

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 26th October, 2000

The House met at 2.30 p.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:-

- District Allocation Budget for the Office of the President for the year ending 30th June, 2001.
- District Allocation Budget for the Office of the Vice-President and Ministry of Home Affairs, Heritage and Sports for the year ending 30th June, 2001.
- District Allocation Budget for the Attorney-General's Chambers for the year ending 30th June, 2001.
- District Allocation Budget for the Directorate of Personnel Management for the year ending 30th June, 2001.
- District Allocation Budget for the Ministry of Lands and Settlement for the year ending 30th June, 2001.
- District Allocation Budget for the Ministry of Labour and Human Resource Development for the year ending 30th June, 2001.
- District Allocation Budget for the Ministry of Health for the year ending 30th June, 2001.
- District Allocation Budget for the Ministry of Energy for the year ending 30th June, 2001.
- District Allocation Budget for the Ministry of Roads and Public Works for the year ending 30th June, 2001.
- District Allocation Budget for the Ministry of Environment and Natural Resources for the year ending 30th June, 2001.

(By the Minister for Finance)

The Report of the Departmental Committee on Finance, Planning and Trade on the Finance Bill 2000.

*(By the Chairman of the Departmental Committee
on Finance, Planning and Trade)*

ORAL ANSWERS TO QUESTIONS

Question No.483

CREATION OF NEW DISTRICTS

Mr. Deputy Speaker: Mr. P.K. Mwangi not here? We will come back to his Question later.
Next Question, Mr. Munyasia!

Question No.608

DEATH OF MR. CHELEKESI

Mr. Munyasia asked the Minister for Home Affairs, Heritage and Sports what caused the death of Mr. John Waliaula Chelekesi who was held at Bungoma GK Prison remand between 12th and 20th June, 2000.

The Assistant Minister for Home Affairs, Heritage and Sports (Mr. Choge): Mr. Deputy Speaker, Sir, I beg to reply.

Mr. John Waliaula Chelekesi died on the afternoon of 16th June, 2000. The doctor clinically concluded that the cause of his death was cerebral malaria.

Mr. Munyasia: Mr. Deputy Speaker, Sir, could the Assistant Minister give the name of the pathologist who carried out the postmortem and came to the conclusion that Mr. Chelekesi died of cerebral malaria? Could he table that postmortem report?

Mr. Choge: Mr. Deputy Speaker, Sir, Dr. Ogutu was to carry out a postmortem but the relatives of the deceased prevailed upon him not to do so. The relatives who were present decided to take the body home for burial. But Dr. Ogutu was able to establish that this man died of cerebral malaria.

Mr. Munyasia: Mr. Deputy Speaker, Sir, the Assistant Minister is not serious about this matter at all. Could he tell us whether Mr. Chelekesi died in any known hospital for Dr. Ogutu to diagnose that he died of cerebral malaria? Could he give us the dates when he was hospitalised?

Mr. Choge: Mr. Deputy Speaker, Sir, Mr. Chelekesi was arrested and sent to prison on 12th June, 2000. On 15th June, 2000, he fell sick and was taken to the prison dispensary. He was treated and taken back to his room but later on, his roommate raised an alarm when he saw him diarrhoea in the room. They cleaned him up and took him to hospital. However, he died on the way before he reached Bungoma District hospital.

Mr. Kiunjuri: Mr. Deputy Speaker, Sir, it is on record that prison warders are using convicts at night to go and steal and then take them back to the prison. They also use them to commit serious offences. Could the Assistant Minister confirm to this House that Mr. Chelekesi was not used the same way the King'ong'o Six were used to kill Father Kaiser before they were killed by Prison Wardens?

Mr. Choge: Mr. Deputy Speaker, Sir, that is a very serious allegation! Could the hon. Member tell us whether he was used by prison warders in the prison where he was to, to kill at night?

Mr. Deputy Speaker: Order, hon. Choge! Ministers do not ask Questions here! They answer them!

Mr. Choge: Mr. Deputy Speaker, Sir, I cannot confirm that.

Mr. Muchiri: Mr. Deputy Speaker, Sir, the deceased was in custody when he died. Since no postmortem was done, how can we prove that this person died of cerebral malaria?

Mr. Choge: Mr. Deputy Speaker, Sir, Dr. Ogutu did the diagnosis and wrote it down in the Prisons book; that this man died of cerebral malaria.

Mr. Munyasia: Mr. Deputy Speaker, Sir, the Assistant Minister has not answered my Question. I would plead that you allow me to give a brief report of what the Human Rights Commission in Bungoma collected from the family of the deceased. Could the Assistant Minister tell this House when Mr. Chelekesi was admitted at Bungoma District Hospital? There is no dispensary in Bungoma GK Prison and Dr. Ogutu does not work in Bungoma Prison Dispensary because it is not there. So, could he tell us where Mr. Chelekesi died? If he died in the cells, and Dr. Ogutu does not work there, then there was something fishy about the death of this man. The Assistant Minister should carry out a thorough investigation and bring an acceptable answer here!

Mr. Choge: Mr. Deputy Speaker, Sir, the investigations I have done are enough. Dr. Ogutu works at Bungoma District Hospital and he confirmed that Mr. Chelekesi died of cerebral malaria. Mr. Waliaula died on his way to Bungoma District Hospital but Dr. Ogutu had been called earlier on to come to the Prison Dispensary to treat sick prisoners.

Question No.618

COMPLETION OF MASII
ELECTRIFICATION PROJECT

Mr. Kalulu alimuuliza Waziri wa Nishati:-

(a) kama anafahamu kwamba mradi wa stima kati ya Machakos na Masii ulioanzishwa mwaka wa 1980 haujakamilishwa na kuwa vifaa, kama miti na nyuzi za taa za umeme vilivyopigiliwa wakati huo vimeporwa; na,

(b) ana mipango gani ya kufufua mradi huu mara moja.

Mr. Deputy Speaker: The Minister for Energy is not here? We will come back to this Question later.

Question No.241

CONSTRUCTION OF OYUGIS TOWN BUS PARK

Mr. Otula asked the Minister for Local Government what plans he has to put up a market, a bus park

and improve roads within Oyugis Town Council.

The Assistant Minister for Local Government (Mr. Sirma): Mr. Deputy Speaker, Sir, I beg to reply.

My Ministry has no immediate plans to put up a market and a bus park within Oyugis Town Council. As for the improvement of the roads within the Town Council, the Ministry, in liaison with the council, will ensure that they are improved and maintained to remain in motorable conditions.

Mr. Otula: Mr. Deputy Speaker, Sir, in most cases, and in most areas, it has been found out that the Ministry has taken time to improve markets within the trading centres. What criteria does the Ministry use to select those centres which will be improved by the Ministry?

Mr. Sirma: Mr. Deputy Speaker, Sir, we do not select. It is dependent on the amount of money generated by a particular council, in order to give a priority to facilities like a bus park.

Mr. Otula: Mr. Deputy Speaker, Sir, it has also been said that the Ministry intends to improve roads within this particular centre. How much money has the Ministry and the council put aside for the improvement of roads in this particular Council?

Mr. Sirma: Mr. Deputy Speaker, Sir, we do not know what budget the Town Council has. But the money which we remit to the Town Council, through the Local Authority Transfer Fund, the Fuel [Mr. Sirma] Levy Fund which they collect and other revenues, can be used to develop the bus park.

Mr. Otula: Mr. Deputy Speaker, Sir, could the Assistant Minister tell the House how much money has been sent to that Town Council?

Mr. Sirma: Mr. Deputy Speaker, Sir, I cannot give the definite figure, but the last disbursement is going to be done in the course of this month.

Question No.380

INSURANCE OF THIKA MUNICIPAL VEHICLES

Mr. Ndicho asked the Minister for Local Government:-

(a) whether he is aware that the following Thika Municipal Council vehicles are not insured yet they are operating on the road, posing great danger to drivers, passengers and third party persons:-

Lorry KAH 082; Toyota Corolla KAB 173Q; Pickup KAB 174Q; Pickup KAB 175Q; Pickup KAB 176Q; Motorcycle KAB 411Q; Motorcycle KAB 412Q; Motorcycle KAB 413Q, and Motorcycle KAB 414Q;

(b) why these vehicles are not insured; and,

(c) whether he could order that the said vehicles be insured as a matter of urgency.

The Assistant Minister for Local Government (Mr. Sirma): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware that the mentioned Thika Municipal Council vehicles are not insured and are operating on the road posing great danger to the drivers, passengers and third party persons.

(b) Given the reply in part "a", parts "b" and "c" do not arise.

Mr. Ndicho: Mr. Deputy Speaker, Sir, this Ministry of Local Government is not aware of anything because its Minister, hon. Kamotho, is involved in petty politics, running municipalities the way he runs KANU.

Mr. Deputy Speaker: Order! Ask your Question!

Mr. Ndicho: Mr. Deputy Speaker, Sir, I am surprised to hear the Assistant Minister say that he is not aware. These vehicles were impounded by traffic police in Thika Town. As I was passing, I was told that all municipality vehicles have been impounded and are locked up in Thika Police Station. When I went to inquire why the traffic police had arrested those vehicles, I was told that they were not insured and that the insurance stickers on the windscreens are fake. Arising from that, I brought this Question here to know from the Minister in charge of that department why that was happening, and now the Assistant Minister says he is not aware!

Mr. Deputy Speaker: Ask your question!

Mr. Ndicho: Mr. Deputy Speaker, Sir, although this was in March, I expected him to tell me the date of registration.

Mr. Deputy Speaker: Mr. Ndicho, you cannot have the answer to your own question.

Mr. Ndicho: Mr. Deputy Speaker, Sir, I would like him to assure this House---

Mr. Deputy Speaker: Ask your question or I will move on to the next one!

Mr. Ndicho: Mr. Deputy Speaker, Sir, could the Assistant Minister assure this House that this will not be repeated in Thika and other areas because it could also be happening in Nairobi, Eldoret, Kisumu and Mombasa?

Mr. Sirma: Mr. Deputy Speaker, Sir, I am not able to assure the House of anything, because there is nothing

to assure. I have the policy numbers of all the insurance covers issued by the Insurance Company of East Africa, which won the tender of issuing insurance cover to the Thika Municipal Council.

Mr. Deputy Speaker: Mr. Sirma if you gave an assurance to the House, that goes to confirm that you will be making sure that the vehicles are insured. What harm will it do to you?

Mr. Sirma: Mr. Deputy Speaker, Sir, we already have the insurance cover and the policy with us. So, we cannot have a policy number without an insurance cover.

Mr. Wambua: Mr. Deputy Speaker, Sir, I am sure it would not be wrong for the Assistant Minister to tell the House the policy numbers of all those vehicles which have been mentioned.

Mr. Sirma: Mr. Deputy Speaker, Sir, I wish to give them the policy numbers as KAB 176Q, policy No.020/080---

Mr. Ndicho: On a point of order, Mr. Deputy Speaker, Sir. Let us save the House some time. I know the vehicles have now got the cover, and the numbers he is reading are indicated on the vehicles---

Mr. Deputy Speaker: Order! He is answering hon. Wambua's question, and it is not upon you to answer it. Proceed!

Mr. Sirma: Mr. Deputy Speaker, Sir, vehicle registration No. KAB 176Q has policy No.020/080/1/012469 of 1999. This vehicle's renewal was due in 31st December, 1999. This means that the insurance policy is going to end in December, 2000.

Mr. Deputy Speaker: Why do you not just table the whole list?

(Mr. Sirma laid the document on the Table)

Mr. Ndicho: Mr. Deputy Speaker, Sir, could the Assistant Minister tell this House what those vehicles were doing in Thika Police Station?

Mr. Sirma: Mr. Deputy Speaker, Sir, traffic offences are issues between the Thika Municipal Council and the police. I cannot really know what happened. But I would like the Chair to protect the dignity of this House, because Mr. Ndicho is bringing political issues from Thika to this House.

Mr. Deputy Speaker: Order! All hon. Members in this House are politicians and thus, they are stuck in politics. So, he is quite in order to imply that way, but you should respond to the question.

Mr. Sirma: Mr. Deputy Speaker, Sir, I cannot confirm to the House why they were in the police station, but motorable vehicles on the road are liable to commit traffic offence at any one time.

Question No.164

COMPLETION OF BARICHO BRIDGE PROJECT

Mr. Kombe asked the Minister for Roads and Public Works:-

(a) whether he is aware that Baricho Bridge Project, linking Malindi and Magarini constituencies in Malindi District has stalled; and,

(b) what immediate plans he has to complete the project to facilitate development in the area.

The Assistant Minister for Roads and Public Works (Eng. Rotich): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that Baricho Bridge Project linking Magarini and Malindi has stalled.

(b) The Ministry has programmed implementation of the project to commence during the 2003/2004 Financial Year.

Mr. Kombe: Mr. Deputy Speaker, Sir, the Assistant Minister is not serious in his answer. The project commenced in 1986 and stalled in 1988. Twelve years down the line, the Assistant Minister is telling us that he has programmed to implement the project in the 2003/2004 Financial Year. Why can the Ministry not programme to implement the project in the next financial year?

Eng. Rotich: Mr. Deputy Speaker, Sir, it is not true that it stalled in 1988, although it has taken quite a long time. This project stalled in 1992. We are not able to implement the project in the next financial year because of financial constraints.

Mr. Badawy: Mr. Deputy Speaker, Sir, considering the fact that the project stalled from 1988, has the Ministry done the evaluation of the basic structural work that was put in there, to assess how much it is now going to cost, before he gives this House an assurance that it is going to be undertaken in the 2003/2004 Financial Year?

Eng. Rotich: Mr. Deputy Speaker, Sir, the total cost of the project is Kshs300 million, the span of the bridge is 200 metres and the structural condition of what we have done is sound up to now as per our inspection. We valued

the project at Kshs300 million to be completed.

Mr. Kombe: Mr. Deputy Speaker, Sir, the Assistant Minister will agree with me that in 1988, this project was estimated to cost Kshs11 million and he is now telling us that the Government is going to spend Kshs300 million to complete the same project. Where is the Government going to get that amount of money, when it could not get Kshs11 million?

Eng. Rotich: Mr. Deputy Speaker, Sir, the project was not estimated to cost Kshs11 million but the idea was to instal a bailey bridge at that particular time. So, Kshs11 million was for piling and the foundation. It was a contract of Kshs4 million at that particular time. The next contract, of Kshs11 million, was to transfer the old bridge in Sabaki to this place. But after we inspected the structures, we found that they were rusted beyond use. So, the total cost is not Kshs11 million but Kshs300 million. It was supposed to be funded under ODA Bailey Bridge Phase III. It is one of the bridges that we have problems with, alongside Masalani and Sigiri.

Mr. Achola: Mr. Deputy Speaker, Sir, the Assistant Minister has indicated that this bridge will be completed in the year 2003/2004. Could he show us where this money is, in the Printed Estimates, because we have a three-year forward plan in the Budget?

Eng. Rotich: Mr. Deputy Speaker, Sir, I did not say that it will be completed in the 2003\2004 Financial Year, but we shall commence works on it during that financial year.

Question No.350

TARMACKING OF NJABINI-OL KALOU ROAD

Mr. Githiomi asked the Minister for Roads and Public Works when tarmacking of Njabini-Ol Kalou Road will commence.

The Assistant Minister for Roads and Public Works (Mr. Mokku): Mr. Deputy Speaker, Sir, I beg to reply. My Ministry is in the process of procuring service for feasibility studies on this road. Once they are complete, the Government will look for funds to tarmack it. My Ministry however, has plans for normal routine maintenance of the road through drainage improvement, spot improvement and grading during the 2000/2001 Financial Year.

