musosya
						113	6. Kathuma
	349	Kwa Mutonga/ Kithumula	192.00	18,708	97.44	114	1. Mutonga
						115	2. Mithikwani
						116	3. Kithumula
						117	4. Kasaini
						118	5. Kwa Mulungu
	350	Kisasi	253.60	26,759	105.52	119	1. Maliku
						120	2. Kavisuni
						121	3. Masimbini
						122	4. Mbusyani
						123	5. Ngiluni
						124	6. Nguuni/Mukameni
						125	7. Mosa
	351	Mbitini	131.10	24,848	189.53	126	1. Mbitini
						127	2. Katwala
						128	3. Kitungati
						129	4. Ngangani
						130	5. Kanzau
						131	6. Kivuuni
	352	Kwa Vonza/ Yatta	757.40	30,732	40.58	132	1. Kanyonyoo
						133	2. Kwa Vonza
						134	3. Nyanyaa/Ndunguni

						135	4. Makusya	
						136	5. Ilika	
						137	6. Kawongo/Nthongoni	
	353	Kanyangi	418.70	22,094	52.77	138	1. Kanyangi	
						139	2. Kalulini	
						140	3. Nzambia	
						141	4. Kanyongonyo	
						142	5. Kiseuni	
						143	6. Kitooni	
	KITUI CENTRAL	354	Miambani	215.10	22,164	103.04	144	1. Mutula/Mutukya
							145	2. Munganga
146							3. Nzaaya	
147							4. Kavalo/Usiani	
148							5. Kamandio/Ndiani/ Nzune	
149							6. Kanzau/Malili/ Mikuyuni	
355		Township	17.90	26,016	1,453.41	150	1. Town	
						151	2. Kalundu	
						152	3. Majengo/Manyenyoni	
						153	4. Kaveta/Syongila	
						154	5. Katyethoka/Ngiini	
356		Kyangwith ya West	142.50	23,792	166.96	155	1. Kavuta	
						156	2. Itoleka	
						157	3. Utooni/Mbusyani	
						158	4. Tungutu	
						159	5. Mulutu/Unyaa	
						160	6. Kyamathyaka/ Nduumoni/Tiva	
357		Mulango	155.70	28,573	183.51	161	1. Kathungi	
						162	2. Katulani	
						163	3. Kwa Muli	
						164	4. Wii	
						165	5. Wikililye	
						166	6. Kyangunga	
	167					7. Kyambiti		
358	Kyangwith ya East	105.00	31,170	296.86	168	1. Ivaini		
					169	2. Mulundi		

						170	3. Museve
						171	4. Museve
						172	5. Mutune
						173	6. Kalawa/Kabaa
KITUI EAST	359	Zombe/ Mwitika	580.50	25,452	43.84	174	1. Ngungi/Kasunguni
						175	2. Thua
						176	3. Malatani
						177	4. Ilaa/Katikoni
						178	5. Makongo/Kavingo
						179	6. Kikuu
	360	Nzambani	64.00	18,126	283.22	180	1. Kyanika/Mwembe Tayari
						181	2. Kavalula/Ngengi
						182	3. Kilonzo
						183	4. Ikuyuni
						184	5. Kangweni
	361	Chuluni	235.00	22,046	93.81	185	1. Kyanzai (Kamaembe, Kaliluni, Kwa-wewa, Itula-aka, Kenzini, Ka- kya)
						186	2. Kenze (Ka-nzooko, Ka- nguu, Ilamba, Kinzeni)
						187	3. Ngungi (Inyuu, Kwa- amutei, Kwa-aombe, Kiongwe, Mutuluni, Kitho, Mbangulo)
						188	4. Kanduti (Katumbu, Kivutini, Kanduti, Ndunga, Union)
						189	5. Kyalele (Kanzauw'u, Nzangathi, Utwiini, Ngomango, Kavumbuni)
						190	6. Ithumula (Kyangala, Matalwa, Kavuo, Kamale, Kiliku, Ithumula, Manzini, Malangayu).
	362	Voo/ Kyamatu	1,114.00	23,011	20.66	191	1. Kyaango
						192	2. Imale/Kiangini
						193	3. Muthungue
						194	4. Kyamatu/Nzanzu

The Kitui County Villages Bill, 2014

COUNTY ASSEMBLIES FORUM (CAF)
P. O. Box 73552 - 00200,
NAIROBI, KENYA

						230	4. Ngware
						231	5. Nzamba
						232	6. Kasaala/Uiini
						233	7. Kiangu
	369	Kanziku/ Simisi	453.40	18,664	41.16	234	1. Ekani/Simisi
						235	2. Kavindini/Mwanianga
						236	3. Kituvwi/Iimba
						237	4. Ndilili/Mivuni
						238	5. Keutunda/Kyanyaa
	370	Athi	952.30	35,437	37.21	239	1. Kilawa
						240	2. Kisiio
						241	3. Kituti
						242	4. Makaiye
						243	5. Katilini
						244	6. Kalivu
						245	7. Maluma
						246	8. Muambani/Monguni

MEMORANDUM OF OBJECTS AND REASONS

The principle object of the Bill is to create further decentralization of the functions and provision of services by the Kitui County Government in accordance with Article 176(2) of the Constitution.

In furtherance of the principal objective, the Bill establishes village units in Kitui County so as to ensure that all residents of Kitui County take part in governance matters as well as ensure that the residents are involved in deliberation of issues respecting projects and other development agendas to be undertaken in the County.

The bill also establishes clear channels through which the residents of Kitui County will be in a position to take part in governance matters thus enhancing empowerment of the residents.

The Bill ill occasion expenditure of public fund through the administration of all the village units established. The estimate of the funds to be expenditure has not been established.

The Bill does not limit any fundamental rights and freedoms.

This Bill is not a money Bill within the meaning of Article 114 of the Constitution.

MWOVE KINYALA,

Chairman,

Committee on Administration and Co-ordination of County Affairs.