

*Paper laid by
Hon. Koehn
9/1/2013
Ghumbi*



REPUBLIC OF KENYA

KENYA NATIONAL ASSEMBLY

PARLIAMENT
OF KENYA
LIBRARY

TENTH PARLIAMENT – FOURTH SESSION

REPORT OF THE DEPARTMENTAL COMMITTEE
ON EDUCATION, RESEARCH AND
TECHNOLOGY
ON
THE CONSIDERATION OF THE NOMINATION
OF CHAIRPERSON AND MEMBERS OF THE
TEACHERS SERVICE COMMISSION

CLERK'S CHAMBERS
PARLIAMENT BUILDINGS
NAIROBI

JANUARY, 2013

*The speaker
This is
order.*

You may

*approve
for*

Relief

*Sidani
9/1/13*

TABLE OF CONTENTS

1.0 PREFACE	iii
Committee's Membership	iv
Background	iv
2.0 CONSIDERATION OF THE NOMINEES TO THE TSC....	vi
2.1 Deliberations on the Subject	vi
2.2 Vetting of the Nominees.....	vii
2.2.1 <i>The Chairperson to the Teachers Service</i> Commission	vii
2.2.2 Members of the Teachers Service Commission	ix
3.0 COMMITTEE'S RECOMMENDATIONS	xiii
4.0 ACKNOWLEDGEMENTS.....	xiv

1.0 PREFACE

Mr. Speaker Sir,

The Departmental Committee of Education, Research and Technology is established under the **Standing Order No. 198 (3)**, and has the following functions:

- i. To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and Departments;
- ii. To study the programme and policy objectives of the Ministries and Departments and the effectiveness of the implementation;
- iii. To study and review all legislations referred to it;
- iv. To study, assess and analyze the relative success of the Ministries and Departments as measured by the results obtained as compared with their stated objectives;
- v. To investigate and inquire into all matters relating to the assigned Ministries and Departments as they may deem necessary, and as may be referred to it by the House or a Minister; and
- vi. To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.

The provisions of the Standing Order 198 state the Terms of Reference (TOR) for the Departmental Committee of Education, Research and Technology as:

- i) Education;
- ii) Training;
- iii) Research; and
- iv) Technological Advancement.

The Standing Orders also empowers the Committee to make its own selection of the subjects regarding the policy, management and administration among others of the Ministries and Departments falling under its jurisdiction.

Committee's Membership

The committee comprises of the following members:-

The Hon. David K. Koech, MP	- Chairperson
The Hon. Francis T. Nyammo, MP	- Vice-Chairperson
The Hon. B. C. Muturi Mwangi, MP	- Member
The Hon. Mwaura Kiburi David, MP	- Member
The Hon. Dr. Joyce Laboso, MP	- Member
The Hon. Mohammed Sirat, MP	- Member
The Hon. Dr. Wilber Ottichilo K., MP	- Member
The Hon. Alfred Odhiambo, MP	- Member
The Hon. Dache John Pesa, MP	- Member
The Hon. Shakila Abdalla, MP	- Member

Background

The Teachers Service Commission (TSC) is an independent constitutional commission established pursuant to the provisions of Article 237 of the Constitution. The appointment of the Chairperson and Members of the Commission is provided for under Sections 5 and 8 of the Teachers Service Commission Act.

On Thursday, 20th November, 2012, the Speaker of the National Assembly made a communication regarding the nomination of Chairperson and Members of the Teachers Service Commission. In that Communication, the Speaker directed the Departmental Committee on Education, Research and Technology to proceed with

speed and consider the names of the nominees prior to approval by the House. The Speaker in his Communication said:-

“I therefore direct that the names of these nominees and the accompanying curriculum vitae, score sheet and report of the Selection Panel be forwarded to the Departmental Committee on Education, Research and Technology for consideration prior to approval by the House. The Committee is directed to proceed with dispatch and table its report to the House on or before 27th December, 2012.”

On Wednesday, January 2, 2013 the Departmental Committee on Education, Research and Technology tabled its report on the consideration of the nominees to the Teachers Service Commission.

The House on Thursday, January 3, 2012 debated and subsequently rejected the report of the Committee on the consideration of the nominees to Teachers Service Commission citing among others; lack of consideration of regional balance and meritocracy in the appointment.

The Clerk of the National Assembly through a letter dated 4th January 2013 conveyed the resolution of the House to the President pursuant to the provisions of Section 8(11) of the Teachers Service Commission Act.

The President in consultation with the Prime Minister through a letter by the Permanent Secretary, Secretary to the Cabinet and Head of Public Service reference no. **OP/CAB.17/99A** submitted a fresh list of nominees for approval by Kenya National Assembly pursuant to section 8(11) of the Teachers Service Commission Act.

On Wednesday 9, 2013, the Speaker made a Communication on the matter after receiving a fresh list of nominees from the President through a letter by the Permanent Secretary, Secretary to the Cabinet and Head of Public Service dated January, 8, 2013. The Committee was directed to consider the nominees and table its report on January 9, 2013.

2.0 CONSIDERATION OF THE NOMINEES TO THE TSC

2.1 Deliberations on the Subject

The Departmental Committee on Education, Research and Technology during its 64th Sitting on Wednesday, 9th January, 2013 considered the nominees to the Teachers Service Commission as per the letter Ref. *No. OP/CAB.17/99A* dated 8th January, 2013 by the Permanent Secretary, Secretary to the Cabinet and Head of Public Service to the Clerk of the National Assembly and the Communication from the Speaker dated 9th January, 2013 on the matter.

The Committee observed that:

- (i) Meritocracy was considered in the appointment of the Commissioners whereby the candidates with the highest marks were picked for the job. This is in compliance with the spirit and the letter of Section 232 (1) (h) of the Constitution.
- (ii) The regional balance and persons with disabilities were key aspects that were considered in the appointment of the Commissioners. This is in compliance with the law as envisaged in Section 8, sub-section 16(a) and (b) of the Teachers Service Commission Act.
- (iii) The candidates were qualified for the appointment as Chairperson and Members of the Commission as envisaged by Section 6 of the Teachers Service Commission Act.

- (iv) Dr. Lydia Nkuene Nzomo who was ranked 1st in the report of the Selection Panel for the post of the chairperson was adversely mentioned in a report by the Ethics and Anti-Corruption Commission. The alleged offences were too many to ignore in such an appointment.

2.2 Vetting of the Nominees

The Committee vetted the nominees and made the following observations and recommendations on each candidate:

2.2.1 The Chairperson to the Teachers Service Commission

2.2.1.1 Mr. Kiragu Wa Magochi

The Committee received oral submissions from the candidate and made the following observations in the absence of any written and oral submissions from the public:

- i. That he was ranked second by the Selection Panel with 73.3%
- ii. That he holds a master of Education (Primary Teacher Education) from Kenyatta University and Bachelors of Education Arts from Nairobi University
- iii. That he has a wealth of experience in the education sector where he has served at senior management level for 8 years.
- iv. That the candidate had a long standing experience in the education sector having worked with TSC and the Ministry of

Education for over 20 years and having risen through the ranks to the level of the Director of Education.

- v. That he has been involved in teachers management issues since 1994 and was instrumental in the establishment of Teacher Advisory Centres in the Country.
- vi. That he has been a lead trainer in the training of education managers and was also a Quality Assurance Officer and rose to the rank of Deputy Director in the department.
- vii. That he has extensive training internationally on the areas of teacher management.
- viii. That he has Clearance certificates from the following institutions, Credit Bureau of Africa Ltd, Higher Education Loans Board, Kenya Revenue Authority, the Criminal Investigation Department and the Ethics and Anti-Corruption Commission.
- ix. That if appointed he promises to strengthen the Quality Assurance Department of the Teachers Service Commission, strengthen the capacity of head teachers and other managers of education institutions, ensure promotion of head teachers is done on merit and after undergoing specialized teacher management training, ensure adherence to policy on teachers distribution and transfers, integrate performance contracting in the teaching profession in order to stem out the non-performing head teachers, strengthen the in servicing and decentralize management and resources for training to the county and sub-county levels.

Having considered the suitability of the nominee pursuant to Section 6 (1) (a), (b) and (c) of the Teachers Service Commission Act, 2012, the Committee recommends that Parliament approves the nomination and subsequent appointment of Mr. Kiragu wa Magochi to the post of the Chairperson of the Teachers Service Commission.

2.2.2 Members of the Teachers Service Commission

2.2.2.1 Mr. Cleopas Tirop

The Committee received oral submissions from the candidate and made the following observations in the absence of any written and oral submissions from the public:

- i. That the candidate holds a Masters degree in Education Administration and Planning from Nairobi University and a Bachelors degree of Education in Economics and Business Studies from Kenyatta University.
- ii. That he has over 19 years experience as a principal of a secondary school.
- iii. That he has been adequately trained on the teacher management area and has extensive skills in leadership positions including being the chairman Secondary Schools heads Association for 5 years.
- iv. He has a passion for success in the education sector
- v. He has proven record of improving academic standards in the education sector.

Having considered the suitability of the nominee pursuant to Section 6 (2)(a), (b) and (c) of the Teachers Service Commission Act, 2012, the Committee recommends that Parliament approves the nomination and subsequent appointment of Mr. Cleopas Tirop to the post of the Member of the Teachers Service Commission.