Mr. Githiomi: Mr. Deputy Speaker, Sir, we have been told that some money is going to be released for feasibility studies and that, funds are going to be made available for routine maintenance. Could the Assistant Minister give us a work plan; how long the feasibility study is going to take and when tarmacking of the road will commence? Could he also tell us how much money he has set aside for the routine maintenance he has talked about?

Mr. Mokku: Mr. Deputy Speaker, Sir, we have set aside Kshs15 million for the feasibility studies. The project will take one year to complete. For routine maintenance, the Ministry has set aside Kshs10 million.

Mr. Gatabaki: Mr. Deputy Speaker, Sir, is the Assistant Minister aware that this particular region, where this road traverses, is one of the highest food producing areas in the country and indeed, supplies Nairobi with vegetables? Could the Government also consider, as a matter of urgency, disbursing the money so that they can repair this road, so that this country can be well fed?

Mr. Mokku: Mr. Deputy Speaker, Sir, I would like to concur with the hon. Member that this is an important road in Nyandarua District and the Ministry is giving it the seriousness it deserves.

Mr. Githiomi: Mr. Deputy Speaker, Sir, could this Assistant Minister tell me when the Government will start tarmacking that road? He avoided answering that question. Could he also tell us how much money this Ministry has set aside for routine maintenance?

Mr. Mokku: Unless he was not listening, I said that the Government has set aside Kshs10 million for routine maintenance. On the question of tarmacking the road, the feasibility studies will soon be completed.

Mr. Deputy Speaker: Mr. P.K. Mwangi's Question for the second time!

Mr. P.K. Mwangi: Mr. Deputy Speaker, Sir, I would like to apologise for coming late to the House.

Question No.483

CREATION OF NEW DISTRICTS

Mr. P.K. Mwangi asked the Minister of State, Office of the President:-

- (a) how many districts have been created in the country in the last 10 years;
- (b) whether he could table the list of these districts and their population; and,
- (c) what the Government's position is in the creation of provincial administration boundaries.

The Minister of State, Office of the President (Maj. Madoka): Mr. Deputy Speaker, Sir, I beg to reply.

(a) There are 29 districts.

(b) I will table the list of those districts.

(c) The consideration given is on terms of population, the geographical terrain and the overall population.

(Maj. Madoka laid the document on the Table)

Mr. P.K. Mwangi: Mr. Deputy Speaker, Sir, you will agree with me that this country is being run like a kiosk. There are only 48 gazetted districts which are supposed to operate in this country and this is as approved by this Parliament. All the other districts - which are more than 14 - which were created after 1992 are unconstitutional. Could the Minister tell us now which districts were created after 1992?

Maj. Madoka: Mr. Deputy Speaker, Sir, that information is contained in part "b" of the Question and I have answered it. Those are the districts which were created after 1992.

Eng. Toro: Mr. Deputy Speaker, Sir, the Minister has said that in the creation of districts, they consider population, terrain *et cetera*. Could he confirm or deny whether the Office of the President has been creating districts based on tribal lines? They are balkanising and giving districts to even one division because they want to please certain communities. They want them to feel that they are fully fledged. When will the Minister scrap these districts bearing in mind that we are talking about retrenchment and the Government must be seen to be serious in this matter?

Maj. Madoka: Mr. Deputy Speaker, Sir, we are looking at the overall districts. There may be some districts which may be scrapped but at the moment, I cannot say for sure whether I have one or two districts which may be scrapped.

Mr. Muiruri: Is the Minister satisfied that there were any economic reasons whatsoever that necessitated the creation of 29 districts other than political reasons? For example, it is a walking distance from Murang'a District to Maragwa District. Could the Minister give us any reason to indicate that there was any necessity for creating 29 districts other than that they were created for political reasons?

Maj. Madoka: Mr. Deputy Speaker, Sir, there were good reasons for creating them.

Mr. Muiruri: On a point of order, Mr. Deputy Speaker, Sir. I did specifically ask for specific reasons that necessitated the creation of 29 districts from 1982.

Maj. Madoka: Mr. Deputy Speaker, Sir, I clearly stated the reasons when I answered part "c" of the Question.

Mr. Murathe: Mr. Deputy Speaker, Sir, now that the Minister has been made aware that the creation of these districts has only led to a lot of confusion and, in some instances, animosity and boundary disputes, could he consider rationalising or re-instituting the original districts at Independence?

Maj. Madoka: Mr. Deputy Speaker, Sir, I am not in a position to say that.

Mr. P.K. Mwangi: Mr. Deputy Speaker, Sir, as per the list which has been tabled by the Minister in this House, it indicates that in this country we have a district which has a population of only 62,973 people and the lowest has a population of 54,000 people. Thika District has a population of 654,000 people. In the same answer, the Minister has confirmed that in some of the districts, which were created after 1992, he has already asked the Director of Survey to verify their boundaries and that they have not yet been gazetted. So, they are there illegally. Would I be in order to ask the Minister to scrap these districts immediately because they are there illegally?

Maj. Madoka: Mr. Deputy Speaker, Sir, they will not be scrapped immediately.

Mr. Ndicho: On a point of order, Mr. Deputy Speaker, Sir!

Mr. Deputy Speaker: Order! Hon. Ndicho, the Chair has advised you on many occasions that if for any reasons whatsoever you are dissatisfied with an answer provided by a Minister, you do not stand up and start shouting at the Chair, but you raise that issue under Standing Order No.18. Be guided accordingly.

Mr. Kalulu's Question for the second time.

Question No.618

COMPLETION OF MASII
ELECTRIFICATION PROJECT

Bw. Kalulu alimuuliza Waziri wa Nishati:-

(a) kama anafahamu kwamba mradi wa stima kati ya Machakos na Masii ulioanzishwa 1980 haujakamalishwa na kuwa vifaa kama miti na nyuzi za taa za umeme vilivyopigiliwa wakati huo

vimeporwa; na,

(b) ana mipango gani kufufua mradi huu mara moja.

Mr. Deputy Speaker: Kuna Waziri yeyote katika Wizara ya Kawi?

Mr. Kalulu: Bw. Naibu Spika, inaonekana kama Waziri anayehusika anakwepa kujibu Swali hili. Malalamishi haya tutayapeleka kwa nani?

Mr. Deputy Speaker: Order! Clearly, somebody must bring to the attention of this Ministry that there is business for them to transact in this House. There is nothing I can do now except to reschedule this Question to be answered on Tuesday. I think the message should be sent to the Minister; that he should be here to answer this Question. The Question is, therefore, deferred to Tuesday, next week.

(Question deferred)

QUESTIONS BY PRIVATE NOTICE

DEATH OF MR. KYULE

Mr. Wambua: Mr. Deputy Speaker, Sir, before I ask this Question I would like the Chair to know that regardless of the importance of this Question, where one person has lost his life, the Minister has intentionally refused to give me a written answer. I would like to know the reason for this and whether it is the intention of hon. Maj. Madoka to avoid my Question.

However, Mr. Deputy Speaker, Sir, I beg to ask the Minister of State, Office of the President, the following Question by Private Notice.

(a) Could the Minister explain the circumstances under which Mr. Kioko Kyule was beaten to death by police officers on 17th September, 2000, at Kamukunji police cells while Messrs. Peter Nzau and Christopher Musau were badly injured during the incident?

(b) What action has the Minister taken against the officers involved in this assault?

The Minister of State, Office of the President (Maj. Madoka): Mr. Deputy Speaker, Sir, I do apologise. I have not refused to provide a written answer. In fact, I thought the answer had already been sent. I do apologise if the hon. Member has not received it.

Having said that, I beg to reply.

(a) The circumstances under which John Bosco Kioko Kyule is suspected to have been beaten to death, and Peter Nzau injured by the two police officers, are subject of a court case and hence the matter is *sub judice*. There is no evidence that Christopher Musau was injured during the incident, but he will be a key witness.

(b) The two police officers who were suspected to have fatally injured John Bosco Kyule and seriously injured Peter Nzau were arrested and charged with murder and causing grievous bodily harm. Moreover, the officer who was on duty that day has been disciplined for negligence in the performance of his duties.

Mr. Wambua: Mr. Deputy Speaker, Sir, could the Minister tell us the number of police officers who were on duty on that day because a police station cannot have only one police officer on duty? Could the Minister tell us the number of police officers who allowed the other officers to enter a police cell and beat up Mr. Kioko, who died while being taken to hospital? Could the Minister also--

Mr. Deputy Speaker: Order, Mr. Wambua! Ask one question at a time!

Maj. Madoka: Mr. Deputy Speaker, Sir, it is true that there cannot be only one or two officers on duty, but the two officers who were accordingly charged were the ones who arrested the two people and took them to the cells. If any injuries did occur, it is the two officers who will be held responsible. I have already said that the matter is in court and, therefore, *sub judice*.

Mr. Katuku: Mr. Deputy Speaker, Sir, the circumstances surrounding the death of Mr. Kioko have to do with police harassment of innocent Kenyans. This vice is rampant in Kamukunji Police Station. On this particular day, the said policemen--

Mr. Deputy Speaker: Order, hon. Katuku! You are on a supplementary question. Put it across!

Mr. Katuku: Mr. Deputy Speaker, Sir, I wanted to give the background, because he has not given us the details. The circumstances that led to the death of this person amount to harassment by police officers in that police station. Could the Minister, because of failure of the officer in charge of that police station to do his work, consider reshuffling and dismissing the police officers implicated in that police station?

Maj. Madoka: Mr. Deputy Speaker, Sir, I have taken note of those remarks.

Mr. Khamasi: Mr. Deputy Speaker, Sir, perhaps it would be in the interest of this House and the country to

know the disciplinary action that was handed down to the officer in charge.

Maj. Madoka: Mr Deputy Speaker, Sir, he was fined Kshs500.

Hon. Members: Aah! Aah!

Mr. Ndilinge: Mr. Deputy Speaker, Sir, arising from the reply that has been given by the Minister, could he tell the House whether the police officers caused actual bodily harm to the deceased, to Mr. Musau and the other victim? This is because in his reply, the Minister has said that the police officers caused actual bodily harm.

Maj. Madoka: Mr. Deputy Speaker, Sir, I have said that this matter is in court and it is *sub judice* and, therefore, I cannot go into any details.

Mr. Gitonga: Mr. Deputy Speaker, Sir, this is a serious matter. The Minister has told us that the officer who was disciplined was fined Kshs500! Is he satisfied that the disciplinary measure taken against the police officer was enough for that kind of offence?

Maj. Madoka: Mr. Deputy Speaker, Sir, I am not satisfied.

Mr. Wambua: Mr. Deputy Speaker, Sir, given that the Minister is not satisfied, and these people were brutally beaten by the police officers, would I be in order to request the Chair, because the Minister is trying to evade answering this Question under the pretext that the case is in court, to refer this Question to the relevant committee for more investigation?

Mr. Deputy Speaker: Order! Hon. Wambua, if you want a matter to be referred to the relevant committee, it does not have to come here. Although the House has the power to refer matters to committees, but more importantly, if you are not satisfied with the Minister's answer, and I have just give a piece of advice a little earlier, you exploit the provisions of Standing Order No.18, which says that you can move a Motion to discuss the unsatisfactory reply given to you by that Minister. So, the Chair will, on this occasion, decline. Let us move on to the next Question.

Mr. Parpai: Thank you, Mr. Deputy Speaker, Sir. Before I ask my Question, I would like to bring to the attention of the Chair the fact that I have not received a written answer to this Question, despite the fact that I was assured that I would be given one before the Question is answered in the House.

DUTY ON IMPORTED MAIZE

Mr. Parpai: I beg to ask the Minister for Finance the following Question by Private Notice.

(a) Is the Minister aware that Legal Notice No.80 of 21st June, 2000, imposed duty on maize imported to this country indiscriminately?

(b) What action has the Minister taken to reduce the tariff to conform with PTA rates?

The Assistant Minister for Finance and Planning (Mr. Arap-Kirui): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Prior to 12th June, 2000, the Government maintained suspended duties on a number of agricultural products, including maize. Suspended duties were meant to safeguard our domestic industries against cheap imports from COMESA and other trading countries. Maize attracted a suspended duty of 50 per cent, and it had a normal tariff of 25 per cent. This brought the potential duty on maize to 75 per cent. Given the failure of rain and the looming drought, however, it became necessary for the Government to lower the duty rates on maize from a figure, after the Budget, of 35 per cent to 25 per cent to make it cheaper to import maize to mitigate the famine situation. The suspended duty was removed prior to the Budget. However, during Budget preparations, the suspended duty and the normal duties were combined and the duty rate on maize was inadvertently raised to 35 per cent. In order to maintain the duty rate at 25 per cent, as originally intended throughout the Budget, a Legal Notice was issued to reduce this duty rate as earlier indicated; from 35 to 25 per cent.

Mr. Nderitu: On a point of order, Mr. Deputy Speaker, Sir. I would like the Chair to guide us here. The Assistant Minister is supposed to have given a written answer to the Questioner. Is it in order for the Assistant Minister to continue reading out the answer while the Questioner does not have even a copy of the written answer and does not know what he is talking about?

Mr. Deputy Speaker: Order! This Question was asked by Mr. Parpai!

Mr. Nderitu: Yes, Mr. Deputy, Speaker, Sir.

Mr. Deputy Speaker: So, who are you in this regard?

Mr. Nderitu: Mr. Deputy Speaker, Sir, hon. Parpai does not have a copy of the written answer.

Mr. Deputy Speaker: Order, hon. Nderitu! Let hon. Parpai speak for himself!

Mr. Parpai: On a point of order, Mr. Deputy Speaker, Sir. As I indicated earlier on, I have not been given a copy of the written answer and it appears that the Assistant Minister is reading history to us. Could I get a written answer or he goes straight to the Question? This is because he is giving us history instead of answering the Question that

I asked him which was on Legal Notice No. 80 of 21st June, 2000.

Mr. Deputy Speaker: Mr. Assistant Minister, first of all, to be fair to hon. Members who have tabled Questions, written replies ought to be supplied to them at the same time they are sent to Parliament. The principal purpose of that is to enable them to prepare supplementary questions. In this regard, I think hon. Parpai is considerably disadvantaged, given the length of your answer. To be fair to hon. Parpai, I will defer this Question to Tuesday, next week.

(Question deferred)

PRODUCTION OF ELECTRICITY
BY SUGAR FACTORIES

Mr. Ayoki: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Energy the following Question by Private Notice.

(a) In view of the current power crisis in the country, what action has the Minister taken to encourage local sugar factories to produce electricity and sell it to the Kenya Power and Lighting Company (KPLC)?

(b) Why did the Minister opt for expensive investment in diesel generators which are environmental unfriendly?

The Assistant Minister for Energy (Mr. Sasura): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The Government has undertaken an urgent survey to assess the power generation capacities of sugar factories, with the aim of getting the factories to sell excess power to the KPLC. The Government has succeeded in organising arrangements for the Mumias Sugar Company to supply two megawatts of power to the national grid.

(b) The Government opted for emergency power supply based on petroleum fuel generators because they provide the quickest option of generating power to the national grid, whose supply fell due to prolonged drought which adversely affected hydro-power generation. Under the current power shortage situation, it is not possible to increase, within a short period, the levels of power supply using solar, wind and other forms of energy due to limited time.

Mr. Ayoki: Mr. Deputy Speaker, Sir, could the Assistant Minister tell the House which specific steps the Ministry has taken to equip sugar factories to assist in the generation of electricity?

