



COUNTY GOVERNMENT OF KITUI
THE COUNTY ASSEMBLY
THIRD ASSEMBLY - (FOURTH SESSION)
COMMUNICATION FROM THE CHAIR

_____ *No. 24 of 2025* _____

**COMMUNICATION AS RELATES TO A PUBLIC PETITION TO THE KITUI
COUNTY ASSEMBLY FOR THE REMOVAL OF THE COUNTY EXECUTIVE
COMMITTEE MEMBER (CECM) FOR FINANCE, ECONOMIC PLANNING
AND REVENUE MANAGEMENT, MR. PETER MWIKYA KILONZO**

Honourable Members,

Article 37 of the Constitution of Kenya, read together with Section 15 of the County Governments Act, 2012, accords every person the right to petition a County Assembly on any matter within its authority, including the enactment, amendment, or repeal of legislation.

Standing Order No. 193 defines a petition as a formal request to the County Assembly by a member of the public to consider a matter within its mandate. Additionally, Section 4(1)(a) of the Petitions to County Assemblies (Procedure) Act, 2020, as read together with Standing Order No. 194(a), provides that such a petition shall be submitted to the Clerk and subsequently reported to the County Assembly by the Speaker.

Honourable Members,

Pursuant to the above provisions and in line with Section 5 of the Petitions to County Assemblies (Procedure) Act, 2020, as read with County Assembly of

Kitui Standing Order No. 199(2)(b), I wish to inform this Assembly that the Clerk received a petition on 6th May, 2025. The petition sought to initiate impeachment proceedings against Mr. Peter Mwikya Kilonzo, the County Executive Committee Member for Finance, Economic Planning, and Revenue Management. The petition alleges gross misconduct and violations of the Constitution of Kenya, 2010, as well as other relevant legal provisions.

Honourable Members,

Section 4(3) of the Petitions to County Assemblies (Procedure) Act, 2020, together with Standing Order No. 194(3), requires the Clerk to review the petition within seven (7) days of its receipt to determine whether it complies with the requirements of the Standing Orders and the law.