2.2.2.2 Mr. Fredrick Haga Ochieng

The Committee received oral submissions from the candidate and made the following observations in the absence of any written and oral submissions from the public:

- i. That the candidate holds a Masters of Education (Special and Inclusive Education) from Monash University (Australia) and a Bachelor of Education from Kenyatta University.
- ii. That he has hand-on experience in advocacy, networking and policy matters with regard to inclusive education
- iii. That he was familiar with modern trends in issues regarding disadvantaged persons and the dynamics of their groups
- iv. That he has over fifteen years experience in the education section and has worked at the Kenya Institute of Curriculum Development for eight years as a curriculum developer
- v. That he has a passion for inclusive education and special needs education and the Commission will greatly benefit

from his input on the training and management of special needs education.

- vi. That if appointed will champion for the inclusive education, input on the curriculum of training teachers, advocate for continuous training of teachers and bring to the fore the issues that affect learning of the disadvantaged persons.

Having considered the suitability of the nominee pursuant to Section 6 (2) (a), (b) and (c) of the Teachers Service Commission Act, 2012, the Committee recommends that Parliament approves the nomination and subsequent appointment of Mr. Fredrick Haga Ochieng to the post of the Member of the Teachers Service Commission.

2.2.2.3 Mr. Aden Sheikh Abdullahi

The Committee received oral submissions from the candidate and made the following observations in the absence of any written and oral submissions from the public:

- i. That the candidate holds a Master of Education(Measurement and Evaluation) from Nairobi University and a Bachelor of Education(Science) from Egerton University and is currently pursuing a PhD in Education Research and Evaluation from Egerton University.
- ii. That he has thirty (30) years experience in the education sector where he has risen through the ranks to the current position of a County Director of Education.

- iii. That he has also worked as a head of the childhood education in the Ministry of Education.

- iv. That he has Clearance certificates from the following institutions:- Credit Bureau of Africa Ltd, Higher Education Loans Board, Kenya Revenue Authority, the Criminal Investigation Department and the Ethics and Anti-Corruption Commission.

Having considered the suitability of the nominee pursuant to Section 6 (2)(a), (b) and (c) of the Teachers Service Commission Act, 2012, the Committee recommends that Parliament approves the nomination and subsequent appointment of Mr. Adan Sheikh Abdullahi to the post of the Member of the Teachers Service Commission.

3.0 COMMITTEE'S RECOMMENDATIONS

The Committee recommends that:

- i. Parliament approves the nomination of the following as the chairperson of the Teachers Service Commission

1. Mr. Kiragu wa Magochi

- ii. Parliament approves the nomination of the following as Members of the Teachers Service Commission:-

1. Mr. Cleopas Tirop
2. Mr. Fredrick Haga Ochieng and
3. Mr. Adan Sheikh Abdullahi

(11/11)

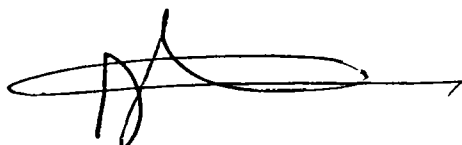
4.0 ACKNOWLEDGEMENTS

The Committee wishes to thank the Offices of the Speaker and the Clerk of the National Assembly for the support extended to it in the execution of its mandate. The Committee also appreciates the Secretariat for the timely preparation of this report.

Finally, I wish to express my appreciation to the Honourable Members of the Committee who sacrificed their time to participate in the vetting of the Chairperson and Members of the Teachers Service Commission and preparation of this report.

Mr. Speaker Sir,

It is therefore my pleasant duty and privilege, on behalf of the Departmental Committee of Education, Research and Technology to table this report on the consideration of the appointment of the chairperson and Members of the Teachers Service Commission and commend it to the House for debate and adoption pursuant to provisions of the National Assembly Standing Order 181.



Signed

CHAIRPERSON

(HON. DAVID KOECH, MP)

Date: 9/01/2013

MINUTES OF THE 64TH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON WEDNESDAY, 9TH JANUARY, 2013 AT THE COMMITTEE ROOM 09, MAIN PARLIAMENT BUILDING AT 12.30 P.M.

PRESENT

Hon. David Koech, M.P. - Chairperson
Hon. John D. Pesa, M.P.
Hon. Alfred Bwire Odhiambo, M.P.
Hon. (Dr.) Joyce Laboso, M.P.
Hon. Mohammed Sirat, M.P.
Hon. B. Muturi Mwangi, M.P.
Hon. David Njuguna, M.P.

ABSENT WITH APOLOGY

Hon. F. T. Nyammo, M.P. - Vice-chairperson
Hon. (Dr.) Wilbur Ottichilo, M.P.
Hon. Shakilla Abdalla, M.P.

IN ATTENDANCE

KENYA NATIONAL ASSEMBLY

Mr. Derick Koli - Clerk Assistant

MIN.NO. 249/2012:

PRELIMINARIES

The Chairman called the meeting to order at one o'clock in the afternoon and the meeting started with a word of prayer. The Chairman thereafter welcomed the Members present to the meeting and informed them that the meeting was called to consider the fresh list of nominees to the Teachers Service Commission (Chairperson and three Members).

MIN. NO.250/2012:

CONSIDERATION OF THE NOMINEES
(CHAIRPERSON AND THREE MEMBERS) TO THE
TEACHERS SERVICE COMMISSION

The Departmental Committee on Education, Research and Technology during its 64th Sitting on Wednesday, 9th January, 2013 considered the nominees to the Teachers Service Commission as per the letter Ref. No. *OP/CAB.17/99A* dated 8th January, 2013 by the Permanent Secretary, Secretary to the Cabinet and Head of Public Service to the Clerk of the

National Assembly and the Communication from the Speaker dated 9th January, 2013 on the matter.

The Committee observed that:

- (i) Meritocracy was considered in the appointment of the Commissioners whereby the candidates with the highest marks were picked for the job. This is in compliance with the spirit and the letter of Section 232 (1) (h) of the Constitution.
- (ii) The regional balance and persons with disabilities were key aspects that were considered in the appointment of the Commissioners. This is in compliance with the law as envisaged in Section 8, sub-section 16(a) and (b) of the Teachers Service Commission Act.
- (iii) The candidates were qualified for the appointment as Chairperson and Members of the Commission as envisaged by Section 6 of the Teachers Service Commission Act.
- (iv) Dr. Lydia Nkuene Nzomo who was ranked 1st in the report of the Selection Panel for the post of the chairperson was adversely mentioned in a report by the Ethics and Ant-Corruption Commission. The alleged offences were too many to ignore in such an appointment.

2.2 Vetting of the Nominees

The Committee vetted the nominees and made the following observations and recommendations on each candidate:

2.2.1 The Chairperson to the Teachers Service Commission

2.2.1.1 Mr. Kiragu Wa Magochi

The Committee received oral submissions from the candidate and made the following observations in the absence of any written and oral submissions from the public:

- i. That he was ranked second by the Selection Panel with 73.3%
- ii. That he holds a master of Education(Primary Teacher Education) from Kenyatta University and Bachelors of Education Arts from Nairobi University
- iii. That he has a wealth of experience in the education sector where he has served at senior management level for 8 years.
- iv. That the candidate had a long standing experience in the education sector having worked with TSC and the Ministry of Education for over 20 years and having risen through the ranks to the level of the Director of Education.
- v. That he has been involved in teachers management issues since 1994 and was instrumental in the establishment of Teacher Advisory Centres in the Country.

- vi. That he has been a lead trainer in the training of education managers and was also a Quality Assurance Officer and rose to the rank of Deputy Director in the department.
- vii. That he has extensive training internationally on the areas of teacher management.
- viii. That he has Clearance certificates from the following institutions, Credit Bureau of Africa Ltd, Higher Education Loans Board, Kenya Revenue Authority, the Criminal Investigation Department and the Ethics and Anti-Corruption Commission.
- ix. That if appointed he promises to strengthen the Quality Assurance Department of the Teachers Service Commission, strengthen the capacity of head teachers and other managers of education institutions, ensure promotion of head teachers is done on merit and after undergoing specialized teacher management training, ensure adherence to policy on teachers distribution and transfers, integrate performance contracting in the teaching profession in order to stem out the non-performing head teachers, strengthen the in servicing and decentralize management and resources for training to the county and sub-county levels.

Having considered the suitability of the nominee pursuant to Section 6 (1) (a), (b) and (c) of the Teachers Service Commission Act, 2012, the Committee recommends that Parliament approves the nomination and subsequent appointment of Mr. Kiragu wa Magochi to the post of the Chairperson of the Teachers Service Commission.

2.2.2 Members of the Teachers Service Commission

2.2.2.1 Mr. Cleopas Tirop

The Committee received oral submissions from the candidate and made the following observations in the absence of any written and oral submissions from the public:

- i. That the candidate holds a Masters degree in Education Administration and Planning from Nairobi University and a Bachelors degree of Education in Economics and Business Studies from Kenyatta University.
- ii. That he has over 19 years experience as a principal of a secondary school.
- iii. That he has been adequately trained on the teacher management area and has extensive skills in leadership positions including being the chairman Secondary Schools heads Association for 5 years.
- iv. He has a passion for success in the education sector
- v. He has proven record of improving academic standards in the education sector.

Having considered the suitability of the nominee pursuant to Section 6 (2)(a), (b) and (c) of the Teachers Service Commission Act, 2012, the Committee recommends that Parliament approves the nomination and subsequent appointment of Mr. Cleopas Tirop to the post of the Member of the Teachers Service Commission.