Mr. Sasura: Mr. Deputy Speaker, Sir, in June, 2000, the KPLC, in liaison with the Ministry of Energy, communicated to all local sugar factories. They were requested to assess their power generation capacities, and consider selling excess power to the KPLC, so as to mitigate the national power shortfall. So, if the factories are ready to generate power, the KPLC, in liaison with the Ministry of Energy, will facilitate the sale of power.

Prof. Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, the problem of inadequate energy in this country is extremely important. If the Government can generate sufficient energy to supplement what the KPLC is generating, that could help the nation. The sugar industry is a natural source of energy within the Kenyan economy. What steps has the Government taken to revive the most important source of energy ever initiated in this country? It was based on sugar and it was situated in Kisumu. It was called the Molasses Plant and billions of shillings were invested by the Government! Could he tell us what steps the Government has taken, rather than going round the question? That plant can supply sufficient energy to supplement the KPLC!

Mr. Sasura: Mr. Deputy Speaker, Sir, considering the current power crisis, the Ministry has no option. It has given a free hand to the sugar factories to generate their own power. As it is now, it is very difficult to supply adequate power from the national grid.

Secondly, out of the sugar factories that have been approached so far, it is only Mumias Sugar Company that can supply and sell two megawatts to the KPLC. The others cannot generate at full capacity due to boiler limitations.

Prof. Anyang'-Nyong'o: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister did not answer my question! He made a statement but he did not answer my question! I asked him--

Mr. Deputy Speaker: Order! Order, Prof. Anyang'-Nyong'o! No matter how pressing your matter is, the decision must remain with the Chair! It is totally out of order for you to proceed with your point of order even when the Speaker is on his feet!

Prof. Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, could you rule whether the Assistant Minister answered my question or not? He made a statement which did not answer my question! That is a fact! He is not denying it!

Mr. Sasura: Mr. Deputy Speaker, Sir, I thought Prof. Anyang'-Nyong'o asked what the Government was doing to--

Mr. Deputy Speaker: Answer his question!

Mr. Sasura: Mr. Deputy Speaker, Sir, it is true that I was in the Chamber but, maybe, I did not clearly

understand his question. If I did not, I have to say that I did not! If he could repeat his question, then I will be most obliged to answer!

Mr. Deputy Speaker: You know there is a world of difference between not hearing and not understanding! Which one is it?

Mr. Sasura: Mr. Deputy Speaker, Sir, I clearly said that I heard Prof. Anyang'-Nyong'o ask his question. Maybe I misunderstood his question. So, let me say that I did not understand his question!

Prof. Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, in simple English, what steps is the Government taking to revive the Molasses Plant in Kisumu, which will be a very important energy producer based on sugar?

Mr. Sasura: Mr. Deputy Speaker, Sir, currently, we have no plans!

Mr. Raila: Mr. Deputy Speaker, Sir, the Government seems to be taking the energy crisis very lightly. We have the Electricity Regulatory Board and the KPLC which are engaged in a merry-go-round dance! There are so many people who have applied to be licensed as independent power producers. They have been denied licences, despite the fact that we have a power crisis. Could the Assistant Minister assure this House that the Ministry will process applications for independent power supply that are pending before it, in order to alleviate the power crisis in the country?

Mr. Sasura: Mr. Deputy Speaker, Sir, I assure the hon. Member that every application for independent power supply will be considered on merit.

Mr. Ayoki: Mr. Deputy Speaker, Sir, could the Assistant Minister tell the House how much, in terms of foreign exchange, it cost the Government to import those environmental unfriendly and expensive generators into the country?

Mr. Sasura: Mr. Deputy Speaker, Sir, under the Emergency Power Programme, the total cost was US\$120.57 million!

POINT OF ORDER

STRENGTH OF THE KENYA SHILLING

Mr. Twaha: On a point of order, Mr. Deputy Speaker, Sir. I would like to request for a Ministerial Statement, but I am not sure whether to request for it from the Minister for Finance or the Minister for Agriculture and Rural Development.

Mr. Deputy Speaker: Well, first make up your mind, then you can stand up and demand the statement!

Mr. Twaha: Mr. Deputy Speaker, Sir, the issue is that, the Kenya Shilling is trading at Kshs80 to the Dollar and petrol is costing almost Kshs60 per litre in Kenya at the moment. Sometime in 1991, the Government followed the malicious advice from donors and agreed to auction tea and coffee in dollars as opposed to shillings. This eliminated demand for the shilling and, since then, the shilling has been propped up by high interest rates. Could the Minister concerned make a Ministerial Statement in this House and tell us in whose interest the decision to auction coffee and tea in dollars was made? Whose interest is this decision serving? Is it possible to go back to the old system of auctioning coffee and tea in Kenya Shillings, so that our currency can have strength and demand?

*(Several hon. Members stood
up in their places)*

Mr. Deputy Speaker: Sorry! Order! Order! Hon. Members, as you can see, it is now 3.30 p.m. and the Order Paper indicates that, the next business must start not later than 3.30 p.m. It is now time for the Minister for Education to move his Vote.

COMMITTEE OF SUPPLY

*(Order for Committee read
being Eleventh and Last Allotted Day)*

MOTION

THAT MR. SPEAKER DO NOW LEAVE
THE CHAIR

Vote 31 - Ministry of Education,
Science and Technology

The Minister for Education (Mr. Musyoka): Mr. Deputy Speaker, Sir, I beg to move:-

THAT, Mr. Speaker Do Now Leave The Chair.

I wish to record our gratitude for the opportunity accorded to the Ministry to move Votes R31 and D31. The mandate and mission of the Ministry is to facilitate and co-ordinate the development of the human resource through education and training. In order to achieve this, the Ministry has put in place policies for each sub-sector, whose implementation strategies take into account the overall economic policy framework for Kenya and advocates effective participation of all key stakeholders.

Mr. Deputy Speaker, Sir, the co-operative strategy is aimed at minimizing duplication of efforts and ensuring optimum mobilization and utilization of resources. The Ministry is charged with the responsibility of implementing educational programmes at all levels. These include:- Pre-Primary, Primary, Secondary, Middle Level Colleges and Universities.

The Ministry recognises the important role of pre-primary education and has instituted a broader concept of early childhood development programme, which is currently addressing integrated services for children under six years, in respect of their cognitive education, social health, nutrition and general access to education. At the primary level, the Ministry is endeavouring to reverse the declining enrolment and completion rates and to meet the target of universal primary education. In view of this, the budget for this sub-sector has grown by 29.7 per cent, in the 2000/2001 Budget as compared to the 1999/2000 Financial Year. At the secondary level, the Ministry is addressing the declining enrolment and completion rates through the provision of bursaries to needy students, among other intervention measures. The bursary allocation has, therefore, grown from Kshs500 million to Kshs547,147,000 for the 2000/2001 Financial Year.

Mr. Deputy Speaker, recently the Government formulated crucial strategies for industrial transformation of our country by the year 2020. This is a very important benchmark. Accordingly, tertiary education and training is expected to produce the qualified manpower required to meet the challenges of industrialization. The Ministry is determined to improve the quality, relevance and cost-effectiveness of education at all levels. In this regard, appropriate measures have been put in place to address these issues; which include the reduction of subjects both at primary and secondary levels; a matter about which I have said something in the past. They also include the establishment of income generating activities in all our public educational institutions; ensuring transparency and accountability in the management of institutional finances and the continuous training of teachers for the liberalised economy. It is important for hon. Members to note that we continue to train teachers. Finally, there is also the introduction of HIV/AIDS education in our institutions.

In order to achieve the objectives outlined above, the Ministry will require some Kshs48,494,192,460 and Kshs1,326,909,600 for Recurrent and Development Expenditures respectively, during the current financial year.

Mr. Deputy Speaker, Sir, under Vote R31, on Recurrent Expenditure, the Ministry's Recurrent Budget is distributed as follows:-

Under Sub-Vote 310 - General Administration and Planning, which caters for teachers' salaries, among others; we require, a total of Kshs40,241,115,195 distributed in the following expenditure heads:

Head 831 - Headquarters Administrative Services - Kshs250,727,398

Head 835 - Headquarters Professional Administrative Services - Kshs38,717,304

Head 836 - Curriculum Support Services - Kshs29,468,808

Head 837 - Provincial Administrative Services - Kshs64,788,937

Head 838 - The Kenya National Commission for UNESCO - Kshs14,426,610

Head 839 - Kenya National Examinations Council - Kshs332,279,029

Mr. Deputy Speaker, Sir, under the Teachers Service Commission (TSC), we have the highest expenditure level. This is Head 841 - Kshs38,750,701,092.00. If I may add, the issue of the teachers' salaries is reflected under that figure. Therefore, I want to take this opportunity, with the permission of the Chair, to clearly stipulate that, this is not the Minister who goes issuing statements unless they are clearly thought out.

For instance, I was saddened to see the headline in the *East African Standard* today, which is clearly trying to agitate teachers to take industrial action while, next week, the Permanent Secretary, Japheth Kiptoon, will be meeting the Secretary-General, Ambrose Adongo and John Katumanga, the Chairman of KNUT, to revisit this matter. This is because we promised to do that and we are open to dialogue. We are not out to issue edicts. It is important for one to clarify that, that particular news headline in the *East African Standard* was highly misleading. I want the teachers to know that we do sympathize and empathise as a Ministry. We will continue to negotiate and to tell them the hard truth

and we will continue to listen. We will not as a Ministry talk at our teachers, we will talk together and make the way forward, realising all the time that, the chief beneficiary, our main stakeholder, is the Kenyan child.

Under Head 849 - Permanent Presidential Commission on Music, we expect to be given some Kshs17,582,016. Under Head 862 - District Administrative Services, some Kshs637,034,126. Under Head 863 - Kenya Institute of Education, we expect some Kshs86,377,830 and under Head 901 - The National Council for Science and Technology, we expect some Kshs19,111,045.

Sub-vote 311 which mainly caters for Poverty Alleviation Programmes in Education, will require Kshs596,943,463 to finance the following programmes: Under Head 844, Primary Schools Boarding Expenses included, some Kshs84,802,319; Head 845 - Kenya School Equipment Scheme which includes some Kshs330 million - purchase of textbooks, will require some Kshs363,375,480 and under Head 846 under the School Feeding Programme, some Kshs148,765,664 will be required.

Sub-vote 312 covers Programmes and Activities of Teacher Education. Under this Sub-vote, a total of Kshs130,915,372 is required to cater for administrative costs and grants to the following colleges: Under Head 847 - Primary Teachers Training Colleges which will require Kshs102,015,372; Head 803 - Kenya Science Teachers College, will require Kshs17,500,000 and Head 807 - Kagumo Teachers College, some Kshs11,400,000.

Under Sub-vote 313, Schools for the Handicapped, has four budgetary heads for which the Ministry will require Kshs100,917,260 to cater for the following categories of special education institutions because we do value education, even to those amongst us who are disadvantaged and require special attention: Head 810, Post Primary Schools, Kshs17 million; Head 811, Special Secondary Schools, some Kshs19 million; Head 848 - Primary Schools, some Kshs35 million, and under Head 853 - Kenya Institute of Special Education, some Kshs29,917,260.

The Ministry has two programmes of a miscellaneous nature under Sub-vote 314 and will require a total of Kshs256,798,724 to cater for the following activities: Under Head 851 - Bursaries, Scholarships, Subsidies and Education Attaches, because we do have these in countries abroad and we require some Kshs226,765,624 and under Head 854 - Contributions Towards Local and International Institutions, some Kshs30,033,100.

Sub-vote 315, Head 861 which is Pre-Primary Education, we will require some Kshs6,100,745 for Field Services Training.

Under Sub-Vote 316 which is Secondary Education, Head 800, we require a total of Kshs640,898,767. This will be distributed as follows: Bursaries to Needy Students, will take some Kshs536,046,147; Grants to Secondary Schools, some Kshs52 million and three, Insurance Premiums for Institutional Vehicles, some Kshs46 million. The bursary programme under the Ministry is, indeed, a poverty alleviation item and has grown by 7 per cent as compared to 1999/2000 allocation.

Head 317 on Technical Education, Sub-vote 317, Technical Education, requires Kshs657,613,220. The allocation will finance our polytechnics and other technical institutions.

Mr. Deputy Speaker, Sir, university education is a major expense item and under Sub-vote 318 which caters for Public Universities, the Commission for Higher Education and the Higher Education Loans Board, popularly referred to as HELB will require a total of Kshs5,862,889,714 distributed as follows: Under Head 827, Commission for Higher Education, Kshs87,720,000; Head 828, University of Nairobi, Kshs1,625,290,553; Head 829, Kenyatta University, Kshs848,007,040; Head 832, University Students Loans Scheme, some Kshs86,400,000 is for the administrative budget for Higher Education Loans Board, which will require Kshs762,400,000; Head 833, Egerton University, will require Kshs872,821,073; Jomo Kenyatta University of Agriculture and Technology under Head 840, requires Kshs412,927,560; Maseno University College and I hope that soon, the Maseno University Bill which has already gone through the Departmental Committee will be before the House, in order for Maseno University College to become a full-fledged university, under Head 842, it will require Kshs365,600,00 and Head 867, Moi University requires Kshs884,123,488.

Mr. Deputy Speaker, Sir, I now wish to request the hon. Members to approve the Ministry's Recurrent Vote - Vote R31. Having outlined my Ministry's requirements for the 2001 recurrent provisions which is what I have just gone through, I beg to move Vote D31 on the Ministry's development requirements for the year 2000/2001. I will require a gross total of Kshs1,326,909,600 to be distributed under the following Sub-Votes: Sub-Vote 310 under General Administration and Planning, some Kshs347,102,500 which is to be utilised under the following Heads: Head 835, Headquarters Professional Administrative Services, Kshs13 million. The provision is for the implementation of a new project on strengthening of education at primary and secondary levels. We refer to this in the Ministry as the SPRED.

(Loud consultations)

Mr. Deputy Speaker: Order, Members! Consult quietly!

The Minister for Education (Mr. Musyoka): Mr. Deputy Speaker, Sir, I want to thank you for prevailing on

my colleagues to listen, because I am sure every one of them has something to say on education, and I just wanted to give them the bare facts.

Under Head 836, Curriculum Support Services requires some Kshs254,102,500. These include the following projects: Strengthening of Primary Education popularly referred to as SPRED, which will require some Kshs205,960,000; Practical Subjects in Primary Education is another project which will require Kshs29,102,500; Primary School Management Project, which we refer to as PRISM and which has seen a lot of our headteachers getting retrenched, will require some Kshs19,040,000 and Head 841, Technical Education Support Programme requires Kshs80 million.

Mr. Deputy Speaker, Sir, Sub-Vote 311 which is Primary Education, will require Kshs356,894,600 under the following Heads: Under Head 844, Primary Schools, Kshs12,866,000; Head 846, School Feeding Programme, Kshs344,028,600, and I hope that my hon. colleagues appreciate that even as we go through the current drought, a lot of our school children, particularly in the ASAL areas, have been able to benefit under this School Feeding Programme. Under Sub-Vote 312, teacher education will require some Kshs43 million to be spent on primary teachers training colleges to service pending bills. Under Sub-Vote 315, Pre-Primary Education and early childcare on education will require Kshs486,560,000. The next Sub-Vote 316, Secondary Education will require a total of Kshs43,500,000.

Mr. Deputy Speaker, Sir, under Sub-Vote 317, technical education will require Kshs11,952,500 to finance vocational training projects. University education under Sub-Vote 318 will require some Kshs37,900,000 under the following heads: Head 840, Jomo Kenyatta University of Agriculture and Technology will require Kshs952,524. Head 842, Maseno University College will require Kshs947,476, and Head 867, Moi University, will require Kshs36 million.