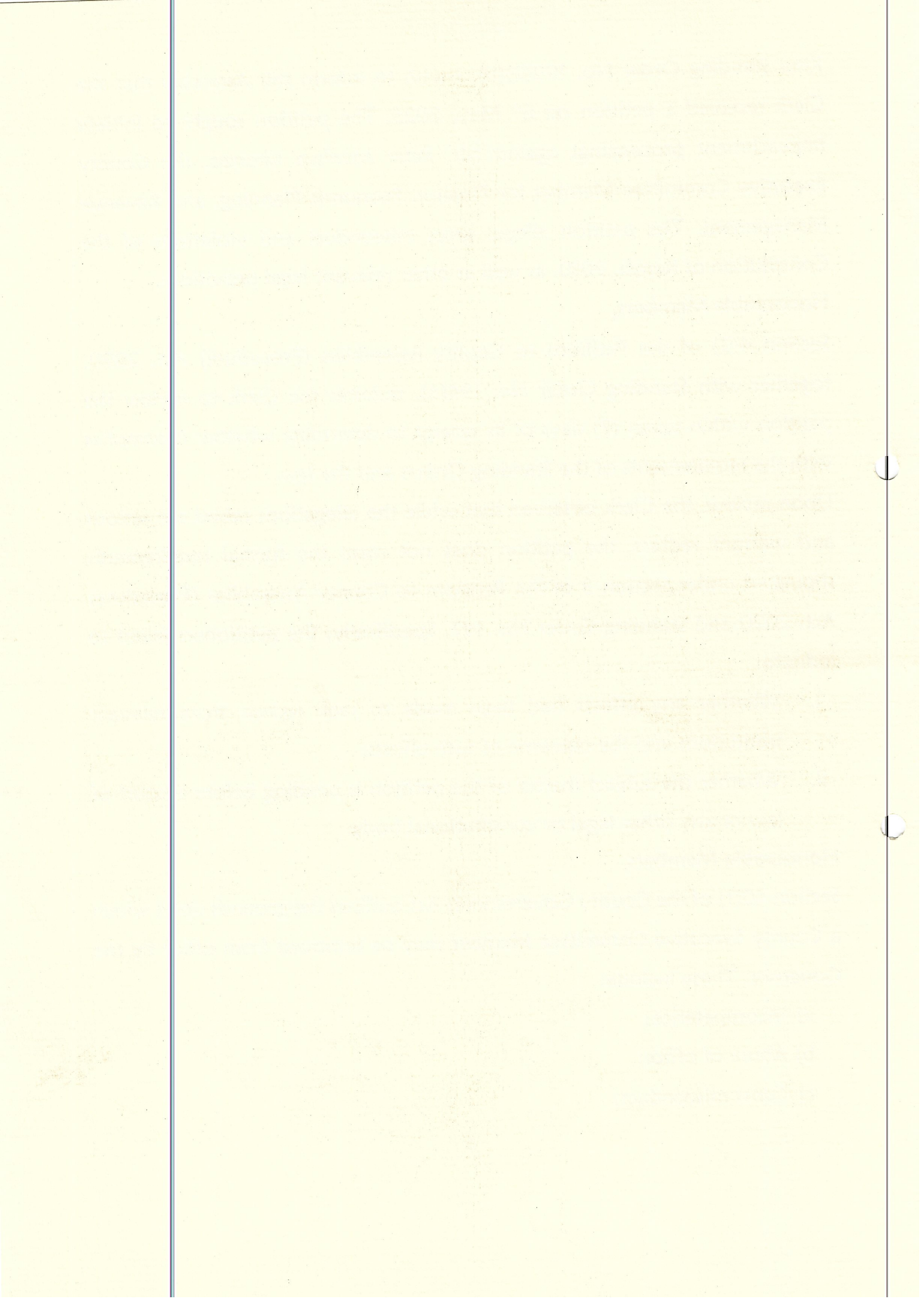
Upon review, the Clerk observed that while the allegations raised are serious and warrant redress, the petition does not meet the formal requirements stipulated under Section 3 of the Petitions to County Assemblies (Procedure) Act, 2020 and Standing Order No. 197. Specifically, the petitioners failed to indicate:

- i. Whether any efforts had been made to seek redress from relevant institutions and the outcome of such efforts;
- ii. Whether the subject matter of the petition is pending before a court of law or any other legal or constitutional body.

Honourable Members,

Section 40(1) of the County Governments Act outlines the grounds upon which a County Executive Committee Member may be removed from office by the Governor. These include:

- a) Incompetence;
- b) Abuse of office;
- c) Gross misconduct;



- d) Absence from three consecutive Cabinet meetings without the Governor's authority;
- e) Physical or mental incapacity; or
- f) Gross violation of the Constitution or any other law.

Further, Section 40(2) and 40(3) of the Act allows for the County Assembly to initiate the process of removal by way of a motion by a Member of the County Assembly, supported by at least one-third of all Members, calling upon the Governor to dismiss a CECM on any of the aforementioned grounds. If the motion garners the requisite support, a select committee must be formed to investigate the matter and report its findings to the Assembly.


Honourable Members,

From the foregoing, it is evident that the petition, in its current form, does not meet the legal and procedural threshold required for consideration by the County Assembly. Should the petitioners revise and resubmit the petition in compliance with the prescribed requirements, the Assembly shall, without hesitation, consider it in accordance with the law.

Honourable Members,

In view of the above, I therefore direct the Office of the Clerk to return the petition to the petitioners to enable them to amend and align it with the provisions of the Standing Orders and applicable statutes.

Thank you.


HON. KEVIN KINENGO KATISYA
SPEAKER OF ASSEMBLY
KITUI COUNTY ASSEMBLY.

18TH JUNE, 2025.

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