2.2.2.2 Mr. Fredrick Haga Ochieng

The Committee received oral submissions from the candidate and made the following observations in the absence of any written and oral submissions from the public:

- i. That the candidate holds a Masters of Education (Special and Inclusive Education) from Monash University (Australia) and a Bachelor of Education from Kenyatta University.
- ii. That he has hand-on experience in advocacy, networking and policy matters with regard to inclusive education
- iii. That he was familiar with modern trends in issues regarding disadvantaged persons and the dynamics of their groups
- iv. That he has over fifteen years experience in the education section and has worked at the Kenya Institute of Curriculum Development for eight years as a curriculum developer
- v. That he has a passion for inclusive education and special needs education and the Commission will greatly benefit from his input on the training and management of special needs education.
- vi. That if appointed will champion for the inclusive education, input on the curriculum of training teachers, advocate for continuous training of teachers

and bring to the fore the issues that affect learning of the disadvantaged persons.

Having considered the suitability of the nominee pursuant to Section 6 (2) (a), (b) and (c) of the Teachers Service Commission Act, 2012, the Committee recommends that Parliament approves the nomination and subsequent appointment of Mr. Fredrick Haga Ochieng to the post of the Member of the Teachers Service Commission.

2.2.2.3 Mr. Aden Sheikh Abdullahi

The Committee received oral submissions from the candidate and made the following observations in the absence of any written and oral submissions from the public:

- i. That the candidate holds a Master of Education(Measurement and Evaluation) from Nairobi University and a Bachelor of Education(Science) from Egerton University and is currently pursuing a PhD in Education Research and Evaluation from Egerton University.
- ii. That he has thirty (30) years experience in the education sector where he has risen through the ranks to the current position of a County Director of Education.
- iii. That he has also worked as a head of the childhood education in the Ministry of Education.

- iv. That he has Clearance certificates from the following institutions:- Credit Bureau of Africa Ltd, Higher Education Loans Board, Kenya Revenue Authority, the Criminal Investigation Department and the Ethics and Anti-Corruption Commission.

Having considered the suitability of the nominee pursuant to Section 6 (2)(a), (b) and (c) of the Teachers Service Commission Act, 2012, the Committee recommends that Parliament approves the nomination and subsequent appointment of Mr. Adan Sheikh Abdullahi to the post of the Member of the Teachers Service Commission.

MIN.NO. 251/2012: ANY OTHER BUSINESS

No issues were discussed under this item

MIN.NO. 252/2012: DATE OF THE NEXT MEETING

The next meeting was to be called by notice

MIN. NO.253/2012: ADJOURNMENT

There being no other business, the Committee adjourned the sitting at two o'clock.

SIGNED.....

(CHAIRMAN)

DATE.....9/07/2013.....

MINUTES OF THE 65TH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON WEDNESDAY, 9TH JANUARY, 2013 AT THE COMMITTEE ROOM 09, MAIN PARLIAMENT BUILDING AT 2.30 P.M.

PRESENT

Hon. David Koech, M.P. - Chairperson
Hon. John D. Pesa, M.P.
Hon. Alfred Bwire Odhiambo, M.P.
Hon. (Dr.) Joyce Laboso, M.P.
Hon. Mohammed Sirat, M.P.
Hon. B. Muturi Mwangi, M.P.
Hon. David Njuguna, M.P

ABSENT WITH APOLOGY

Hon. F. T. Nyammo, M.P. - Vice-chairperson
Hon. (Dr.) Wilbur Ottichilo, M.P.
Hon. Shakilla Abdalla, M.P.

IN ATTENDANCE

KENYA NATIONAL ASSEMBLY

Mr. Derick Koli - Clerk Assistant

MIN.NO. 254/2012:

PRELIMINARIES

The Chairman called the meeting to order at thirty minutes past two o'clock in the afternoon and the meeting started with a word of prayer. The Chairman thereafter welcomed the Members present to the meeting and informed them that the meeting was called to adopt the report on the consideration of the nominees to the Teachers Service Commission (Chairperson and three Members) and confirm the Minutes of the 64th sitting held earlier on the day.

MIN. NO.255/2012:

ADOPTION OF THE REPORT ON THE CONSIDERATION OF THE NOMINEES (CHAIRPERSON AND THREE MEMBERS) TO THE TEACHERS SERVICE COMMISSION

The Committee considered and unanimously adopted the report on the consideration of the nominees to the Teachers Service Commission (Chairperson and Members). The Committee also confirmed the Minutes of the 64th and 65th Sittings

held on Wednesday, 9th January, 2013. The Minutes of the 64th Sitting were proposed and seconded by Hon. John Pesa, MP and Hon. David Njuguna, MP while the Minutes for the 65th sitting were proposed and seconded by Hon. Alfred Odhiambo, MP and Hon. Muhamud Sirat, MP and signed by the Chairman.

MIN.NO. 256/2012: **ANY OTHER BUSINESS**


No issues were discussed under this item

MIN.NO. 257/2012: **DATE OF THE NEXT MEETING**

The next meeting was to be called by notice

MIN. NO.258/2012: **ADJOURNMENT**

There being no other business, the Committee adjourned the sitting at twenty five minutes past three o'clock.

SIGNED.....

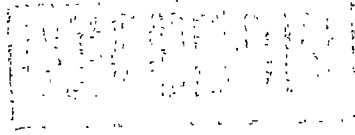
(CHAIRMAN)
DATE.....9/07/2013

CONFIDENTIAL

**REPORT OF THE SELECTION PANEL
FOR THE APPOINTMENT OF
CHAIRPERSON AND MEMBERS
OF THE
TEACHERS SERVICE COMMISSION**

18TH OCTOBER, 2012

CONFIDENTIAL



REPORT OF THE SELECTION PANEL FOR THE APPOINTMENT OF CHAIRPERSON AND MEMBERS OF THE TEACHERS SERVICE COMMISSION

1.0 Introduction

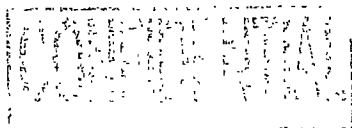
The Selection Panel for the appointment of Chairperson and Members of the Teachers Service Commission was convened pursuant to Section 8(1) of the Teachers Service Commission Act, 2012. The Membership of the Panel comprised the following:-

1. Dr. James Kamunge, EBS - Chairperson
2. Prof. Henry O. Ayot - Prominent Educationist
3. Mr. Francis M. Ng'ang'a - Kenya National Union of Teachers
4. Mr. John Kipkorir - Federation of Kenyan Employers
5. Mr. Ernest M. Wangai - Kenya Private Schools Association
6. Mr. Mohammed M. Mwinyipembe - Ministry of Education
7. Mrs. Alice W. Muita, MBS - Ministry of State for Public Service
8. Mrs. Hellen Cheramboss, OGW - Kenya Union of Post Primary Education Teachers
9. Ms. Muthoni Kimani, MBS - Office of the Attorney General

The Ministry of State for Public Service provided facilitation and support to the Panel. This included provision of an interview venue at Harambee House.

1.1 Vacant Positions

The positions of Chairperson and three (3) Members fell vacant arising from the expiry of their term at the Commission.





2.3 Interviews and Ranking

Interviews of candidates for the position of Chairperson were conducted on 16th October, 2012 and those of Member were conducted on 16th, 17th and 18th October, 2012. The candidates were ranked in order of performance as per the lists in **Appendices III & IV**.

The Panel noted that despite the fact that Dr. Lydia Nkuene Nzomo and Mr. Mbarak Said Twahir performed well in the interview and were ranked first and fourth respectively, a report from the Ethics and Anti Corruption Commission indicates the two have pending cases which are being investigated by the Commission.

Arising from the above and in accordance with Section 8(6) (d) of the TSC Act, 2012 the Panel recommends the following to be considered for appointment as Chairperson:

1. Mr. Kiragu Wa Magochi
2. Mr. Simon Musyimi Kavisi
3. Mr. Ismail Buro Hassan

The Panel also recommends the following 5 candidates to be considered for appointment to the three existing vacancies for Member:

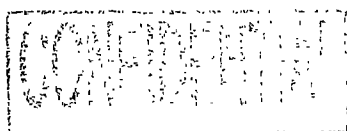
1. Mr. Cleopas Tirop
2. Dr. Salome Wanjiku Gichura
3. Mr. Fredrick Haga Ochieng (Visually impaired)
4. Mr. Adan Sheikh Abdullahi
5. Mr. James Kahindi Ziro

Dr. James Kamunge, EBS

Chairperson,

Selection Panel for the Appointment of Chairperson and Members, Teachers Service Commission

18th October, 2012



APPENDIX I

SERVING TSC COMMISSIONERS

S/No.	NAME	HOME DISTRICT	GENDER	END OF CONTRACT
1.	Mr. Meshack K. L'lanziva	Kakamega	Male	14/6/2013
2.	Mrs. Lucy W. Njeru	Murang'a	Female	14/6/2013
3.	Mrs. Rose Sereti	Kisii Central	Female	14/6/2013
4.	Mrs. Monicah K. Kilonzo	Machakos	Female	14/6/2013
5.	Mr. David Abugdo Kuno	Isiolo	Male	14/6/2013
PROPOSED COMMISSIONERS				
1.	Mr. Cleopas Tirop	Uasin Gishu	Male	
2.	Dr. Salome W. Gichuru	Nyeri	Female	
3.	Mr. Fredrick Haga Ochieng	Siaya	Male	Visually impaired
4.	Mr. Adan Sheikh Abdullahi	Garissa	Male	
5.	Mr. Kahindi Ziro James	Kilifi	Male	