Owing to the budgetary constraints, University of Nairobi, Kenyatta and Egerton Universities are not funded in this financial year under the Development Vote despite the many stalled projects which they need to complete. We hope that it will be possible for this honourable House to make provisions during the next financial year.

Finally, Mr. Deputy Speaker, Sir, the Ministry would like to express its gratitude to the Government and other major development partners such as the World Bank, the World Food Programme (WFP), the Department for International Development under Her Majesty's Government, the European Union, United Nations International Children Educational Fund (UNICEF) and the Government of Japan, among others, for their significant contribution to this sector.

I also wish to recognize the special contribution of Kenyan communities including the Parents - Teachers Associations (PTA), Boards of Governors (BOG), school committees, religious organisations, the private sector and others who have continued to support us in our endeavour to provide quality education to the Kenyan children. Indeed, I want to reiterate here that all we are doing as the Government is to provide teachers. The schools properly belong to those communities where they are situated. I also want to take this opportunity to acknowledge the contribution of our team in the Ministry's headquarters led by the Permanent Secretary, Prof. Japeth Kiptoon, Director of Education, Mr. Sammy Kyungu and other heads. The team is ably represented here. We have officers from the Commission for Higher Education, HELB and Mr. Sogomo representing the TSC, Kenya Institute of Education, among others. The team is here and willing to listen to the contributions of hon. Members.

Mr. Deputy Speaker, Sir, may I also thank my colleague in the Ministry, hon. Henry Kosgey, for the support we continue to give each other as we administer educational services in our country. I also wish to thank our colleagues, the Assistant Ministers, Mr. Awori, Mr. Karauri and Dr. Wamukoya.

Mr. Deputy Speaker, Sir, with those remarks, I beg to move.

The Minister for Science and Technology (Mr. Kosgey): Mr. Deputy Speaker, Sir, thank you very much for giving me this opportunity to second this very important Vote.

As we all know, education is a vital component in our development. Right from the time of Independence, the Kenya Government recognised the important role that education plays in national development. Consequently, we pledged to eradicate poverty, ignorance and disease. Eradication of ignorance through formal and informal education has been a major concern of our Government to the extent that we have, even in the past, spent up to 40 per cent of our revenue on education. Currently, the figure of nearly Kshs50 billion requested by the Ministry represents 25 per cent of our total revenue of about Kshs200 billion. As you realise, success in this sector has been considerable to the extent that, currently, there are 6,300,000 children in primary schools. We have 700,000 in secondary schools, 45,000 in local universities and 25,000 in foreign universities respectively. This is a tremendous success. We ought to commend the Government for these tremendous efforts.

However, as alluded to by my colleague, recent trends have shown that there are certain factors which are contributing to a decline. For example, in 1989 we had achieved over 100 per cent success in enrolment in primary education. It is sad that by 1998, the figure had dropped to 89 per cent. This shows that 11 per cent of school-going children in Kenya do not go to school. Moreover, the completion rate in primary school is 46 per cent, which means

that 54 per cent of Kenyan children drop out of primary schools. This is not very good, if you consider that 40 per cent of the adult population is illiterate. If we continue with this trend, about 60 per cent of Kenyans will be illiterate or semi-illiterate. So, I would like to urge hon. Members and other leaders to reverse this trend, so that we can achieve the 100 per cent success rate we enjoyed in the past. Notably, poverty, of course, has been blamed for the decline in enrolment. Therefore, the war against poverty, as envisaged in the Poverty Reduction Strategy, must be won in order for us to achieve our goals in education.

Mr. Deputy Speaker, Sir, the completion rate for secondary school education is 67 per cent. This shows that 33 per cent of students who enrol in Form One do not complete secondary school education. This is not very good. Again, poverty is a major factor. Therefore, there is a lot that needs to be done for us to fight ignorance in this county. What we have done in the past is urge Kenyans to go to school. We have built primary and secondary schools. We are still building schools, but we should go an extra mile and encourage our children to go to school.

Mr. Deputy Speaker, Sir, in respect to technical education, I would like to say the purpose of vocational training and technical training is to provide skills as opposed to the certificates that students get when they go through the formal education. We would like most primary and secondary school leavers to acquire skills because we need skilled people if we have to develop this country. In this country, we have 600 youth polytechnics that offer artisan and craft courses. We also have 27 institutes of technology that offer craft skills and other certificate courses. We have 21 technical training institutes that offer certificate courses, and four national polytechnics that offer certificate and diploma courses. Sometimes these institutions are under enrolled. We would like to see these institutions properly utilised.

With regard to the university education and HELB, I would like to see a situation where this House can provide all the money required, so that we do not have university dropouts as we are currently experiencing. The number is still small, but they are there.

Currently, the Higher Education Loans Board (HELB) requires Kshs1.5 billion to provide loans for all the university students. We are giving them Kshs600 million and from their own recoveries, they get Kshs500 million. This gives a total figure of Kshs1.1 billion or nearly Kshs1.2 billion with some grants, leaving a shortfall of nearly Kshs400 million. That is why it is not possible to give bursaries or loans to each and every student at the university. Sometimes Questions have been asked in this House as to why the HELB does not give loans to needy students. That is why we have that shortfall and we cannot finance it. Ideally, for the HELB to run very well, we will need Kshs10 billion so that it can have a revolving fund, and then they will not need to come to the Government every year for more funds.

Mr. Deputy Speaker, Sir, with respect to the Teachers' Service Commission (TSC), I would like to commend them. They are looking after 240,000 teachers. That is not a small number. They are taking the bulk of this Vote, nearly Kshs39 billion out of the Kshs50 billion. If you remove Kshs39 billion and the universities' figure of Kshs5.8 billion, whatever else is left to run all other services is a small fraction of nearly Kshs5 billion. We have some problems in relation to the teachers' transfers. I would like to touch on this subject because I come from one of those districts which are disadvantaged. We have a situation where there is a shortage of 8,000 teachers in certain districts; and a surplus of 8,000 teachers in certain other districts. The Government proposed transfers and that is the right way to solve the problem. The purpose of employing a teacher is to teach the child; it is not to provide employment for the teacher. We want to target the child, and the parents who pay taxes require that their children are taught. What are the alternatives if we do not want to transfer teachers? One option is [**The Minister for Science and Technology**] to maintain the *status quo* and let the teachers stay in the current stations. This, therefore, means that the children in those affected schools will not get education. It is not fair for those children. Alternatively, we can overemploy 8,000 teachers, but it is not possible because we have ceilings and World Bank conditionalities. That option is not possible. The other option is to retrench the 8,000 teachers in those districts with a surplus and employ 8,000 teachers in the understaffed districts. That will be good and it will be supported by the affected districts which are understaffed because their sons and daughters will get employment.

With those few remarks, I beg to second.

(Question proposed)

Mr. Wamae: Thank you very much, Mr. Deputy Speaker, Sir, for giving me the opportunity to respond to the Vote 31 - Ministry of Education - which was moved very ably by my good friend; the Minister for Education, hon. Musyoka; and also seconded also very ably by the Minister for Science and Technology.

Mr. Deputy Speaker, Sir, education is a very important aspect and I am very glad that the Minister has brought his whole team here to listen to our contributions and make use of those suggestions which can help the Ministry to perform its function of educating our children. I am sure that my colleagues will also make very useful contributions today. Unfortunately, this Vote has come very late, today being the 11th and last Allotted Day. So, we are not likely going to have two days to discuss this very important Ministry.

Mr. Deputy Speaker, Sir, as has been stated, the Ministry of Education takes 25 per cent of our total budget totalling to Kshs50 billion. This is a very big amount of money and we consider it to be a necessary allocation if we are going to educate our children. I would have liked to see the Ministry of Education being allocated a little more money than this. I do not see why we have allocated a lot of money to certain institutions, like the National Security Intelligence Service, which has over Kshs2.5 billion. Some of that money should go to the Ministry of Education. I really do not know what this service is doing, if we are still having insecurity in our country. They are not able to come up with solutions although we are spending so much money on them. At least, Kshs500 million of that money should go to the Ministry of Education so that they can continue with the good work they are doing.

Mr. Deputy Speaker, Sir, we have nearly seven million of our children under the Ministry of Education. As has been stated, there are six million in primary education, over 600,000 in secondary education, 45,000 in local universities and 25,000 in foreign universities. This is a very big responsibility, therefore, we would like to ensure that those children are being well-looked after. We want to ensure that the time spent in school by these children is properly utilised for their future and that. The Kshs50 billion we are spending is a proper investment by Kenyans towards improvement of our population in future. It is very important to ensure that there is proper supervision and that teachers attend to their official duties as required. There are too many teachers you will find in bars during working hours. There must be discipline among teachers, particularly in the rural areas. There are too many of them outside schools when they should be in schools. There are quite a few of them running their matatu business during teaching hours. The official teaching hours must be respected and there must be close supervision to ensure that the public gets value for money. It is an important aspect and we would like to ensure that it is well looked after.

Mr. Deputy Speaker, Sir, we are failing in certain areas in education because, as has been stated, we used to have nearly 100 per cent enrolment of primary school going children. Currently, we have 11 per cent who are not going to school. Nobody from the Ministry of Education has come up with a research as to why so many children are not going to school. Only 46 per cent of the pupils who go to Standard One complete primary education. What is happening to nearly half of our children? Why are they not completing primary education? Has anybody in the Ministry researched to know why they are not completing primary education? Is it because education is no longer interesting to those children, or is it because of poverty?

Secondly, Mr. Deputy Speaker, Sir, why are there so many levies in primary education? There are too many levies being paid by pupils like activity fees and mock fees. In some places, mock fees are paid six times. We must reduce the amount of money we are asking primary school pupils to pay, so that we can have more retention of those children. When some of them are sent home to go and bring their parents, they never come back. This is a very serious issue and we would like the Minister to assure us that there will be fewer demands of fees and other levies for primary education. Most of those students eat at home and they do not need much transport. Can we have a better way of getting money from parents without sending the students home? For instance, with regard to demands for money, watchmen's wages and maintenance of buildings in the schools, let us find a better alternative instead of sending students home. As I said, when you send these pupils home to collect money, many of them never come back. School heads should find better ways of getting school fees money from parents instead of sending children home. This is, because when sent home, some students do not go back to school, accompanied by their parents; they, instead, look for other activities to do.

Mr. Deputy Speaker, Sir, I have noted that there are more girls than boys in secondary schools. What is happening with boys? Boys are refusing to go to secondary schools. They seem to be joining the matatu industry as touts, and doing other things. I do not agree that *Mungiki* is a Government creation; that is why the Minister for Education seems to know something about that sect. Why are more boys than girls not going for secondary education? Why do we have more girls than boys going for secondary education? I do not know what the situation is like in other constituencies, but in Mathira Constituency, more girls than boys are joining secondary schools, and this is a matter which needs to be investigated. Those girls will have to be married, but who will marry them if boys do not acquire education?

An hon. Member: Every man should marry three wives!

Mr. Wamae: My friend from western Kenya says that we should marry three wives each, but I leave that for consideration by individuals.

The other area I would like to talk about is on teachers. If teachers are not happy, they cannot deliver. We must try to have proper dialogue with the Kenya National Union of Teachers (KNUT). The Ministry of Education must have continuous dialogue with the KNUT. We do not want the breakdown of communication and threats to continue prevailing; they are very disruptive. Therefore, I think the Minister and the Permanent Secretary should have continuous discussions with the KNUT, so as to avoid any misunderstanding.

Mr. Deputy Speaker, Sir, as far as the issue of transferring teachers is concerned, we were the first to oppose the move to transfer teachers towards the end of this year's second term. The timing was wrong; you cannot transfer

teachers when pupils are just about to sit for their final examinations. Such transfers were to be very disruptive to candidates. Let the teachers be transferred in January, but humanely; let there be a human face in the exercise. There is no point in transferring somebody's wife with her children to a station that is 500 kilometres away from her husband's work station. What would you expect such a woman to do? Would doing so be human? Considering the AIDS scourge that is devastating families today, it would be very dangerous to separate husbands from their wives. So, while transferring teachers, the Ministry should ensure that families remain together. Teachers who are husbands and wives should be transferred to the same stations. Let us keep families together. We are also Christians, and we respect marriages. Let us see this respect for marriages in the teacher transfer exercise. Secondly, I would like the Ministry to ensure that teachers with deformities are not transferred. This is because such teachers may not have people to look after them at their new work stations. Also, teachers who have attained the age of 45 years and above should not be moved elsewhere. Those teachers are approaching their retirement age, and should be allowed to work near their home areas, so that they can prepare themselves for retirement. Otherwise, transferring teachers from overstaffed areas to understaffed areas is more preferable than sacking some of those in the overstaffed areas and employing new ones where there are shortages. All teachers are Kenyans, and there should be no victimisation.

Mr. Deputy Speaker, Sir, the Ministry of Education must find out how, say, 1,000 teachers who are transferred to a certain district will be accommodated. We are talking about people who have never been to that area. What sort of consolation will the Ministry give such teachers? Are those teachers going to be counselled or assisted to acquire accommodation? How is the Ministry going to assist those teachers to settle down at their new work stations, since they are going to find themselves in areas they have never been to before? Could the Minister come up with some ideas on this issue?

Mr. Deputy Speaker, Sir, teachers who will be transferred to other districts from elsewhere should be posted to stations near town centres, and those teachers who come from that particular district can be posted to stations in remote areas since they are used to the local environment. That arrangement will enable teachers from outside the district to communicate back home. That is what I meant when I said that the teacher transfer exercise should be carried out with a "human face". In fact, that exercise should be carried out between now and January, 2001, so that the affected teachers can be informed accordingly in advance. We would not like that exercise carried out hurriedly at the last minute. In an exercise of this nature, there should be room for appeal, so that those teachers who may feel they have been treated unfairly can be heard and their cases determined on their own merit. These are points which I thought I should raise here; I think they are very important as far as teachers are concerned. Teachers are very important to us, and we should treat them humanely.

Mr. Deputy Speaker, Sir, I would now like to talk about the Ministry's policy. We have discussed the Koech Report on the current system of education in this country, both inside and outside this House. I am very surprised that the Minister, very conveniently, avoided mentioning anything about that Report. This is because he does not want us to discuss it. However, the Commission on education, which was led by Dr. Koech, is one of the most important things that have happened to Kenya's education system in the last 10 years. Hon. Members demanded to be provided with copies of that Report, but the Minister continues saying that producing enough copies for all of us here is very expensive. If the Ministry does not provide each hon. Member with a copy of that Report, how does he expect them to contribute to debate on education effectively?

The Ministry provided only 20 copies for the Members of this House's Committee on Education, Science and Technology. I have a copy of that Report myself, but my colleagues do not, and this is not fair. Producing enough copies for all of us here is not spending too much money on Members of Parliament. I know that each copy costs Kshs800. If you multiply this figure by the number of hon. Members in this House, you will realise that it costs too little money compared to the amount of money being wasted by the Government everywhere.

However, that notwithstanding, I would like to appeal to the Government to adopt the Koech Report. The Minister for Education should bring to this House a Sessional Paper, and show us how the implementation of the proposals contained in that Report is going to cost Kshs32 billion. The Head of State has said time and again that the implementation of the recommendations contained in the Report will cost Kshs20 billion. Let somebody come here and tell us how implementing those recommendations will cost Kshs20 million. In my own calculation, I do not see how implementing those recommendations is going to cost that much. If we adopt that Report, we will, in fact, save some money in certain areas.

Mr. Deputy Speaker, Sir, even if we adopt the Koech Report, it will not be necessary to build secondary schools in every primary school. We can have class shifts; two classes can use the same room alternately, in the mornings and in the afternoons. So, it will not be necessary to put up so much infrastructure. Some teachers in primary schools can also teach some secondary school classes. Teachers have been graded into P3, P2, P1, Diploma and Approved Graduate Teachers. So, we should clear this question of cost, which has been over-emphasised. We would like the Minister to come up with a Sessional Paper on this issue, with calculations showing how the Ministry arrived at

the figure of Kshs20 billion, so that when we debate the Report, we know what we are talking about.

All of us here are Kenyans, and I do not see why the Minister should deal with the Koech Report as though something else has been hidden under the table; he should put everything on the table. If he can give us reasons for not implementing the recommendations contained in that Report, and if we find them genuine, we shall support him. We are going to be quite reasonable. So, he should come out, and stop hiding in a cocoon. Hiding in a cocoon will not help him because we will continue pressurising him to adopt that Report.

[Mr. Deputy Speaker left the Chair]

*[The Temporary Deputy Speaker
(Mr. Imanyara) took the Chair]*

Mr. Temporary Deputy Speaker, Sir, I understand that we have 25,000 students in universities abroad, whose education is costing Kenyans a lot of money. I wish that the money that Kenyans spend to educate their children abroad was spent in this country so as to pay Kenyan teachers to build their own infrastructure; this country would have been a better place to live in if that was the case. It is for this reason that I support, in principle, the introduction of the parallel-degree programme by some public universities. The initiative will ensure maximum utility of available facilities at our local public universities. However, the introduction of this programme should not lead to the fall in standards at those universities. Also, we do not want a situation where lecturers and administrators concentrate more on the parallel programme students at the expense of those in the ordinary programme, simply because they make more money from the former lot. That is why there are problems in the universities.

Mr. Temporary Deputy Speaker, Sir, thirdly, we would like the administrators in our universities to seek dialogue with their regular students. We know that there was a time when there never used to be electricity in the University of Nairobi because there was no money to pay for it. But the students for parallel degree programmes have paid for their electricity up-to-date. Let some of the facts behind that issue be explained; that there is a benefit in having more students and income in the universities for both regular and parallel degree programmes. It seems as if there is no proper communication and explanation. We would like to get an assurance from the Minister; that they will not lower the standard of education in our universities by favouring the parallel students more than the regular students. We should be assured that the Ministry will continue to maintain the high standard of education in the universities and boost the morale of the teaching staff because they are now getting additional income. But we should not sacrifice the standard of education because it is a very important asset.

The education services provided in the districts is very important to us. In fact, we in the field at the constituencies, are the people who have contact with the parents on a day-to-day basis. But some of them, particularly the inspectorate officers, do not have means of transport. Could the Ministry find a better means of transport for our inspectorate officers so that they can visit more schools? In some places, there are no regular matatus, and, therefore, normally, they do not go there to inspect schools. That is an area where funds should be sourced for, in order to ensure that we have in every district, sufficient transport to enable the inspectorate officers go round the schools at least once a year.

The other area that I would like to talk about is misuse of public funds - even Harambee money - in primary and secondary schools. When the Ministry carried out an exercise, it was found out that there was misuse of funds by the principals and headteachers in some of our big secondary schools. Even in primary schools, the same is the case. Is the Minister convinced that the auditors are doing thorough inspection of the accounts of schools to safeguard the money contributed by the parents? In fact, the Minister thanked everybody else as having helped his Ministry in the provision of education, except the hon. Members and, yet, they spend more than half of their income in contributing to harambee for schools. He thanked the board of governors, administrators and education officers, but he is ungrateful to hon. Members. That is very serious because I thought we, as hon. Members, are doing a very good job. Every weekend, you will hear of an hon. Member going for a Harambee for secondary and primary schools. But, Mr. Minister, why did you not acknowledge the contribution made by hon. Members? I am very surprised because I also hear of you going for Harambees in your area and other areas and contributing a lot of money. So, please, let the contribution that is made by hon. Members to the education sector be recognised because they are mobilisers of public opinion. You will be seeing major effects on control of HIV/AIDs because hon. Members are the chairmen of the Constituency HIV/AIDs Control Committees, since they are always with the people. The same applies to Harambees. If hon. Members do not support the Ministry, there will be no mobilisation of resources to support the building of infrastructure in schools. I would like to request, despite lack of recognition by the Minister, my colleagues to continue supporting him, because after all, we will be supporting our children and not him.

We think the Ministry can do a lot to help us in fighting HIV/AIDs. We were told that there is a booklet on

HIV/AIDS which is being produced, but we have not seen it. Those who are suffering from HIV/AIDS are the young people, from the ages of 15 to 24. Most of them are children who are either in top classes in primary schools, secondary schools and universities, and the Ministry is in charge of them. Could we have a serious programme in every primary and secondary school and university, where there will be a counsellor and a committee of teachers and students on HIV/AIDS? This is because peer pressure is very important in the control of HIV/AIDS. Let us have concerted efforts; that there will be lectures and discussions in every secondary school every day. Could we also come up with a programme for our universities on how to help curb the spread of HIV/AIDS? We have not heard much about it, and we would want to hear more on HIV/AIDS in universities. The committee will save our younger people - the future leaders of this country - from this scourge which is wreaking havoc to our people.

We are always very unhappy - both as parents and as leaders - to hear that universities are being closed down. Our universities are being closed down too often. We have heard of one of the constituent colleges of the Moi University which had been closed down for nearly six months, and later Kenyatta University was closed down and, maybe, very soon, we will hear that the Nairobi University or one of its colleges is closed down. That is too much wastage of our resources. Why do we have so many closures of our universities? Can we have better dialogue between the administrators and students, and the students being given more responsibility in managing the universities so that there are less strikes and problems? We had so many problems at Egerton university, even in every university in this country, except, maybe, Maseno University. I have not heard much about it. I think the students have been good. I supported them to get the status of university because they behaved very well.

Mr. Temporary Deputy Speaker, Sir, I would like to urge the Minister to come up with a committee that will inquire into why we have continuous closures of our universities. If you work out the resultant losses on Kenya, you will find that it is enormous. We have professors and lecturers who do nothing because the students have gone home. There is the time wasted, and when you cost it, the loss to Kenya is very big. Some of the universities are closed down for too long. Could we have a way where such frequent closures can be minimised? When replying, I would like the Minister to tell us exactly what he will do so that the problem is minimised once and for all.

Whereas we are willing to shoulder the burden of cost-sharing in setting up of infrastructure in schools, there are certain areas where that is impossible. In the Arid and Semi-arid Lands (ASAL) where people are experiencing hunger, how do you expect them to build schools and buy desks when they do not have food to eat? Could we have more money provided in the Estimates under maintenance of primary and secondary schools in ASAL areas so that parents are not disturbed? Even in places like Nyeri and Kieni, nothing is grown on the farms; it is very dry, and cattle have died, but these people cannot be expected to contribute money for building schools. They need to buy food with their little money, and they are not getting enough from famine relief distribution. If more money is provided, we can assist the ASAL areas. Could the Minister tell us whether in the last two years bursary funds have been disbursed to districts? In certain places, we do not know whether that money has been paid out to students and, if they have, seemingly the cry for it is very loud. The Kshs535 million is not sufficient for the whole country. We need to increase that amount to keep more students in secondary schools. I would like to know whether this money has been paid to these schools in the last two years.

Mr. Munyasia: Mr. Temporary Deputy Speaker, Sir, I wish to inform hon. Wamae that the bursary money for this year, to date has not been paid to any district at all and so the dropout rate of our students this year in secondary schools has even shot up higher than the Ministry realises.

Mr. Wamae: Thank you, my good friend. Mr. Temporary Deputy Speaker, Sir, the hon. Minister will have to tell us what he is doing with this money. If he does not tell us exactly where this money is, we will assume that he has corruptly misused it for other purposes because it has not been paid for the last two years. There is going to be a high dropout rate of our students in secondary schools and yet this Parliament had approved this money. What happened to it? Where did the Ministry put this money that was approved by this House? We have no records indicating that this money has been paid for two years. Is this the money which the Minister is dishing out as Harambee contribution when he goes around the country? We would like a full explanation on where this money is going to. I am sure hon. Members will confirm that in their areas many students have dropped out of schools because they expected this money and it was not forthcoming. This question of bursaries is very serious because we have provided for it and we would like to ensure that it is available.

I am happy that the Minister has been insuring buses for secondary schools. I would like to congratulate him on this point because many students had died and there was no way claims could be made. May I also ask the Minister to look into the question of insuring buildings in our schools. I am sure if we negotiated with the insurance companies, we could get such low special rates that even the board of governors could possibly chip in. When a building which costs Kshs3 million is destroyed by fire, it is very difficult for the parents to find money to replace it, with all the goodwill in the world, like what happened to Senior Chief Koinange Secondary School and others. Let us have an insurance cover on fire for those buildings because it will be impossible to replace them now given that the Kenya

Shilling is losing value. We need an insurance cover where the board of governors and parents can assist. It should be done on a national basis rather than on school by school basis. That way, we will save so much money when a fire calamity occurs.

To wind up, I would like to say generally that we are happy with what the Ministry has been doing and we would like them to continue that way. There are many areas where we would like them to look into and improve on. I am sure the Minister has been listening and will see what they can do. We would like to see that our teachers remain happy so that they can teach our children and, therefore, proper dialogue should be maintained. We want to see peace in our universities. We would like to ensure that closures of universities are a thing of the past and that mechanism will be worked out immediately to avert this kind of situation.

With those few remarks, I support the Vote.

The Assistant Minister for Health (Mr. Koskei): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to also air my views on this budget of the Ministry of Education.

The Ministry of Education plays a crucial role in the country, in that it actually caters for all the manpower requirements of the country. If the Ministry does not function properly, at the end of the day, the country might not end up getting the right manpower for the various tasks that need to be done in the country. When I was listening to the Minister's presentation and that of the other hon. Members, they gave us some statistics and they made me really wonder. If we are being told that the enrolment rate of our children in primary schools is 46 per cent and we know very well that education in primary schools is almost free, then the Minister should actually have done us a favour--- He also gave us the percentage of the children who complete secondary school education, but I believe the statistics should be much higher than that because of the cost of secondary school education.

When all is said and done, there are some few areas that I wanted to touch on concerning the Ministry. One of them is that there has been a conflict between the Parents-Teachers Association (PTA) and the board of governors of schools. The management of the school is actually in the hands of the board of governors, but the people who raise funds and put up physical structures in the schools are the PTA. There is always a conflict of interest here when it comes to accounting for the money. Does the PTA account for this money or the board of governors, being the managers of that particular school? We need to harmonise this in the Education Act because I believe the PTA is not really catered for in this Act. We need to legalise the position of the PTA so that their contribution to the management of the school can actually be put in place. As things stand now, the PTA is not catered for and yet they are the people who raise most of this money that is used in putting up physical facilities since we know that the Ministry does not provide for this in their budget.

We have been told of the requirements of the Higher Education Loans Board (HELB). I believe that the money that this Board can collect is quite a lot. If the Board actually went out of its way to collect the money that it is supposed to collect, I do not think it would really need any allocation from the Government. I left the university in 1989, but the HELB came looking for me when I came to this Parliament in 1998 to recover money which they never bothered to recover for the eight years that I was out there in the field. If they would wait until one gets this kind of opportunity for them to get the money from the person, I believe a lot of children who deserve this money will not get the loans and hence, they will not get their education. If the HELB was actually a little bit aggressive in the way they are collecting their money, I believe they should be able to cater for all the needy cases that go to them in search of this bursary. With the kind of laxity they display - I have quoted myself as an example - the Board is still a long way from getting this money.

Some time back, the Minister for Education gave out some policy guidelines in as far as the amount of work and the examinable subjects that were supposed to be covered by the students in primary and secondary schools were concerned. He actually told us that the Ministry had reduced the examinable subjects at the primary and secondary levels. Instead of the Ministry bringing piecemeal reforms in the education system, it should look at the whole education system and actually decide on what it wants to do with it.

I have always taken issue with the kind of committees that are usually constituted to look at the education system within the country. I have always argued that we need to put in professionals from the Ministry and the education sector in these committees so as to come up with a proper policy that the Government will look into. This is because if we keep on appointing people to look at the education sector, the Government ends up spending a lot of money and once these reports come out, they do not want to implement them. For example, the Koech Report is of no value because we have spent money and, yet, the Government does not find it fit to implement it because the Commission did not come up with the policy guidelines that the Ministry expected it to come up with. But I believe that if professionals had been appointed to look into matters concerning education, I think they would have come up with a report that would have been acceptable to all the people in the country. If this factor is taken into consideration in future, I believe that the Government will not use taxpayers' money and fail to adopt or implement the report that will come out.

Mr. Temporary Deputy Speaker, Sir, the other thing that I wanted to touch on concerns the Teachers Service Commission (TSC). I do not have any quarrel with the TSC. I believe they are doing a good job, but I think it is time the Commission decided to look at disciplinary cases pertaining to teachers at the district level. The Commission should look at ways and means of setting up disciplinary committees either at the provincial or district level and not wait for the commissioners to determine disciplinary cases. This is because you will find that some cases take quite some time before they are determined and those people who are supposed to be witnesses might not give evidence in favour of some of these teachers. This is because they might not be available when they are needed to give evidence, hence causing innocent teachers to be punished. So, if a system was devised such that we have disciplinary committees within the districts or more so at the provincial level, I believe that some of these cases would be speeded up and teachers would not have to wait for a very long time before their cases are determined.

I would also like to join my colleagues in airing statements pertaining to the bursary fund that was being administered by the Ministry of Education, Science and Technology. This fund was actually misused or abused, more so by the heads of the schools that this money was sent to. This is because at the end of the day, it was not the District Education Board that decided which students needed to benefit from this particular fund, but individual headmasters in individual schools. This fund was open to abuse in the sense that, if a headmaster had his relatives in his school who had a problem raising school fees he would extend the bursary to them, leaving out the needy and deserving cases. The administration of the bursary fund was solely left at the discretion of the head of the school. So, if the fund is still there, and I have seen that within the budgetary provision for the Ministry, Kshs500 million has been set aside for this purpose, we should look into better ways of disbursing it, so that needy students benefit from these funds, unlike in the past when these funds were abused.

Mr. Temporary Deputy Speaker, Sir, I would also like to take issue with inspection of our schools. I believe that the Ministry needs to do much more than it is doing at the moment if the quality of education has to be improved and maintained.

Finally, I would like to add my voice to the issue of transfer of teachers, and say that teachers who are in overstaffed schools should be transferred to schools that are understaffed.

With those few remarks, I beg to report.

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Achola, you are the Chairman of the Departmental Committee on Education. The floor is yours.

Mr. Achola: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to the Vote of this very important Ministry. I would like to mention a few things regarding this Ministry. First of all, I would like to start by congratulating the Minister for moving the Vote so eloquently and presenting the facts as they are. I am very happy with the way the Minister has been working. For the information of the House, I am the Chairman of the Departmental Committee on Education, Research and Technology. We have been interacting quite frequently with the Ministry's officials, including the Minister himself who has been very cooperative in most of the issues that we have raised with him.