CONFIDENTIAL

CONFIDENTIAL

APPENDIX II

A. SHORTLISTED CANDIDATES FOR THE POSITION OF CHAIRPERSON

S/NO.	NAME	QUALIFICATIONS	COUNTY	CURRENT EMPLOYER
1.	Mr. Kiragu Wa Magochi, MBS	Master of Education	Murang'a	Ministry of Education
2.	Mr. Ismail Buro Hassan	Master of Business Administration	Garissa	Kenya Education Management Institute
3.	Mr. Simon M. Kavisi	Executive Master of Business Administration	Kitui	Teachers Service Commission
4.	Mr. Mbarak Said Twahir	Master of Education	Mombasa	Office of the Prime Minister, Performance Contracting Department
5.	Dr. Lydia N. Nzomo	Doctor of Philosophy	Meru	Kenya Institute of Education

B. SHORTLISTED CANDIDATES FOR THE POSITION OF MEMBER

S/NO.	NAME	QUALIFICATIONS	COUNTY	CURRENT EMPLOYER
1.	Prof. Gitile J. Naituli	Doctor of Philosophy in Business Management	Meru	Multimedia University College
2.	Mrs. Beatrice Marengo Adu, HSC	Bachelor of Education	Tana River	Ministry of Education
3.	Mr. Kiragu Wa Magochi, MBS	Master of Education	Murang'a	Ministry of Education
4.	Mr. Cleopas Tirop	Master of Education	Uasin Gishu	Nairobi School (TSC)
5.	Mrs. Catherine Raini Omweno	Master of Business Administration	Kisii	Spectre International Limited
6.	Mrs. Vane Nyaboke Akama	Master of Laws	Nyamira	Kenya National Assembly
7.	Mr. Adan Sheikh Abdullahi	Master of Education	Garissa	Ministry of Education
8.	Dr. Salome W. Gichura	Doctor of Education	Nyeri	Ministry of Higher Education Science and Technology
9.	Mr. Frederick Haga Ochieng	Master of Education	Siaya	Ministry of Education
10.	Mrs. Saadia Abdi Kontoma	Masters of Education	Wajir	Kenyatta University
11.	Mr. Francis Mambo Gatumo	Master of Business Administration	Embu	United States International University
12.	Mr. Kahindi Ziro James	Masters of Education	Kilifi	Shanzu Teachers College (TSC)
13.	Mr. Konchora Chepe Isako	Master of Education	Marsabit	Ministry of Education
14.	Mr. Mbarak Said Twahir	Master of Education	Mombasa	Office of the Prime Minister, Performance Contracting Department
15.	Dr. Julius O. Jwan	Doctor of Philosophy	Homabay	National Cohesion and Integration Commission
16.	Col. (Rtd.) Job Lubanga Akhulia, OGW	Bachelor of Education	Kakamega	Retired Military Officer

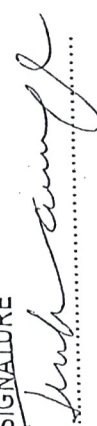

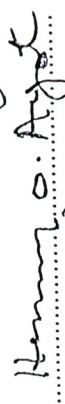




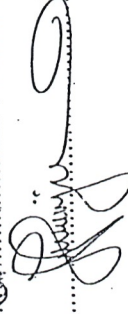

CONFIDENTIAL

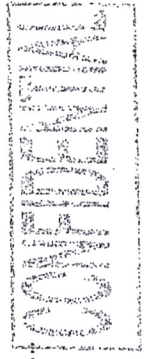
INTERVIEWS FOR MEMBER, TEACHERS SERVICE COMMISSION

16TH OCTOBER, 2012

SCORE SHEET

Name of Candidate	PANEL MEMBERS										Total score	Average score (%)	Rank	County
	Dr. James M. Kamunge, EBS	Prof. Henry O. Ayot	Mr. Francis Ng'ang'a	Mr. Ernest M. Wangai	Mrs. Alice W. Muita, MBS	Ms. Muthoni Kimani, MBS	Mr. John Kipkorir	Ms. Hellen Cheramboss	Mr. Mohammed M. Mwinyipembe					
Dr. Lydia N. Nzomo, PhD.	77	77	70	89	78	78	82	88	84	723	80.3	1	Meru	
Mr. Kiragu Wa Magochi, MBS	67	71	81	79	71	78	70	66	77	660	73.3	2	Murang'a	
Mr. Simon M. Kavisi	71	77	69	59	67	70	78	68	72	631	70.1	3	Kitui	
Mr. Mberak Said Twahir	65	74	66	61	75	74	78	79	52	624	69.3	4	Mombasa	
Mr. Ismail Buro Hassan	59	56	66	65	61	64	64	44	70	549	61.0	5	Garissa	

PANEL MEMBERS	SIGNATURE	PANEL MEMBERS	SIGNATURE
1. Dr. James M. Kamunge, EBS		6. Ms. Muthoni Kimani, MBS	
2. Prof. Henry O. Ayot		7. Mr. John Kipkorir	
3. Mr. Francis Ng'ang'a		8. Ms. Hellen Cheramboss	
4. Mr. Ernest M. Wangai		9. Mr. Mohammed M. Mwinyipembe	
5. Mrs. Alice W. Muita, MBS			

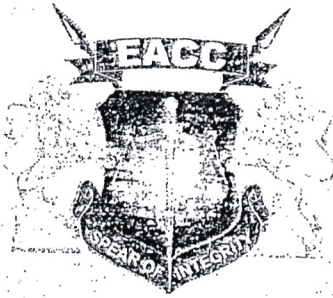


INTERVIEWS FOR MEMBER, TEACHERS SERVICE COMMISSION

16TH, 17TH AND 18TH OCTOBER, 2012

SCORE SHEET

Name of Candidate	PANEL MEMBERS										Total score	Average score (%)	Rank	County
	Dr. James M. Kamunge, EBS	Prof. Henry O. Ayot	Mr. Francis Ng'ang'a	Mr. Ernest M. Wangai	Mrs. Alice W. Mujita, MBS	Ms. Muthoni Kimani, MBS	Mr. John Kipkorir	Ms. Hellen Cheramboss	Mr. Mohammed M. Mwinyipembe					
Cleopas Tirop	73	70	91	76	78	84	91	89	81	733	81.4	1	Uasin Gishu	
Dr. Salome W. Gichura	71	70	87	78	80	84	80	84	75	709	78.7	2	Nyeri	
Julius O. Jwan, PhD	69	72	66	70	89	63	72	78	68	647	71.8	3	Homabay	
Frederick Haga Ochieng	72	63	72	78	72	76	72	73	67	645	71.6	4	Siaya	
Adan Sheikh Abdullahi	69	67	75	66	68	63	74	76	75	633	70.3	5	Garissa	
Saadia Abdi Kontoma	66	62	69	63	77	69	77	75	70	628	69.7	6	Wajir	
Kahindi Ziro James	75	70	72	70	70	69	67	55	70	618	68.6	7	Kilifi	
Vane Nyaboke Akama	58	76	60	56	54	58	86	63	75	586	65.1	8	Nyamira	
Beatrice Maremo Adu, HSC	52	74	60	60	66	61	69	54	69	565	62.7	9	Tana River	
Konchora Chepe Isako	59	76	61	54	67	57	54	52	57	537	59.6	10	Marsabit	
Colonel (Rtd) Job Lubanga Akhulia, OGW	56	68	59	58	57	57	60	57	59	531	59.0	11	Kakamega	



ETHICS AND ANTI-CORRUPTION COMMISSION

INTEGRITY CENTRE (Valley Rd./Milimani Rd. Junction) P.O. Box 61130-00200, NAIROBI, Kenya
Tel.: +254-20-2717318/310722; Cellphone: +254-729-888881/2/3
Fax: +254-20-2719757, Email: eacc@integrity.go.ke, Website: www.eacc.go.ke

When replying please quote:

Our ref. EACC 6/42 Vol. XIII (287)

18th October, 2012

Mrs. Mary Maungu
Selection Panel for the Appointment of Chairperson and Member, TSC
Harambee House
P.O. Box 30050 - 00100
NAIROBI

Dear Madam,

RE: CLEARANCE OF CANDIDATES FOR THE POSITION OF CHAIRPERSON AND MEMBERS, TEACHERS SERVICE COMMISSION

Reference is made to a letter sent by you dated **12th October 2012** referenced **Ref: No. MSPS / 10/4A/(67)**. A data search conducted in our reports database revealed the following:

CHAIRPERSON			
	Name	Report	Status
1	Kiragu Wa Magochi	No adverse reports	-
2	Ismail Buro Hassan	No adverse reports	-
3	Simon M. Kavisi	No adverse reports	-
4	Mbarak Said Twahir	39446 - Allegations of embezzlement of funds for the World bank funded Kenya Education Sector Support Programme at the Ministry of Education	Case was taken up for Investigations and is currently pending in Court.

5	Lydia N. Nzomo	<p>42942 – Allegations of corruption and abuse of office at the Kenya Institute of Education. Some of the allegations include:-</p> <ul style="list-style-type: none"> • Allegations of single sourcing a tender worth Ksh 70 Million for supply of TV Studio Equipment. • Gross recruitment, promotions and training irregularities. • Allegations of an irregular tender worth Ksh 80 Million for the supply of a printer that was not required. 	Matter is currently Under Investigations.
		<p>42586 – Allegations of gross misconduct by the Director of KIE, some of which include:-</p> <ul style="list-style-type: none"> • Intimidating Staff • Allowing staff from a certain region to draw up fictitious allowances of up to Ksh 50,000 weekly. 	Matter is currently under Investigations.
		<p>37750 – Allegations of gross abuse of office, procurement irregularities and nepotism by the Director of KIE.</p>	A preliminary report on examination of systems and procedures at KIE conducted by the Commission on the reveals abuse of office, irregularities in procurement and improprieties that are perpetrated under the Director's stewardship.

		<p>20339 / 34658 – Allegations of embezzlement of funds by the Director of KIE. Specific allegations include:-</p> <ul style="list-style-type: none"> • Irregular payment of Ksh 1.5 million. • Irregular payment of Ksh 2.5 million to a company that did not supply anything to the institution. • Inflation of a payment voucher from 1.2 Million to 2.1 Million. 	Matter is currently under Investigations.
		<p>44064 – Allegations of corruption and abuse of office by the Director, KIE. Specific allegations include:-</p> <ul style="list-style-type: none"> • Allegations on nepotism during recruitment of 70 senior posts where a large proportion of the posts went to those from her region. • Numerous cases of procurement irregularities. 	Matter is currently under Investigations.
MEMBERS			
1	Gitile J. Naituli	<p>36826 - Allegation that the Acting Principle of Multimedia University has introduced allowances that are not in the remuneration scheme of the University and is awarding himself an extra Ksh 300,000 every month.</p>	Matter is currently under Investigations.
		<p>36029 – Allegations of corruption and abuse of office at the Multimedia University. Some of the allegations include:-</p> <ul style="list-style-type: none"> • Allegations of nepotism during recruitment of key staff. • Unlawful payment of a settlement allowance of Ksh 360,000. • Allegation of underhand deals surrounding a contract worth Ksh 2.5 Billion. 	Matter is currently under Investigations.
2	Beatrice Marembo Adu	No adverse reports	

3	Kiragu Wa Magochi	No adverse reports	
4	Cleopas Tirop	No adverse reports	
5	Catherine Raini Omweno	No adverse reports	
6	Vane Nyaboke Akama	No adverse reports	
7	Adan Sheikh Abdullahi	No adverse reports	
8	Salome W. Gichura	No adverse reports	
9	Frederick Haga Ochieng	No adverse reports	
10	Saadia Abdi Kontoma	No adverse reports	
11	Francis Mambo Gatumbo	No adverse reports	
12	Kahindi Ziro James	No adverse reports	
13	Konchora Chepe Isako	No adverse reports	
14	Mbarak Said Twahir	No adverse reports	
15	Julius O. Jwan	No adverse reports	
16	Job Lubanga Akhulia	No adverse reports	

Absence of records in our current database is not a guarantee of absolute integrity of the applicants.

Yours faithfully,



ABDI A. MOHAMUD
FOR: SECRETARY/CHIEF EXECUTIVE OFFICER

first Inspector-General of Police whom we approved the other day. When it comes to the fight against corruption, this House also has a record of being the slayer of the dragon right from Ringera to my very good friend PLO Lumumba, to Matemu and now Halakhe. This is something that must be appreciated and it comes at a time when the war against corruption is faltering because of the paralysis that had set into this Commission. As a Ministry, we have recommended the appointment of the CEO. It is going to be very key in ensuring the operations of this critical Commission. We hope that after passing this test, Mr. Halakhe will be equal to the task. We know he is very able and can get things back on track. We also hope that the ongoing litigation will be finalized, so that we can have this Commission fully constituted to discharge its mandate.

With those few remarks, I want to thank the Committee and support this Motion.

Mr. Baiya: Mr. Temporary Deputy Speaker, Sir, I would like to thank all the Members for the support they have given. I would also like to assure this Committee that Mr. Halakhe is quite an experienced public servant. I believe he is also privy to what has happened to this institution. The most important thing will be for the country to give him support as he embarks on this work, so that we can help the institution to perform the mandate that it has been given. I am sure he will live to prove to the country that, as has been observed by the Members, the most important thing is not about persons, but institutions. I believe Mr. Halakhe is going to make a difference. I believe he is also going to be given space especially by this House. The way it has treated the rest, let us, for once, make a break and allow this institution to function.

With those few remarks, I beg to move.

(Question put and agreed to)

ADOPTION OF REPORT ON NOMINATION OF
CHAIRPERSON/MEMBERS OF TSC

Mr. Koech: Mr. Temporary Deputy Speaker, Sir, I beg to move the following Motion:-

THAT, this House adopts the report of the Departmental Committee on Education, Research and Technology on the consideration of the nomination of the chairperson and members of the Teachers Service Commission (TSC) laid on the Table of the House on Wednesday, 2nd January, 2013.

The TSC is a very important Commission, being an independent Commission under the new Constitution. It deals with issues on the management of teachers who ensure and assure quality. Therefore, it is a very important Commission for this country. Under the new Teacher Service Commission Act, the number of commissioners has been reduced from 24 to eight plus the chair, bringing all of them to nine. It is this new Act that has enabled us to now appoint commissioners competitively through a panel. As I bring this report and the results, the panel that interviewed the chairperson and the commissioners was chaired by a very eminent educationist, Dr. James Kamunge. I believe all of us know him. They advertised the position of the chairperson and that of

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

three commissioners because we still have five commissioners who are still serving up to end of June.

After the advertisement, it was very competitive in the sense that there were 29 eminent Kenyans who applied for the position of chairperson and five persons were shortlisted for the interview. For the position of commissioners, there were 209 Kenyans who applied and the panel shortlisted 16 persons for the interview.

In our Committee, I want to state here categorically that we had issues that were raised by Kenyans and we sat down to address those issues and concerns. After looking at them, we took a vote. The vote was whether or not we should continue to interview the people whose names were tabled in this honourable House. When we took the vote, we had four Members for and one Member dissenting. For the first time, I want to make it very clear that, as the Chairman of the Committee, I dissented. However, in the spirit of the minority having the say and the majority having their way, that is what we did. We moved on to interview the people who had been shortlisted for the position of the chairperson and those for the position of members.

For the purpose of record so that Kenyans understand why I dissented, it is not because I felt these people are not qualified. We did not have any issues with them. I want to indicate here three issues: On the position of the chairperson, there were five Kenyans who were interviewed. Allow me to read out their names for the benefit of hon. Members. In position one, we had Dr. Lydia Nzomo who scored 80.3 per cent, second was Mr. Kiragu Wa Magochi who scored 73.3 per cent, third was Mr. Simon Kavisi with 70.1 per cent, fourth was Mr. Mbarak Said Twahir who scored 69.3 per cent and fifth was Mr. Ismael Bulu Hassan who scored 61 per cent.

In the report that was presented to the Committee, one Dr. Lydia Nzomo and Mr. Mbarak Said Twahir were not recommended or forwarded to the two Principals. The information that was given to the Committee is that they were under investigations by KACC. That is a report that we did not get so that, as a Committee, we would address the matter and understand the circumstances and reasons that led to their names not being forwarded.

Mr. Temporary Deputy Speaker, Sir, my feeling and understanding then was that if those were the reasons; that somebody is under investigations, for stopping those people then, we would be setting a bad precedence as a House. That, if one is under investigation, then that person is not fit to be appointed to any position. Take note that one Dr. Lydia Nzomo is the CEO of the Kenya Institute of Education which will soon change to Kenya Institute of Curriculum Development. That was one issue that I felt was not good. At the end of the day, among the five who were interviewed, the three names were forwarded to the two Principals.

The second issue that I felt required clarification - and which we unfortunately did not get - was that among the people who were shortlisted for interview for the positions of the five commissioners, in position one we had Mr. Cleopas Tirop with 81.4 per cent, position two was Dr. Salome Gichura with 78.7 per cent.

Number three, we have Julius Jwan with 71.8 per cent. Number four was Fredrick Haga Ochieng with 71.6 per cent and number five was one Adam Sheikh Abdullahi with 70.3 per cent. Number six was Sadia Abdi Kontoma with 69.7 per cent and Mr. Kahindi Ziro James at number seven with 68.6 per cent.

When the names came to this House, the first name that was read was that of the gentleman who was number seven followed by the gentleman who was number four and then the gentleman who was number five. That was the list that was forwarded to Parliament. The concern that I had then was that this is the Ministry of Education where we believe that meritocracy comes number one. Unfortunately, we did not get clear indications on the same on why the number one was dropped.

Two, if this had to do with regional balancing, then unfortunately, again the wider Rift Valley region will miss out being among the eight commissioners who will be serving in the Teachers Service Commission (TSC) up to June this year.

The third point is that I wondered whether there was allergy for the women in this Commission because the number one for the Chair was rejected. The number two among the Commissioners was also rejected; both of them being ladies. I just wanted to make that clarification so that we understand, as House, why for the first time the Chairman dissented on a principle that is not very clear. However, having said that, we interviewed the members.

The Temporary Deputy Speaker (Prof. Kaloki): Order! Mr. Koech, are you supporting that report?

Mr. Koech: I am coming there, Mr. Temporary Deputy Speaker. I was trying to explain why I dissented, in the first place, to interview those people. However, at the end of the day, we carried out the interviews and our report recommends the Chair as indicated and the three members as indicated. I just wanted Kenyans to know why I dissented.

I beg to move and call my good friend, Mr. Njuguna, from Lari to second.

Mr. Njuguna: Thank you, Mr. Temporary Deputy Speaker, Sir, for the opportunity to second this very important Motion and not dwelling on many issues, I note that there were serious omissions done by the panel in getting the final list of the people to serve in the Commission.