But that notwithstanding, let me start by mentioning what hon. Wamae talked about and that is the Koech Report. I would like to touch on it because one of the biggest problems in this country today is the complaint about the workload in our primary and secondary schools. I have gone through the Koech Report, and the Minister is aware of it, and found that it tackles quite a number of things. I was just wondering why the Minister completely ignored talking about it and, yet, it should be the foundation of everything that the Ministry does today. Definitely, this country needs a review of our education system, and the Commission's Report contained recommendations that they thought would help this country in terms of looking at our education system.

Mr. Temporary Deputy Speaker, Sir, we were told that the Commission spent Kshs143 million to produce the Report. They gathered information from everybody throughout the country and I think it will be extremely unfair for the Minister to just, all of a sudden, ignore it and continue to do what Kenyans really do not want. When the Minister responds, I will expect him to explain to the House why he has decided to take bits and pieces of the Koech Report and tried to implement them.

Secondly, I was a little bit disappointed with the Minister in that he has not put enough emphasis on pre-primary education. I think this is really the beginning of education and it is important that a lot of emphasis should be put on pre-primary education. If you look at the budget that has been allocated to this particular head, you will find that it is very little and, yet, it is really the foundation of education in this country. So, I would like the Minister, when he will respond, to mention the ratio of his allocation to pre-primary education.

If you look at the budget - the recurrent expenditure vis-a-vis the Development Expenditure, you will find that Development Expenditure has been allocated Kshs1.3 billion, while Recurrent Expenditure has been allocated close to Kshs49 billion. Surely, there is something wrong with this one. We are spending money just paying people, but we are spending almost nothing in trying to improve our learning institutions and education system in the country. I would like

to appeal to the Minister that next year when he will look at his budget, he should look at a ratio that will be acceptable between Recurrent and Development Expenditures. This is because many schools were developed during the colonial days, including technical institutes. So far, nothing has been done to improve these institutions. In fact, most of them are in dilapidated state. I would like to urge the Minister to make an effort next year, because I do not think it will be possible this year, to try and bridge the gap between Recurrent and Development Expenditures. We are told that because of financial constraints, it was not possible to spend money on the various universities. But I think this is unfortunate because education is extremely important for the welfare of this nation.

I would like to mention a big item in the budget that has been allocated Kshs38 billion to be spent on teachers payment. Hon. Wamae asked the Minister to clarify whether this amount of money includes the salaries, as were originally agreed between the Ministry and the KNUT, or not.

Mr. Temporary Deputy Speaker, Sir, we are concerned that teachers should not go on strike. That is a very disturbing issue. Therefore, in his reply, I would like the Minister to mention what the Kshs38 billion includes. Has he taken into account the agreement that was signed between the Ministry and the KNUT?

The other worrying issue, which was the subject of a Question in this House last week, entails shortage of teachers in various schools. We were told that the rationalisation scheme was suspended by His Excellency the President, who actually interfered with the process. I would like to urge the Minister to go ahead with the rationalisation scheme, irrespective of what the teachers say! I am not quite sure that I agree with hon. Wamae, who said that teachers should be petted into going to various schools when transferred. If there is need to transfer teachers to various schools, we, in the Committee, will support the Ministry. Teachers should take positions as required by their employment. We cannot have certain schools overstaffed while other schools are completely understaffed! Therefore, I would like to request hon. Members to support the Minister when that issue comes up. We shall allow him to effect the transfers.

The other point that I would like to raise regards the issue of relevance of education in this country. We have an objective of becoming industrialised by the year 2020. That will not be possible if our education system will remain the way it is. If we want to industrialise, we must be science-oriented. The objective at the moment, starting from our secondary schools going up to the universities, is a far cry! It will not happen until we change the subjects being taught in our various secondary schools. In fact, if you look at our polytechnics, they are not working. Recently, we visited the Mombasa Polytechnic. The whole place is dilapidated. It was built in 1949 and the buildings are dilapidated. If the areas that could usefully contribute to the industrialisation are actually neglected, there is no way we will achieve that objective, by just talking and having the rhetoric!

The other issue that the Ministry must look into is that of the universal primary education. The Kenya Government is a signatory to that declaration. But, just as our hon. Members said, how shall we have the universal primary education when, certain parts of the country like Northern Kenya are extremely dry? The people are so poor that they cannot afford to build schools. I think the Minister needs to re-examine how schools in marginal areas could be assisted to achieve universal primary education.

Mr. Temporary Deputy Speaker, Sir, a fortnight ago, I raised a Question on the number of Kenyan students in foreign universities abroad. The answer we got was that, in just two years, the country spent Kshs18 billion of the little foreign exchange that we have, to educate our students abroad. Anybody would see that there is something very wrong with what the Ministry is doing! We are exporting jobs to India, America and other countries, when the rate of unemployment in this country is simply too great! The Kshs18 billion could be used to build universities and avail employment to our own people. Therefore, I would like to appeal to the Minister to expedite the granting of charters to various private universities that might want to start in this country. Instead of our students going abroad, they could actually go to universities within the country. In fact, I talked with the Minister and also read in the newspapers that there are certain world known universities who might want to establish local campuses like Oxford, Cambridge, Harvard and others. We should be in a hurry to allow them to start local universities, so that we can stop people from going abroad to seek education.

Mr. Temporary Deputy Speaker, Sir, I would like to mention the problem of the HIV/AIDS. In Migori District, the shortage of teachers is due to the HIV/AIDS scourge. People are really dying! The little recognition that teachers enjoy in the countryside makes them gullible to that disease. They are really "going"! We appeal to the Ministry to have a specific training to alert the teachers about the problem of AIDS. I know that we are in the process of setting up Constituency AIDS Control Committees, but we hope those committees will include teachers so that we could, at least, control the infection rate among teachers in our various schools.

With those few remarks, I beg to support.

Mr. Nooru: Mr. Temporary Deputy Speaker, Sir, thank you for giving me the opportunity. When the Minister was moving the Motion, he really elaborated on two issues. The beginning of education is in pre-primary, which was mentioned by the Minister. I really do not know whether there is a clear policy on primary education. Pre-

primary education is the foundation of education. Apart from training a few teachers to teach early childhood education, which is being done at the moment, the pre-primary teachers, who used to be paid by the county councils, are no longer there! That has been entirely left to the mercy of the parents, who are already over-burdened. That, being the beginning of education, it is very crucial for the foundation of a child to be prepared for primary education. The Ministry must come up with a clear policy on pre-primary education.

Secondly, the Minister said that he will revert the declining enrolment in primary schools. But he has not told us how he will revert the declining enrolment. There are so many factors which contribute to that. There is poverty which affects education in primary and secondary schools. The Minister has not given us a policy on how he will revert the declining enrolment in primary education.

Mr. Temporary Deputy Speaker, Sir, parents in arid and semi-arid areas have been overburdened. Even when the Government gives those parents relief food, they are told to build schools, bring all the facilities, pay school fees and buy textbooks! How will they manage to do that? If the Minister is serious at this moment of crisis, with the dry season that has affected the parents at the moment, he should do away with fees in secondary schools. At the moment, more than 90 per cent of students in those areas do not go to school due to lack of fees. The Minister has talked about the bursaries. We do not see those bursaries! When you give Kshs100,000 as bursaries to 480 students, how is that money distributed? There is a lot to be desired in the bursary policy at the moment. We must go back and distribute bursaries on "needs" and not on "enrolment". Why do you give Kiambu District millions of shillings because there are millions of students in secondary schools?

With those few remarks, I beg to support.

The Minister for Education (Mr. Musyoka): Mr. Temporary Deputy Speaker, Sir, I wish to give my honourable colleagues; hon. Prof Anyang'-Nyong'o and hon. Maitha two-and-half minutes each.

Prof. Anyang'-Nyong'o: Thank you very much, Mr. Minister. First, I do want to support hon. Owino-Achola for calling the attention of the Ministry of Education to the large amount of money we are using to educate students abroad. He has also called the attention of the Government to the very little amount of money dedicated to education.

Mr. Temporary Deputy Speaker, Sir, I would like to urge this Government to spend more money on education; and this need not be done by taxing Kenyans any further. I do believe that if we took 3 per cent from money paid to VAT we can raise the necessary funds. Currently, VAT stands at 18 per cent, and if 3 per cent is taken as an educational levy, we shall raise a sufficient amount of money to improve the support for education so that it can be free. I do not think that it is fair for Kenyans to be charged for sending their children to school because that is an investment necessary in terms of human resource development.

Secondly, I would like to propose to the Government to think seriously about introducing an insurance for education. In countries such as Singapore, they have education insurance which makes it possible for parents to send their children to school free of charge because schooling is insured. It is a very low cost way of supporting education, which I think is important.

Finally, I think private education is too costly in this country. The Ministry of Education should provide a regulatory mechanism to ensure that private schooling is not as expensive as it is today. I think it is completely horrendous to pay Kshs76,000 per term for a child going to Standard One or Standard Two in these private schools. I think there should be a regulatory board which should review the school fees; although we have a free market of education, the amount of money parents are paying for private schooling is "robbery".

Mr. Temporary Deputy Speaker, Sir, I beg to support.

*[The Temporary Deputy Speaker
(Mr. Imanyara) left the Chair]*

*[The Temporary Deputy Speaker
(Mr. Poghiso) took the Chair]*

Mr. Maitha: Bw. Naibu Spika wa Muda, kwanza ninamshukuru Bw. Waziri kwa kazi nzuri anayoifanya katika Wizara hii ya Elimu. Ningemkumbusha kwamba, wakati wowote katika mila za Kiafrika, mama anakumbukwa kwanza kwa kununuliwa nguo wakati unapopata kazi baada ya kusomeshwa.

Bw. Naibu Spika wa Muda, elimu ambayo Wabunge wote walio katika Bunge hili walioipata ni kutokana na Wazungu waliokuja kwa meli na wakashukia Pwani. Wazungu walikuja hapa kufundisha elimu ambayo Wabunge katika Bunge hili walipata, lakini mpaka sasa, mipango ya kuanzisha chuo kikuu katika Mkoa wa Pwani imezorota. Hatujui ni kwa nini. Sisi viongozi kutoka Pwani tumefanya yale ambayo tungeweza kufanya ili chuo kikuu kianzishwe katika Mkoa wa Pwani, lakini bado. Mahali pengine chuo, kinaanzishwa lakini kwetu hakijaanzishwa.

Vile vile, Mkoa wa Pwani ni jimbo la pekee ambalo halina shule ya kitaifa. Hatujui kama Wizara ya Elimu

inaona watu wa Pwani wanazorota katika elimu ama tunaendelea katika elimu. Pwani ndiko elimu ilikotoka ikaja bara. Tafadhali, ningemwomba Bw. Waziri ayatilie maanani mambo muhimu katika mwongozo wake wa elimu.

Asante.

The Minister for Education (Mr. Musyoka): Mr. Temporary Deputy Speaker, Sir, I wish to take this opportunity to thank my honourable colleagues who have taken time to make some very worthy contributions to our Ministry's Vote.

I want to begin by thanking hon. Matu Wamae, who is actually the "Shadow Minister for Education", as well as hon. Kosgey, hon. Achola and hon. Nooru whom some find it difficult to recognise, not knowing that hon. Nooru is actually serving his fourth or fifth term here. I think it is his mode of dress today which makes it hard for some people to recognise him. I want also to thank the hon. Prof. Anyang'-Nyong'o and hon. Maitha.

Of course, my colleague in the Ministry did a beautiful job seconding the Vote. I realised that when he gave the option for either transferring or retrenching, the House was able to make a very easy choice. I want to thank everybody who has supported us in this Ministry. It is all for the benefit [**The Minister for Education**] of the Kenyan child. We place the interests of the child above our own. That is why I want to thank my honourable colleagues, although hon. Matu Wamae thinks that I did not thank them. However, I did so when I thanked the communities. I am a staunch believer in the fact that we are all part and parcel of the civil society. Therefore, when they make distinction with regard to the definition of civil society, to the exclusion of hon. Members, I beg to differ. Therefore, I was able to say "a big thank you". I want to repeat that "big thank you" to all the hon. Members present and others not in the House now. We are, indeed, very clear in our minds. Really, hon. Matu Wamae, the "Shadow Minister for Education", suggested that come January, 2001, we should effect the teachers' transfers.

This is why I kept on complaining that members of the Fourth Estate would do us a lot of good by not sensationalising this teacher transfer issue and the issue regarding the salaries of the teachers. I mentioned of the headlines, for instance, in the *East African Standard* today, where I only called upon some newspaper reporters to come to the office because I was making a plea for a young person from my constituency who has a heart problem. I was really seeking support for him. I was amazed today morning to read about a completely different issue. If you look at the main story, it is quite inconsistent with that screaming headline. Therefore, I want to urge that all of us act in the best interest of the child. It is not our intention to get the teaching fraternity to go out into the streets. We do not want the 237,000 teachers going out into the streets again. That is why I am saying that, our doors are wide open. I even mentioned it and I had to make a telephone call this morning to the KNUT General-Secretary, Mr. Ambrose Adongo. That is how "open" we are. I had to tell him: Please, disregard this headline because this Minister did not issue that kind of threat".

On the eve of the Music Festival in Nakuru, there was another screaming headline by the *Daily Nation*, that "The Minister ups the stakes" which, in fact, I believe, would have had some persuasive value in the decision that was taken. His Excellency the President did not interfere. I am saying this because hon. Achola mentioned that and I want to differ with him. His Excellency the President did not interfere. He gave very fatherly advice and said that:

"Why do you not, among other things, have a situation where you can dispense with these transfers in the interim, while you await the outcome of the examinations and consider that next year?"

I think we are all unanimous and you can, therefore, see the wisdom of His Excellency the President at the time that he give his advice. It was certainly not interference, it was fatherly advice. I would like to say that we will look at this issue of teachers' transfers with "a human face". I think stress was made on that issue, so that, as the Bible says that, "what God has put together, no man shall put asunder". I think we are guided by that biblical principle and I am sure there is something similar in the Koran. So, we will be able to look into this. In fact, the TSC had put in place an appeal mechanism so that nobody is victimised and that nobody will feel that the Ministry is not concerned about their welfare. Indeed, there was even a package for those who were transferred to those districts which are obviously not their own and they had to settle in. The TSC had come up with a package for them. A lot has been said about distribution of bursaries to secondary schools. Yes, I want to take that challenge and also say one thing. Last year, we as a Ministry did not receive the Kshs500 million that the House voted for from the Treasury and you see, we can only give that which we receive. So, the goodhearted Prof. Kiptoon would have absolutely nothing to give to the students if he does not receive, as the Accounting Officer, the money from the Treasury. So, the reason for it, of course, was the hard economic situation. The revenue base was very narrow last year because of the hard economic situation. In that way, the monies were not forthcoming to the Ministry and so, it was true that a lot of schools did not receive the bursary allocation.

Mr. Temporary Deputy Speaker, Sir, I also want to say that we have taken a decision as a Ministry, that bursaries will go straight to the beneficiary secondary schools and not to the DEBs and others parties because sometimes, these monies do not get to the intended beneficiaries. I would want to urge Members of Parliament just in as much as we are very active in the fight against HIV/AIDS at the constituency level, Constituency Roads Board and

District Roads Board, also to be very active in matters regarding education of our children. This is why we are obviously some of the chief stakeholders.

So, I would want to urge that because Members of Parliament get really talked to on a daily basis by parents who are experiencing stress financially, I think it is all the more reason why Members of Parliament should actively participate in the question of disbursement of the bursaries that come to the various schools. That way, one really will not be able to see any reason why we should meet again in a year time, to complain about the same subject. Let us hope that we will be able to rationalise this issue and be able to reach as many children as we can.