I would, therefore, suggest that when the next replacement of this Commission is done sometimes in June this year, it will be prudent to consider membership from the Rift Valley and mainly Mr. Tirop who is highly qualified and who got very high marks.

Secondly, as I conclude, in all the commissions that have been formed in this country recently, Central Province has been ignored, neglected and marginalized. This is the only commission that we have a very experienced person who has been identified by the two Principals.

Finally, it is important to recognize that the five Kenyans are all qualified to serve at the TSC.

With those few remarks, I beg to second the Report.

(Question proposed)

Mr. Duale: Mr. Temporary Deputy Speaker, Sir, I support this report of course with the concerns of the chairman of the committee. From the outset, I want to be on record that very key stakeholders in the education sector have raised concern and I think the chairman did not put it right. The Kenya National Union of Teachers (KNUT) raised their concerns. The Kenya Union of Post Primary Education Teachers (KUPPET) raised

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

their concerns. The Kenya Private Sector Alliance (KEPSA) raised their concerns and above all the Minister for Education raised his concerns on how these names were realized.

Mr. Temporary Deputy Speaker, Sir, we are not saying that Mr. Kiragu, Mr. Abdullahi, Mr. Fredrick Ochieng and James Kahindi Ziro are not qualified. I want to go on record that come June this year when the replacement of the five TSC Commissioners will be done, Kenyans who have been left out must be considered. We are concerned that the Committee of Parliament in its wisdom has recommended that these names be approved in Parliament. I wish the issues that were raised were considered so that we make sure that it is all inclusive; that anything that we do in this country should have public participation and stakeholders' participation. I am sure the coming up with three commissioners and one chairman with a score card which has been put here contradicts why these names were selected.

We are saying that we have five more vacancies left. The Ministry of Education should borrow a copy of the HANSARD so that for some of us who will come back to this House, when these names are brought back this year and more so under the Jubilee Government, regional balance and merit will be considered.

I support and urge my colleagues that we support the Report.

The Minister for Finance (Mr. Githae): Mr. Temporary Deputy Speaker, Sir, I rise to support. I do not know any of these guys but if the Committee says they are good, who am I to say they are not good? However, we have a problem and I would like to ask the Attorney-General as soon as practically possible to set up a committee to look into our Constitution. Our Constitution requires certain amendments and the first one is that we made a mistake. We thought we are helping but we actually made a mistake when we said that all appointments should reflect regional and ethnic balance and many others. That is a recipe for chaos and that is exactly what is happening because it becomes difficult to justify why number one, two or three missed out and yet another person number four, five or seven is then appointed. That is the basic culprit. We thought we were helping by saying the above but the reason why the United States of America (USA) has done so well is because they consider merit and merit only. It does not matter whether all the top officials come from one sub-location, village or family but the issue is: Are they competent? Are they the best? That is what we need. We need meritocracy. That is what we need and not this issue that we put into the Constitution. We actually ethnicized our Constitution. We thought we were helping, but now it is coming to hit us back. This is not the first commission. We had one where number one, two and three were not picked on the basis of ethnic, regional, tribal and gender balance and so many other considerations. So, my request is that a time has come for the Attorney-General to set up a committee to look at some of these issues. If this country is to become a working nation, let us consider merit and merit and merit alone!

With those few remarks, I beg to support.

Mr. Gaichuhie: Mr. Temporary Deputy Speaker, Sir, I also want to support the report of the Committee. This is the first time that we are having the TSC anchored in the Constitution. I know these people were vetted. They got marks and the best got the positions although there are some who were denied positions because they were under investigation. Yes, it could be precedence, but if people are under investigation and we

approve their names yet we say that Kenya should get rid of corruption, are we sincere? I want to support and say that for people who were vetted and found unfit, we should not be asking for anything less than that.

So, I support the report of the Committee.

Mr. C. Kilonzo: Mr. Temporary Deputy Speaker, Sir, I wish to oppose this report. In fact, the Chairman himself opposes the report.

(Applause)

I have a lot of regard for this gentleman called Dr. James Kamunge, who was the chair of the panel. There were nine panelists and they were marking individually. Dr. Lydia Nzomo, PhD, scored 84. Next was 77. What reason can we give? According to the report, they are saying that they could not pick her because there are some cases with the Ethics and Anti-Corruption Commission (EACC) which are going on, which even Dr. Lydia Nzomo does not know about. Do you have double standards? Ministers here are prosecuted by this House, reports are done by the House and when investigations are going on, they are reinstated to office. The same appointing authority which reinstates the Ministers is the same one that is listening to that story of "some investigations going on".

Secondly, I know of a very sad case. If you look at the case of Maria Nzomo in the Gender Commission, she was number one.

Mr. Ogindo: On a point of order, Mr. Temporary Deputy Speaker, Sir. I am concerned with the manner in which the Member for Yatta is using his hand. He keeps pointing in the same direction. Is he in order?

The Temporary Deputy Speaker (Prof. Kaloki): And what direction is that, so that the Member can be clear?

Mr. Ogindo: Opposite where he is sitting!

The Temporary Deputy Speaker (Prof. Kaloki): All right! Hon. C. Kilonzo!

Mr. C. Kilonzo: Mr. Temporary Deputy Speaker, Sir, I do not know whether he wants me to turn and point at him.

The Temporary Deputy Speaker (Prof. Kaloki): Proceed, hon. C. Kilonzo! I think that was on a light touch.

Mr. C. Kilonzo: Mr. Temporary Deputy Speaker, Sir, if you look at the case of Maria Nzomo, the letter from the then Secretary to the Cabinet, Mr. Muthaura, was that they were dropping her because she is a Kikuyu. This was just an innocent woman who happened to have been a Kamba with a Kikuyu name. So, this business of telling people that "we are not going to give you this position when you are number one based on your tribe", needs to stop. We need to be very clear. If we have decided that this particular community will not get this job, tell them: "Please, if you are a Kikuyu, this slot is for other tribes. Do not apply. If you are a Kamba, this slot is for other tribes. Do not apply". Why bother going for an interview where you become number one and you are not picked? I think Parliament has to come out very strongly and this report should be the first one to be sent back. Where women are concerned, in fact, I would have thought the two Principals would have said "since there was a woman concerned, go back and get other women as a substitute for this one." They were very comfortable with getting their own; another man called them "mankind". This is not acceptable.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

Parliament has to come out very strongly and say we reject this. Let us forget. All the people who have been picked, we have no issues with them. But if number one cannot get a job, if number two cannot get a job, if number three cannot get the job, then what is the point of an interview.

Mr. Temporary Deputy Speaker, Sir, I wish to oppose.

Mr. Langat: Mr. Temporary Deputy Speaker, Sir, I also rise to oppose this Motion. I think everything should be done according to merit. If someone goes for interview, they are number one, but they are not taken, number two is not taken and number three is not taken, then it means there was a problem. There is also the issue of gender balance because all of them are men. You cannot say number one is not fit and then you start from number seven. I think this panel was not fair. To justify what you do, I think it is always better to take number one, number two and number three. It is like a competition. If today, you say you are not taking number one, number two and number three in athletics and then you want to take number seven, then you will not be forming any team; you will be forming a poor team. If you want to improve the quality of education--- Aristotle said that education is preparation for quality life; we have to get the best people to change education and improve life.

I oppose.

Mrs. Odhiambo-Mabona: Mr. Temporary Deputy Speaker, Sir, I rise to oppose this report. In opposing this report, I want to give different reasons. I do not agree with hon. Githae that we did a wrong thing by talking about balance. If you come from communities that have not been regarded in the past, that is the best thing we have done in the Constitution; for once, we can hear the names of communities that we never heard in this country, because the five dominant tribes have been taking up all jobs and leaving minority communities without any jobs.

Mr. Temporary Deputy Speaker, Sir, we provided in the National Cohesion and Integration Act that once you reach the 30 per cent mark, then leave chances for other communities. Yes, we do appreciate that the big communities have numbers, but the small communities must also be represented. So, once you reach the 30 per cent mark, please have regard for others. Kenya belongs to all tribes. It is not for only a few tribes.

Mr. Temporary Deputy Speaker, Sir, therefore, we have to live with the fact that there is ethnicity, gender, disability, age and diversity in this country. The sooner we realized this, the better for us.

Mr. Temporary Deputy Speaker, Sir, unfortunately this is not the reason that I am talking about this report. If you look at the way they conducted the interviews, it was very easy for them to conform to the Constitution from a regional and gender perspective. But what this panel did was to turn a blind eye to all that. You find that there is a woman leading; absolutely for no reason, they leave her out on the basis of rumours. I want to talk of rumours because even in Parliament--- Even if they had a situation where somebody was saying that your name was before Ethics and Anti- Corruption Commission, you must be given chance. Even the rule of law requires that you must be given a chance to defend yourself. You cannot just wake up one day and say that we are not giving Millie a position because she stole someone's cow. Please, find out. There was a time when I was in Parliament and some auctioneers went to attach things in my house; it was just fortunate because I had tight security. When I came later to find out, they were

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

attaching the property because some Millicent Odhiambo owed them money. My name is Millie and not Millicent. There are a thousand Millicent Odhiambos in this country. So, if you want to attach my property because of Millicent Odhiambo, I will never get anything. That is why everybody has a right to defend themselves. So, if you actually look at the reason they gave, it is the flimsiest of reasons I have ever heard. If as a Parliament we pass such a report, we will actually be a rubber stamp for the executive. We will have no integrity ourselves, because we will not have even done any proper interrogation.