In fact, I do remember the discussion with one senior colleague.

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

The Temporary Deputy Speaker (Mr. Poghisi): Mr. Minister, would you like to take that point of information?

The Minister for Education (Mr. Musyoka): I will take hon. Munyasia's point of information.

Mr. Munyasia: Mr. Temporary Deputy Speaker, Sir, I wanted to inform the Minister that the schools have already opened their accounts. I know that all the secondary schools in Bungoma opened their bursary accounts way back in May and they are just waiting for this money. So, what we wanted from the Minister is to tell us when the cheques are coming in, otherwise, we are ready.

The Minister for Education (Mr. Musyoka): Hon. Munyasia, the cheques will go into those accounts as soon as money is received from the Treasury, and the finance officers in the Ministry will move with speed. This is because we know that with the current stress, many schools are finding it very difficult even to feed the students during this examination period. So, I want to urge that everything possible be done by the administrators of those schools, so that in this examination period, we have absolute quiet and, therefore, I would want to thank the teachers.

You see, the reason why I felt concerned about this misleading headline was because I know that the teachers are out there invigilating, doing a marvellous job and ensuring that the 180,000 students who are sitting the examinations are really given the best time and environment to be able to develop themselves into future citizens of this country, and when you have this screaming headline, it is a little disappointing.

I also want to mention that on HIV/AIDS pandemic, we now have 10,000 copies ready of the curriculum on HIV/AIDS and again, I take kindly the contribution that was made by the hon. Members regarding this matter. We need 100,000 copies in order to be a bit effective and, therefore, we will be moving with speed in this area. Training for guidance counsellors is also going on and how I wish I could hope with hon. Matu Wamae that at every school, we could have at least a guidance counsellor dealing with this issue of HIV/AIDS. However, hon. Members are up with it. They are seized with this matter on the struggle against this scourge and we hope that we can join with you from the education fraternity, in halting the spread of HIV/AIDS.

Mr. Temporary Deputy Speaker, Sir, I did not want to speak about the Koech Report because so much has been said about it and I know that hon. Achola sounded disappointed. However, I want to say this: We have not started yet, implementing the Koech Report. What the Ministry is doing in the area of reduction of subjects is to be sensitive all the time.

Mr. Temporary Deputy Speaker, Sir, please, allow me to remind my colleagues that we have quite a number of reports on the reform of the education system in this country. This is because you remember the Ominde Report, and the Report of the Kyale Mwendwa Commission on Training Manpower Needs to the Year 2000 and Beyond. All these are valid Reports. We claim ownership of these documents just like, as a Ministry, we claim ownership of the Koech Report and, of course, Kenyans also claim ownership because it is a public document.

I did some simple calculations and found out we need 200 copies at Kshs800 per copy. The Deputy Leader of Government Business, my friend, hon. Mudavadi, thought it was Kshs1.6 million and I told him: "Listen, I did the other calculations - although I was very poor in mathematics - but I think they will cost Kshs160,000". However, the problem with it is that we do not have the allocation and we want to act correctly. Hon. Wamae thought that this Minister will go to a Harambee and give out a cheque which was meant for helping the children. I hope, in the first place, he realises that he can only give that cheque to a school. He does not give it, for instance, for a church function when it is a bursary fund. That would be misapplication of funds. We cannot, therefore, be expected to misapply even Kshs160,000. We are very transparent and sometimes, the Minister may visit a school and if there is something in the kitty that the PS thinks that can assist the particular needs of a school, because we want to be able to support the parents, what is wrong if we were to assist the school? However, we do that in a very transparent manner. It is not that the Minister would want to gain political mileage by giving out money meant for bursaries and for purposes different from those intended in the first place.

Mr. Temporary Deputy Speaker, Sir, hon. Kosgey did mention that we have a problem of legality of PTAs. It is, indeed, true, but we do have the Draft Revised Education Bill and really, all this talk about Koech Report and whatever other report, I think it is important to recognise that the important thing is reform of the education system, just

like we are now trying to argue. We have put up a spirited argument that there is nothing basically wrong with the education system. The problem seems to have been that we have chosen to politicise it, obviously to the detriment of the Kenyan child. What we need to do is to be able to look at--- There was even another document. If you look at the Education Master plan and compare it with the Koech Report - I hope Members will have time to look at both - you will agree with me that they are all talking the same language. The issue is that I, as the Minister responsible differ. If you now talk about the shift system that you have because of the fact that you want to improve on the transition rates and on the retention rates - we are very concerned about this as a Ministry - then you say: "Let us have a big shifting system", you will be watering down the quality of education in this country. Therefore, we will remain seized at every moment and step of this important process, to ensure that it is beneficial to the Kenyan child.

There is discrepancy in terms of the recurrent and development expenditure. Hon. Achola actually asked me to comment on that. I want to tell him that, if you look at the recurrent expenditure of Kshs39 billion, you will realise that, really, at the end of the day, all, that money will be used to pay teachers salaries. If you were to compare that with the development expenditure, you will find that naturally, we are bound to end up with a situation seemingly unbalanced. However, I also agree that there is need to look into issues that will ensure that we have quality institutions on the ground. We give supremacy of a lot of consideration on the need to have quality pre-primary education. Therefore, I did read hon. Achola correctly in that regard.

Hon. Nooru knows that I am very concerned with the quality of education for the girl child in the North Eastern Province and we hope that we will be able to have an education conference in the North Eastern Province to balance these issues, so that we do not have disadvantaged children. We would want to have our children coming up. I would not agree more with Prof. Anyang'-Nyong'o on the need, perhaps, to consider introducing education levy. The HELB has taken a step in the right direction. Prof. Chacha is now talking about the need to have a lottery that will give about Kshs10 billion that hon. Kosgey referred to when he was seconding this Vote. This is because if we have Kshs10 billion as a revolving fund in the custody of the HELB, I bet there will be more access to funding for our university students.

Mr. Temporary Deputy Speaker, Sir, we have looked into the causes of disturbances in our public universities. Indeed, I want to tell this House that His Excellency the President appointed a committee made up of vice-chancellors to look into these disturbances and they have concluded their findings. Perhaps, at an appropriate time when we have gone through it ourselves, we might want to share the outcome of those findings with hon. Members.

Mr. Temporary Deputy Speaker, Sir, I want to thank all hon. Members for their contributions to this Vote. With regard to the question of having one University at the Coast, hon. Maitha knows that there is already some collaboration which needs to be regularised between Jomo Kenyatta University of Agriculture and Bandari College. In the case of Maseno University, we did not hand it over to them on a silver platter, but they worked for it. So, when you talk about converting any institution of higher learning into a university, it is important that first we follow the right procedure. I am saying this because the hon. Member for Mwatate Constituency tried to persuade me to upgrade Voi Teachers College to university status. If it was as easy as that I am sure we would end up with poor quality of education. However, these are challenges of the future. Our intention as a Ministry is to create this country as an educational hub. Hon. Members have said that every year we give out to foreign countries, particularly the United States of American, the United Kingdom and India, about Kshs1.5 billion. The other day I went to Moi University and found out the student population is only 8,000, which is equal to another 8,000 students in Indian universities. Therefore, we have another university out there in India. The net sum of expenditure on foreign university education is Kshs1.5 billion which we can very well keep in this country. Therefore, the challenge---

Mr. Maitha: On a point order, Mr. Temporary Deputy Speaker, Sir. Could the Minister come clear on how Maseno people worked hard to get a university?

The Temporary Deputy Speaker (Mr. Poghisiso): Order! Mr. Maitha, that is not a point of order; it is an argument!

The Minister for Education (Mr. Musyoka): Mr. Temporary Deputy Speaker, Sir, hon. Maitha knows how Maseno University started. It was a constituent college of Moi University. It got to a stage where they said they wanted to marry the two institutions. If your son wants to marry and you do not allow him to do so, he will elope with somebody's daughter. Maseno University was about to consider elopement. In fact, we have started this procedure with regard to Bandari College. Therefore, that was not a point of order, but I well appreciate the concern of hon. Maitha. I was just about to say---

Mr. Kariuki: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Member to mislead this House by saying that there is a criteria set for creation of universities in this country when Kabarak University has been upgraded without following any laid down procedures?

The Minister for Education (Mr. Musyoka): Mr. Temporary Deputy Speaker, Sir, I would like to challenge the hon. Member to visit Kabarak University with the Commission for Higher Education and see whether he will not

agree with me that the right procedures were followed. Since Kabarak University is a private institution, the procedures were even more strictly applied because they realised the sponsor was His Excellency the President. Therefore, I invite the hon. Member to visit Kabarak University and then come and brief this House whether he thinks there was favouritism. There was no favouritism because the most stringent conditions were applied. In fact, we have only given them a letter of interim authority; it has not even been chartered. Therefore, I agree with hon. Achola that the way forward is to upgrade as many institutions of higher education as possible into university status. The Commission for Higher Education is working very hard in this area.

Mr. Temporary Deputy Speaker, Sir, I would like to thank hon. Members for supporting the parallel degree programmes in our universities. We are also looking very carefully into this, so that the students are not disadvantaged. The cut-off point is a "C+". Therefore, anybody who gets a "C+" is qualified to join any of our public university. These students are not taught separately from the other students. We are, therefore, convinced that the quality of education is not compromised.

Mr. Temporary Deputy Speaker, Sir, I want to thank hon. Members for their contribution. Soon, we will be coming to this House with a revised Education Bill that will give us the opportunity to do a bit more. Let us all discuss education matters in this country. We do not claim monopoly of knowledge. Those hon. Members who have come to us know that we are very open. Our officers are always there and they are willing to receive hon. Members and address the myriad problems that they face. We hope, therefore, this country will be able to attract foreign students instead of taking students out of this country to places like Australia, Canada, among other countries. Of course, Kenyan parents do like sending their children abroad. However, we are saying that we want to make conditions at home a lot more conducive, so that we can save them the agony of sending their children abroad. Hon. Members are called upon to contribute so much money every weekend for such purposes.

Mr. Temporary Deputy Speaker, Sir, hon. Members have done us proud by supporting us. We will, of course, study the other issues, some of which may have escaped comments in this replying speech. We will continue to work with this House for the benefit of the Kenyan child. May we, please, depoliticise education so that the Kenyan child can continue learning.

I must thank Tanzanians because they have confidence in our system. There are many Tanzanian students who pay about a Kshs1 billion annually to this country. In fact, Tanzania is a marvellous country. We should also have faith in our institutions and education systems. The education master plan is not even official, but we will continue to work together to make sure that we do not have education that is rated second to any anywhere in the world. The world is moving in that direction. In fact, the A-Level system even in United Kingdom is getting discarded. It is only the House of Lords that has stuck firmly on this bit. We should be more upfront and I think we will be doing great justice to the future generations of this country.

Mr. Murathe: On a point order, Mr. Temporary Deputy Speaker, Sir. Is the Minister in order to criticise the Koech Report which was commissioned by this Government and on which so much money was spent? He stands here to tell us that this is not the way the world is going.

The Minister for Education (Mr. Musyoka): Mr. Temporary Deputy Speaker, Sir, this is the problem of intolerance. The hon. Member cannot face up to debate on the Report. Everybody knows that this is a public document. The Ministry is supposed to make comments. I was actually responding to the negative criticisms levelled at this Ministry because of the stand we have taken.

As regards that Report, we will continue to guide debate on this matter. We are not dogmatic about it. I think the hon. Member should be able to accept the principles of free debate.

Mr. Murathe: On a point of order, Mr. Temporary Deputy Speaker, Sir. Could the Minister justify why we had to spend so much of taxpayers' money in unnecessary--

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Murathe.

Mr. Musyoka, you can finish.

The Minister for Education (Mr. Musyoka): Mr. Temporary Deputy Speaker, Sir, I am happy you agree that was not a point of order.

Before I conclude, I would like to comment on what hon. Wamae raised. He asked whether the Ministry has undertaken a research on the cause of dropouts in schools. We have carried out that research and established that poverty is chief among them. Childlabour is another factor that leads to school dropouts. Some children work in tobacco factories and coffee estates. Other factors are; cultural practices, dysfunctional families, early marriages, pregnancies, among others. But all that notwithstanding, I am happy to say that many of our children are in school, some are sitting their annual examinations. We are happy for the support the House has given us.

With those remarks, Mr. Temporary Deputy Speaker, Sir, I beg to move.

(Question put and agreed to)

*[The Temporary Deputy Speaker
(Mr. Poghiso) left the Chair]*

IN THE COMMITTEE

*[The Temporary Deputy Chairman
(Mr. Musila) took the Chair]*

*(Interruption of business pursuant
to Standing Order 142 (7))*

GUILLOTINE

APPLICATION OF GUILLOTINE - LAST ALLOTTED DAY

The Temporary Deputy Chairman (Mr. Musila): Hon. Members, you are aware that this is guillotine and, therefore, we will start with the Ministry of Education, Science and Technology.

Vote 31 - Ministry of Education, Science and Technology

That a sum not exceeding Kshs24,515,235,730 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June 2001 in respect of:-

Vote 31 - Ministry of Education, Science and Technology.

(Question put and agreed to)

Mr. Munyasia: On a point of order, Mr. Temporary Deputy Chairman, Sir. When you proposed the question, you did not look up at all. We were rising and then you went on to put the question. We request that you give us a little time to comment.

The Temporary Deputy Chairman (Mr. Musila): Mr. Munyasia, I had explained to the Committee that we are now following the guillotine procedure. I think you do understand the guillotine procedure. We will be proceeding Ministry by Ministry. We have just started with the Ministry of Education, Science and Technology. If you look at the Order Paper, we will now be going to the Ministry of Lands and Settlement.

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Chairman, Sir. We do not want to turn this House into a rubber stamp. When we want to comment on the biggest Vote of our Budget; that is, the Ministry of Education, Science and Technology, we should be allowed adequate time to make our comments. The regulations of guillotine may even be suspended until we make our comments on this important Ministry.

The Temporary Deputy Chairman (Mr. Musila): Mr. Angwenyi, as I said, the guillotine procedure is very clear in the Members' minds. These Ministries were picked by the House Business Committee where all Members were represented. Unless you have specific reasons why we should not proceed with the guillotine, the Chair will rule that we proceed.

Mr. Murathe: On a point of order, Mr. Temporary Deputy Chairman, Sir. I am seeking guidance from the Chair. Does the guillotine procedure bar us from commenting on the Votes of these Ministries?

The Temporary Deputy Chairman (Mr. Musila): Yes, indeed. The procedure does not allow debate and I would like to refer Members to Standing Order---

Mr. Achola: I regret to oppose what you are saying, Mr. Temporary Deputy Chairman, Sir. I have been here for eight years and I know it is possible to make brief comments. When you propose, you are inviting, at least, a comment. Otherwise, there will be no point in proposing the question. Then you can put all of them under one Vote.

Mr. Angwenyi: Which Standing Order bars us from making brief comments on each of the Votes?

The Temporary Deputy Chairman (Mr. Musila): The procedure does not allow debate on guillotine.

Mr. Angwenyi: We are governed by the Standing Orders, Mr. Temporary Deputy Chairman, Sir---

The Temporary Deputy Chairman (Mr. Musila): Order! Mr. Angwenyi, I have not given you permission. I did give Mr. Murathe permission and you cannot just stand up, Mr. Angwenyi, and start addressing the House because

you have not been given that permission.

Mr. Murathe: On a point of order, Mr. Temporary Deputy Chairman, Sir. Could you guide us on what Standing Order bars us from making brief comments on the Votes of each Ministry?