Even if you look at it from a regional perspective, honestly, why would we, in such a big Commission, miss out a person from the Rift Valley? If you look at this report, you will see that there are areas we are repeating. I am Kenyan. I am speaking knowing that this report may not favour my region but we must try and become Kenyans. If you start discriminating against women---

I know you men. When you sit in the men's club, I am not Luo. I am, first, a woman to you before I am Luo. So, I will defend women before I defend my tribe. You always do this. That is why you can comfortably sit at the Supreme Court and decide that something which is very clearly constitutional is progressive. Now that this woman has become number one, you want to tell her "progressively" to wait for six months. Six months *kitu gani?* This is her right!

The Temporary Deputy Speaker (Prof. Kaloki): Order, hon. Millie Odhiambo!

Mrs. Odhiambo-Mabona: Mr. Temporary Deputy Speaker, Sir, one day we will strip naked because you are frustrating us here.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Millie Odhiambo, which men are you talking about? You said "I know you men". Which ones? We are Members of Parliament.

Mrs. Odhiambo-Mabona: Mr. Temporary Deputy Speaker---

An hon. Member: Proceed and strip now!

Mrs. Odhiambo-Mabona: I will strip if you start doing this to us. I stripped in the past and I will do it again.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Millie, just be objective, so that you can conclude your remarks.

Mrs. Odhiambo-Mabona: Mr. Temporary Deputy Speaker, Sir, I am trying but it is the wearer of the shoe who knows where it pinches. That is why you find that even though I am the front-running candidate, all the men are ganging against me and saying: "You would rather a man because---"

Mr. Temporary Deputy Speaker, Sir, let me relax. I will tell you about it some other day. As a woman I feel that if a woman is qualified, it does not matter whether she is Kamba or Kisii.

Mr. C. Kilonzo: On a point of information, Mr. Temporary Deputy Speaker, Sir.

Mrs. Odhiambo-Mabona: Mr. Temporary Deputy Speaker, Sir, I am willing to be informed by him because he is a gender sensitive man.

The Temporary Deputy Speaker (Prof. Kaloki): Proceed, hon. Kilonzo.

Mr. C. Kilonzo: Mr. Temporary Deputy Speaker, Sir, I wish to inform hon. Millie that what the men did when it came to picking the Commissioners, Dr. Salome W. Gichura was number two but the men went ahead and picked a man who was number

four, another man who was number five and another man who was number seven. So, this shows you how the men in this country are very unkind to women.

Mrs. Odhiambo-Mabona: Mr. Temporary Deputy Speaker, Sir, I am glad that he has shown that because I was going to say that even if you want to be ethnic, we have Gichura. Surely, why pick another Kikuyu man? This is a Kikuyu woman, pick her. This has nothing to do with region. It is gender. That is why I am telling you that I will be, first, a woman before I am Luo or Suba because when it comes to this, you start looking at the gender issue before looking at where I come from. So, I am opposing this Motion.

Mr. Temporary Deputy Speaker, Sir, if you go on with this trend, women will be picketing. I am sorry; it is not you, Chair. It is only that when you sit there you represent--

With those remarks, I oppose.

(Laughter)

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Millie Odhiambo, you were doing very well but in the last part where you said that when I sit here I represent--- Could you be kind to the Chair? Put your microphone on, so that I can allow you to be kind to the Chair.

Mrs. Odhiambo-Mabona: Mr. Temporary Deputy Speaker, Sir, I withdraw that bit especially because you are "corded" and you are taking the next Government, which will be sensitive to women.

The Temporary Deputy Speaker (Prof. Kaloki): Thank you, hon. Millie Odhiambo. You have really been passionate on gender issues. You have done well to bring out the issue of gender sensitivity.

Yes, hon. Sofia Abdi.

Mrs. Noor: Mr. Temporary Deputy Speaker, Sir, this is a very important Commission and I want to go on record. While in Naivasha, as the Parliamentary Select Committee, I was at the top of my voice trying to convince my colleagues to make the TSC a constitutional Commission. I am happy that today the TSC is a constitutional Commission.

Having said so, I want to take on board the frustration that the Chair of this Committee is suffering. It is the same frustration I went through, as the Chair of the Committee that was nominating Commissioners to the National Gender and Equality Commission at one time. When the name of Maria Nzomo came up as number one and people picked another person, it became a problem. So, I understand the frustration that the Chairman is going through. I know women have suffered. I know that because I have been a crusader in advocating for the two-third principle. I have gone all over this country talking about the two-third principle. I am very disappointed with the Supreme Court for the ruling it made.

Mr. Temporary Deputy Speaker, Sir, women of this country have suffered. But we have decided that we are going to send a strong message to this country come 5th March, 2013. We will have more than two-thirds women in this Parliament. That is the time we will make enabling laws for this country because women are sensitive to the needs of this country and will make those laws.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

Having said that, I want to support the Motion.

Hon. Members: Oppose! Oppose!

Mrs. Noor: No. I am supporting.

Mr. M'Mithiaru: Mr. Temporary Deputy Speaker, Sir, I stand to oppose this report in the strongest words possible.

I think this House should not be put into a play of double speech. I have heard Mr. Githae talking about meritocracy. I have heard Mr. Duale talking about how even KUPPET, the Minister and KNUT complained. All the arms that support education complained. If we can only borrow a word from Mr. Langat, issues of education are like a race. You cannot balance somebody who is going for 100 meters and say that since you want to represent the whole of Kenya, then you get the fifth person to represent Kenya. Let us just look at the things the way they are. We want to reform the education system in Kenya. But here, we are rubbishing the Kamunge Report; a renowned educationist in this country and picking issues that are not based on merit.

Mr. Temporary Deputy Speaker, Sir, issues came up that somebody was under investigations. Investigations have been conducted in Kenya so many times. But I am told the lady called Nzomo is the Managing Director of the Kenya Institute of Education (KIE). Has she been told to step aside pending investigations? Who is that person who became the judge and proved somebody guilty even before the investigation are done, if there are any? Did the Committee also even summon the Ethics and Anti-Corruption Commission to find out what kinds of investigations are taking place?

Let us not bring issues that are far-fetched. I am surprised that even my colleague and friend, Mr. Duale says that since there are some other Commissioners to be appointed in June, let us look at commissions. Again, we thought they were going to go through due process to get the right person. Region is not the issue here; the issue is who is qualified to steer the Commission that takes care of the educational standards in this country.

Mr. Temporary Deputy Speaker, Sir, let us find any other reason but---

The Temporary Deputy Speaker (Prof. Kaloki): Order, Mr. M'Muthiaru! Let us hear Mr. Duale first.

Mr. Duale: Mr. Temporary Deputy Speaker, Sir, I want my very good friend and a number of colleagues to declare their interest as far as Nzomo is concerned. I want to say here very clearly that the Constitution that this House passed envisaged regional, ethnic and other factors when appointments are being made. It has been done in all the commissions that this House has passed. I do not want the Member to mislead the nation. We have mentioned a number of issues---

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Duale, I am trying to get your point of order.

Mr. Duale: My point of order is, is the hon. Member in order to say that ethnic and regional factors are within the Constitution? Is he in order to say that this supersedes the merit? Merit is there but other factors like region---

Mr. M'Mithiaru: Mr. Temporary Deputy Speaker, Sir, I am concluding but let me just say that although we look at the regional issues, when it comes to standards on education there is no compromise. It is just like a race, as I said.

Mrs. Odhiambo-Mabona: On a point of order, Mr. Temporary Deputy Speaker, Sir. Mr. Duale has challenged hon. Members to declare their interest in relation to Prof.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

Nzomo. I want to declare my interest. It is good to be fair. She is a woman and I am a woman. That is my interest. I do not know her. She is a woman and I am a woman.

The Temporary Deputy Speaker (Prof. Kaloki): Mr. M'Mithiaru, do you have any interest to declare?

Mr. M'Mithiaru: Yes, I have. I am a lover of education, good performance and from the qualifications that that lady has, I can see she can take the Teachers Service Commission to the next level, and all the countries of the world will come here to emulate what Kenya will have done.

With those few remarks, I would like to conclude by saying that let us return merit as recommended by the Kamunge Committee.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Members, we have about six or seven of you willing to contribute. Let us take about three minutes to make our remarks, so that we can conclude this business.

Mr. Chepkitony: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute. I do not support this Motion. I oppose it on the grounds that the Committee of this House did not do a good job. They just followed blindly what was recommended by the panel. They should have corrected the report before it was brought to this House.

If we are going to really follow merit, even when you look at the original balance, you get the best and maybe later you can see how to correct it and not to drop somebody who is number one; they should have taken those who were qualified to do a better job. I think there was no good job done in this. I think the Committee of this House needs to learn a lesson from this. We need to reject this report so that the Committee can do a better job in future. Although the gender rule has been suspended and we say it is progressive, still it is time we started using it. Where we have women doing well in the interviews, they should be given opportunities. She should have been appointed as one of the nominees to this commission.

A shoddy job was done here and I think we have a duty to correct what was done wrong. It is our responsibility to do that.

With those few remarks, I oppose.

Mr. Ogindo: Mr. Temporary Deputy Speaker, Sir, initially I had difficulties understanding where the Chair was coming from, and where he was going to. But now I understand. I want to also disagree with Mr. Githae. The intent of the Constitution and the spirit of it is to bring all Kenyans on board, even those in far flung areas.

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Ogindo, what---

Mr. Ogindo: I am opposing this Motion. Can I proceed?

The Temporary Deputy Speaker (Prof. Kaloki): I wanted you to clarify what exactly you meant when you said--- Now you understand the Chair, and where it is coming from.

Mr. Ogindo: And why he had difficulties in declaring whether he supported or not.

Mr. Temporary Deputy Speaker, Sir, you will appreciate that the teaching fraternity today is predominantly in the hands of women. It would be important that opportunity be accorded to women to a higher degree, up to about not less than 50 per cent, particularly in the management. But above all, it is very disheartening to see

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

somebody who merits a position relegated or ignored completely. You want to put yourself in such shoes and it is regrettable.

Mr. Temporary Deputy Speaker, Sir, I also want to point out that I oppose this with a lot of difficulty, given that Parliament is just about to go on recess and we needed to constitute the Teachers Service Commission. I think that two months will send a strong message out there that we really need to work on merit.

Mr. Temporary Deputy Speaker, Sir, I oppose.

Mr. Baiya: Mr. Temporary Deputy Speaker, Sir, the process and standards of appointing officers to these commissions have been set by the law. The standards once set are really to be followed and at the end of the process, the public has a legitimate expectation; that even if the process does not possibly produce what the public expected, at least, there is substantial satisfaction by the public. There could be issues that may be dividing or raising controversy but, at least, the majority should be satisfied. In a process like this, it does not really matter who the individuals involved are. But it leads to a process where we can see the kind of furore that is being raised. So, the essence of democracy is that there should be a gap between public expectations and what has really been brought about as a result. That gap should be narrowed.

Mr. Temporary Deputy Speaker, Sir, from what has transpired, number one has been left and then you go to number seven, and there is not even an attempt to give an explanation. It actually undermines the integrity of the whole process. The right thing is to reject this report outrightly. I am, therefore, opposing the report, so that we can ask this institution to uphold the law. It should know that the law has been enacted with a purpose and any other appointing officer – not just this Commission – when they are exercising power, should bear that in mind. If they really do not meet certain parameters and seem to depart from the principle of merit, which they can do, they should come up also with an explanation which can go to assuage the public that the law was not just disregarded.

Mr. Temporary Deputy Speaker, Sir, I oppose the report.

Dr. Munyaka: Mr. Temporary Deputy Speaker, Sir, I rise to oppose this report.

Mr. Temporary Deputy Speaker, Sir, it is interesting to note that during this time and era some interview can be done in privacy in a boardroom, whereas we know that we are in a different era where the public needs to be involved.

Mr. Temporary Deputy Speaker, Sir, I have listened to the points that my colleagues have made and I do not wish to repeat them. I oppose the report for the basic reason that this interview was done in privacy and maybe due process was not undertaken.

Mr. Magwanga: Mr. Temporary Deputy Speaker, Sir, I rise to oppose this Motion in the strongest terms it deserves because I want to state here clearly that candidate number one was left under circumstances which are not clear. By only stating that he is actually under investigation that is not enough because no report was given at all. This very good lady is holding an office and this one is just a way of denying the right Kenyan an opportunity. The House should not be used as a rubber stamp.

Mr. Temporary Deputy Speaker, Sir, I want to state here very clearly that Mr. Julius Jwan, a visually impaired candidate, who ranked position three was left out under circumstances that are not known. In such a case, they are not actually sensitive to disability. So, they will continue to marginalize the disabled. How long will the people

living with disabilities be denied job opportunities? I also want to say that the recruitment was gender biased because we left out women. Lastly, I want to state that regional balance is lacking. We have left out the entire Rift Valley without considering anybody. I know that Mr. Tirop is actually a very capable head and he served very well as the head of the union. In such a case, given the sensitivity of managing teachers in this country, I strongly oppose this. The Committee should actually consider their position and give us proper names.

With those few remarks, I oppose.

The Assistant Minister for Higher Education, Science and Technology (Mr. Kamama): Mr. Temporary Deputy Speaker, Sir, I support the report with a very heavy heart. I say “with a very heavy heart” because I happen to know this officer, Dr. Nzomo. At one time when I was an untrained teacher and we used to report to the Teachers Service Commission, this lady was known as one of the most efficient and very effective officers. That is why I am saying that I am supporting with a very heavy heart because I know she is a very capable person.

I want to reiterate what my colleague, Mr. Githae, said that meritocracy must never be sacrificed at the altar of ethnic or regional balancing. I will give you an example of what J. F. Kennedy did in 1963 when he became the president. He appointed his brother as an Attorney-General. When he was asked about it he said that his brother was the best and he could deliver. So, I think in future our Attorney-General should actually come up with rules that state or stipulate that at least the first three must never be altered or changed. When number one is not appointed then it is really a very sorry state of affairs.

I support women rights; I support rights of the disabled and children. Therefore, I support the Motion reluctantly and with a very heavy heart. We are sending a wrong message to the women of this country.

Mr. Mututho: Mr. Temporary Deputy Speaker, Sir, looking at the candidate, Ms. Lydia Nzomo, you need to go through the history of personalities in Kenya to disqualify her. She has merit in her own way. She is a performer. This dragon called the Ethics and Anti-corruption Commission that has kept hon. Mututho himself as a suspect in court without ever taking him to court, cannot be a yardstick to making people miss positions that they have earned equitably. The power of a woman is now being felt in schools and students are now over 50 per cent. So, even without asking for any favours, over a very short time, within about ten years, these ladies are going to take over anyway. As long as you are taking a lot of beer for breakfast and avoiding *Mututho laws* and what you are supposed to be doing rightly, this will not work. It is not proper for people to keep on looking at regional balancing. I come from a place called Nakuru in the Republic of Kenya and I want to say, maybe for the last time in this Parliament, that from 1963 when they appointed one friend of the late Mr. Oginga Odinga as a Cabinet Minister, who was ably sacked by the father of my boss, namely Mzee Jomo Kenyatta in public, nobody has ever been appointed as a Cabinet Minister in Nakuru. Right now, we have registered about 700,000 voters, but I can tell you and I can swear with my shoe that nobody from Nakuru will ever be appointed to any substantive post or position because of this balancing thing. So, those who qualify by merit like hon. Mututho who got the Elder of the Order of the Burning Spear (EBS), not those who get it by chance, should be

acknowledged. Much as would be expected, just like I did in 2005, when all the people from Central Kenya said that they must vote bananas and I stood with my bosses hon. Kenyatta, Raila and Ruto on the orange side and I was taken in.

Mr. C. Kilonzo: On a point of information, Mr. Temporary Deputy Speaker, Sir. I wish to inform my good friend that when it comes to regional balance, in as far as members who come from one community in Central Province is concerned, it does not include those members of that community who settled in the Rift Valley. It is a preserve for those members of that community who live within the Mt. Kenya region, in particular the Central Province who include hon. Kimunya and so on.

The Minister for Transport (Mr. Kimunya): On a point of order, Mr. Temporary Deputy Speaker, Sir. Are the two Members, hon. Mututho and hon. C. Kilonzo in order to give the impression in the House that the people of Nakuru have not been taken care of while the Chairman of the Transition Authority, Mr. Kinuthia Mwangi, is registered as having come from Nakuru County? The Head of Public Service himself has roots in Nakuru County. The immediate former AP Commandant is actually seeking office in Nakuru County and several others we could name, hence it is not true that the people of Nakuru have been marginalized. Perhaps, the Member may not be aware of his people in the county.

Mr. Mututho: Mr. Temporary Deputy Speaker, Sir, I sympathise with hon. Kimunya because he seems to have lost his geography. The Head of Civil Service does not even know where he comes from. He is from Nyandarua, *mara* he is from Central Province; he is not sure! He is either from Mirangine or Lari. You cannot say that he comes from Nakuru.

(Laughter)

If you want to know the home of the former Commandant of Administration Police, it is exactly one kilometre from the junction of Karen where he has two homes. Thanks, he has two wives. That is where he comes from. He grabbed a piece of land which is mentioned in the Ndung'u Report and it is 200 acres in Elburgon. If that makes him come from Nakuru, then that is it.

For TA, it explains why TA is just there by name. It does not have a budget because it comes from Nakuru. It was a mistake to have somebody from Nakuru to be in that particular--- We must support the No.1 candidate. We must support the one who got 83 per cent because that is by merit.

I oppose.

The Temporary Deputy Speaker (Prof. Kaloki): Let me call the Mover now, hon. Koech, to respond.

Mr. Koech: Mr. Temporary Deputy Speaker, Sir, I want to start by thanking hon. Members for their contributions and, especially, those who now share my concerns.

My understanding and the implication of this - and that is why I really needed this House to tell us - is that Dr. Nzomo is the CEO of Kenya Institute of Education (KIE). My understanding is that by by-passing that, we would be actually saying that she is guilty of the offence and, therefore, she should actually step aside from wherever she is now.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

With regard to Cleopas Tirop, for purposes of clarity, he is the current principal of Nairobi School. He is the Chairman of the Kenya Secondary Schools Heads Association. He has been the Chairman for the last four years. Before, then he was the Vice-Chairman of the same association for four years.

Thirdly, it is for us to note how the Teachers Service Commission operates. In this country, we have almost an equal number of male and female teachers. We have an almost equal number of male and female principals. Therefore, I would have really expected this Commission to have a gender ratio of 50:50.

However, having said that, I want to thank hon. Members for their concerns and I beg to move.

(Question put and negatived)

ADJOURNMENT

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Members, following the resolution of the House earlier today that the House sits until the conclusion of Order No.24, we have now come to the end of our business today. The House now stands adjourned until Tuesday, 8th January, 2013, at 9.00 a.m. Colleagues, I commend you for sitting for that long.

The House rose at 10.25 p.m.