The Temporary Deputy Chairman (Mr. Musila): Well, it is the practice. Standing Order No.142(7) bars Members from making comments on the Votes of Ministries during guillotine.

Mr. Achola: What does it say?

The Temporary Deputy Chairman (Mr. Musila): Just read it and you will understand what it says.

Vote 36 - Ministry of Lands
and Settlement

That a sum not exceeding Kshs550,927,430 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June 2001 in respect of:-

Vote 36 - Ministry of Lands and Settlement.

(Question put and agreed to)

The Assistant Minister for Education, Science and Technology (Mr. Karauri): On a point of order, Mr. Temporary Deputy Chairman, Sir. I just want to clarify something because a question has been raised. I think the confusion in the minds of the Members is coming from the fact that you are proposing the question--

The Temporary Deputy Chairman (Mr. Musila): You are out of order, Mr. Karauri.

The Assistant Minister for Education, Science and Technology (Mr. Karauri): You are supposed to put the question on the Votes of the Ministries and not to propose the question. That is pursuant to the Standing Orders.

Mr. Angwenyi: Even Ministers do not know what we are doing here, Mr. Temporary Deputy Chairman, Sir.

The Temporary Deputy Chairman (Mr. Musila): Can you continue with the Vote of the Ministry of Tourism, Trade and Industry, Mr. Minister?

Vote 16 - Ministry of Tourism, Trade and Industry

That a sum not exceeding Kshs743,207,195 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June 2001 in respect of:-

Vote 16 - Ministry of Tourism, Trade and Industry.

(Question put and agreed to)

Vote 14 - Ministry of Information, Transport and Communications

THAT, a sum not exceeding Kshs1,140,911,980 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2001, in respect of:-

Vote 14 - Ministry of Information, Transport and Communications.

(Question put and agreed to)

Vote 12 - Ministry of Local Government

THAT, a sum not exceeding Kshs337,218,910 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2001, in respect of:-

Vote 12 - Ministry of Local Government.

(Question put and agreed to)

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Chairman, Sir. For the purpose of the record, the Standing Order that you said forbids us from commenting on Votes that have fallen under guillotine does not say what you told us. I have a copy of the Standing Orders with me; if you wish, I can read that particular Standing Order.

The Temporary Deputy Chairman (Mr. Musila): Mr. Angwenyi, I did not say that you are forbidden from commenting on Votes being guillotined. I quoted that Standing Order to explain the guillotine procedure to hon. Members, but I did not say that hon. Members cannot comment on Votes falling under this procedure. I think you are putting words into the Chair's mouth.

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Chairman, Sir. You said so while responding to our query as to whether we can comment on each of the Votes as we go through them under the guillotine procedure. You said that when you propose a Question, you are asking for brief comments. Through these Votes, Parliament is being asked to approve a lot of money to be spent by Government Ministries and Departments. We are going to---

The Temporary Deputy Chairman (Mr. Musila): Mr. Angwenyi, I will give you a very brief response. The practice has always been that we do not debate Votes which fall under guillotine; this is, really, not the first time this is being done. You know the guillotine procedure very well and the practice that has always been followed in this House. So, we are not going to entertain comments on each Vote.

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Chairman, Sir. The proceedings of Parliament and its Committees are covered in the Constitution and the Standing Orders. How come you are now referring us to practice that has been going on regarding the guillotine procedure?

The Temporary Deputy Chairman (Mr. Musila): Order! Mr. Angwenyi, you will have an opportunity to make all the comments you want when the Appropriation Bill is brought here.

The Assistant Minister, Office of the President (Mr. Haji): On a point of order, Mr. Temporary Deputy Chairman. Once the Question is put, can we really raise queries on that Vote?

The Temporary Deputy Chairman (Mr. Musila): Very well; proceed, Mr. Minister.

Vote 02 - State House

THAT, a sum not exceeding Kshs237,303,440 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2001, in respect of:-

Vote 02 - State House.

Mr. Nooru: On a point of order, Mr. Temporary Deputy Chairman, Sir. I think the bone of contention here is that there is a difference between debate and comments on the Votes being guillotined. The procedure allows hon. Members to comment very briefly on Votes being guillotined. You are, however, saying that we should not comment at all. Is that, really, the procedure?

The Temporary Deputy Chairman (Mr. Musila): Hon. Members, when the House resumes and the Chair proposes the Question, you will be given an opportunity to make those comments. So, let us proceed.

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Chairman, Sir.

The Temporary Deputy Chairman (Mr. Musila): Mr. Angwenyi, I have so far allowed you to raise points of order three times on this same issue since I took the Chair this afternoon.

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, I would like us to conduct the business of this House with decorum; that is the way we are required to carry out our business. Now, if you misdirect us-- You know, nobody has all the knowledge; you may have misinterpreted the Standing Orders.

The Temporary Deputy Chairman (Mr. Musila): Order! Mr. Angwenyi, you are making a very serious allegation - that, I have misdirected the House. For the purpose of the record, I think you are completely out of order.

Mr. Angwenyi: Mr. Temporary Deputy Chairman, Sir, I apologise for that allegation.

The Temporary Deputy Chairman (Mr. Musila): Thank you for the apology; I accept it.

(Question put and agreed to)

Vote 03 - Directorate of Personnel Management

THAT, a sum not exceeding Kshs4,245,057,775 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2001 in respect of:-

Vote 03 - Directorate of Personnel Management.

(Loud consultations)

The Temporary Deputy Chairman (Mr. Musila): Order! We are transacting very serious business, and I thought Mr. Angwenyi also underscored that. I would like that to be portrayed.

(Question put and agreed to)

Vote 04 - Ministry of Foreign Affairs and International Co-operation.

THAT, a sum not exceeding Kshs1,440,885,320 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2001, in respect of:-

Vote 04 - Ministry of Foreign Affairs and International Co-operation

(Question put and agreed to)

Vote 05 - Office of the Vice-President and Ministry of Home Affairs, Heritage and Sports

THAT, a sum not exceeding Kshs2,058,619,755 be
[The Temporary Deputy Chairman]
issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2001, in respect of:-

Vote 05 - Office of the Vice-President and Ministry of Home Affairs, Heritage and Sports.

(Question put and agreed to)

Vote 07 - Ministry of Finance and Planning

THAT, a sum not exceeding Kshs6,646,488,255 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2001, in respect of:-

Vote 07 - Ministry of Finance and Planning.

(Question put and agreed to)

Vote 08 - Department of Defence

THAT, a sum not exceeding Kshs6,951,553,900 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2001, in respect of:-

Vote 08 - Department of Defence.

(Question put and agreed to)

Vote 15 - Ministry of Labour and Human Resource Development

THAT, a sum not exceeding Kshs764,668,535 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2001, in respect of:-

Vote 15 - Ministry of Labour and Human Resource Development.

(Question put and agreed to)

Vote 21 - Ministry of Environment and Natural Resources

THAT, a sum not exceeding Kshs1,756,024,500 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2000, in respect of:-

Vote 21 - Ministry of Environment and Natural Resources.

(Question put and agreed to)

Vote 25 - Office of the Attorney-General

THAT, a sum not exceeding 312,029,250 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2001, in respect of:-

Vote 25 - Office of the Attorney-General.

(Question put and agreed to)

Vote 26 - Judicial Department

THAT, a sum not exceeding Kshs459,434,965 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2001, in respect of:-

Vote 26 - Judicial Department.

(Question put and agreed to)

Vote 27 - Public Service Commission

THAT, a sum not exceeding Kshs30,190,650 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2001, in respect of:-

Vote 27 - Public Service Commission.

(Question put and agreed to)

Vote 28 - Office of the Controller and Auditor-General

THAT, a sum not exceeding Kshs95,004,835 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2001 in respect of:-

Vote 28 - Office of the Controller and Auditor-General.

(Question put and agreed to)

Vote 29 - National Assembly

THAT, a sum not exceeding Kshs811,871,730 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2001 in respect of:-

Vote 29 - National Assembly.

(Question put and agreed to)

Vote 33 - Electoral Commission

THAT, a sum not exceeding Kshs359,675,000 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2001 in respect of:-

Vote 33 - Electoral Commission.

(Question put and agreed to)

Vote 45 - National Security Intelligence Service

THAT, a sum not exceeding Kshs1,334,000,000 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2001 in respect of:-

Vote 45 - National Security Intelligence Service.

(Question put and agreed to)

The Minister for Education (Mr. Musyoka): Mr. Temporary Deputy Chairman, Sir, I beg to move that the Committee the Resolutions and its approval of the same without amendment.

(Question put and agreed to)

(The House resumed)

*[The Temporary Deputy Speaker
(Mr. Poghisio) in the Chair]*

REPORTS

REMAINING VOTES IN COMMITTEE OF SUPPLY ON ELEVENTH AND LAST ALLOTTED DAY

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Musila, you may just make it the sum voted and the Vote without the normal words.

Mr. Musila: Thank you, Mr. Temporary Deputy Speaker, Sir.

| VOTE | MINISTRY | Kshs. |
|------|--|----------------|
| 31 | Ministry of Education | 24,515,235,730 |
| 36 | Ministry of Lands and Settlement | 550,927,430 |
| 16 | Ministry of Tourism, Trade and Industry | 743,207,195 |
| 14 | Ministry of Information, Transport and Comm. | 1,140,911,980 |
| 12 | Ministry of Local Gov. | 337,218,910 |
| 02 | The State House | 237,303,440 |
| 03 | Directorate of Personnel Management | 4,245,057,775 |
| 04 | Ministry of Foreign Affairs and International Co. | 1,440,885,320 |
| 05 | Office of the Vice-President and Ministry of Home Affairs, Heritage and Sports | 2,058,619,755 |
| 07 | Ministry of Finance and Planning | 6,646,488,255 |
| 08 | Department of Defence | 6,951,553,900 |
| 15 | Ministry of Labour and | |

| | | |
|----|--|---------------|
| | Human Resource Dev. | 64,668,535 |
| 21 | Ministry of Environment and Natural Resources | 1,756,024,500 |
| 25 | Office of the Attorney -General | 312,029,250 |
| 26 | Judicial Department | 459,434,965 |
| 27 | Public Service Commission | 30,190,650 |
| 28 | Office of the Controller and Auditor-General | 95,004,835 |
| 29 | National Assembly | 811,871,730 |
| 33 | Electoral Commission | 359,675,000 |
| 45 | National Security Intelligence Service | 1,334,000,000 |

The Minister for Education (Mr. Musyoka): Mr. Temporary Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolutions.

The Minister for Science and Technology (Mr. Kosgey) seconded.

(Question proposed)

(Question put and agreed to)

The Temporary Deputy Speaker (Mr. Poghiso): Next Order!

MEMBERS' HALF-HOUR STATEMENTS

The Temporary Deputy Speaker (Mr. Poghiso): Order! Order, hon. Members. We are now entering into zero-hour and I have received one request for a Ministerial Statement. However, out of discretion, I think I will just allow the hon. Isaac Ruto to make a personal statement.

MISREPORTING BY THE *DAILY NATION*

The Minister for Vocational Training (Mr. Ruto): Thank you very much Mr. Temporary Deputy Speaker, Sir. I rise under Standing Order 69 to make a Personal Statement.

On 25th October, 2000, the *Daily Nation* carried a story that purported to quote me as threatening civil servants with either transfers or dismissals, if they did not "follow me". This story was filed by a reporter who was 100 kilometres away on the material day. He was not present at the function and no other Paper carried such a report. For the benefit of my friends and people of goodwill, may I assure them that I never used any tribal epithets against any officer or, indeed, any person.

At the function referred to, I simply assured my constituents that I will not condone police harassment as it occurred on 10th October, at Kapsimoto Market, where cattle traders were beaten and their leaders locked up. The excesses by the specific officer were not done on behalf of any tribe, but on her own. A certain social services officer, who appears to have facilitated the swindling of over Kshs4 million and a plot belonging to Korakwony Women Group, by people calling themselves Korakwony Company Limited did so on his behalf and not on behalf of a tribe.

As a Member of Parliament, I have a right to express my opinion, including articulating the feelings of those I represent without necessarily being bogged down by the fact that I am a Minister. I must point out any excesses or lapses by Government officers in my constituency, without fearing the Jimmy Angwenyis of the this world or the *Nation* Newspapers.

I have asked the *Daily Nation* to correct the impression---

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Poghiso): Order! Order! I am sorry, I really expected---

Mr. Angwenyi: But he has mentioned my name!

The Temporary Deputy Speaker (Mr. Poghiso): Order! Order, now! Mr. Angwenyi, this is a National Assembly!

Mr. Ruto, I think I gave you the opportunity to make a Personal Statement, which should be keeping with the rules and procedures of this House. I think I have been listening to your statement and I have been very hesitant to allow

you to continue. If you are going to break the rules of the House, I am not going to give a chance to another Member of Parliament to respond. You cannot make it personal! I think you should really apologize to hon. Angwenyi.

The Minister for Vocational Training (Mr. Ruto): I do not want to invite debate on this, but I will be referring you to the HANSARD of 25th, October which was yesterday. However, before I do that, I was just saying that I have asked the *Daily Nation* newspapers to correct the impression which, in my view, was scandalous, malicious and amounted to character assassination and blackmail. My responsibilities, as a Minister, do not include transfers or dismissal of civil servants, as that is the responsibility of the Public Service Commission. I respect the ethnic diversity of this country and recognise that it is that diversity that enriches us. Therefore---

Mr. Nooru: On a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Poghismo): Order! I think I am going to disallow this. A Member is already on a point of order and thus, you cannot stand on another point of order. Mr. Nooru, the Minister is already on a point of order and so, let him finish.

The Minister for Vocational Training (Mr. Ruto): Mr. Temporary Deputy Speaker, Sir, I was saying that I respect the ethnic diversity of this country and---

The Temporary Deputy Speaker (Mr. Poghismo): Mr. Minister, you should apologise in relation to your reference to hon. Jimmy Angwenyi as Jimmy Angwenyi.

The Minister for Vocational Training (Mr. Ruto): Mr. Temporary Deputy Speaker, Sir, I will do that. I am going to do that, since I am coming to that. I said that I respect the ethnic diversity of this country and recognise that it is that diversity that enriches us. Therefore, I cannot accept to be reduced to the level of petty ethnic chauvinists as the *Daily Nation* newspaper would like Kenyans to believe.

Mr. Temporary Deputy Speaker, Sir, I mentioned Jimmy Angwenyi because according to the HANSARD of yesterday, which I now have here with me, he referred to me as an "Imbecile Minister". He did not withdraw and apologise and I call upon the Chair to make a ruling on that at an appropriate time. I am not asking you to do that now, but I just want to put this on record and I want to table the HANSARD report.

The Temporary Deputy Speaker (Mr. Poghismo): Mr. Minister, you cannot table the HANSARD since it is the property of the House.

The Minister for Vocational Training (Mr. Ruto): Mr. Temporary Deputy Speaker, Sir, thank you for the correction. It is the property of the House and the HANSARD report of 25th October is available.

The Temporary Deputy Speaker (Mr. Poghismo): Mr. Minister, that notwithstanding, I even asked you to apologise for the reference you made to hon. Angwenyi. Really as a Member of Parliament, do you remember how you referred to him?

The Minister for Vocational Training (Mr. Ruto): Mr. Temporary Deputy Speaker, Sir, I do not know where I wronged hon. Jimmy Angwenyi, the hon. Member for Parliament for Kitutu-Chache.

The Temporary Deputy Speaker (Mr. Poghismo): Because he was already standing on another point of order. Do you remember?

The Minister for Vocational Training (Mr. Ruto): Mr. Temporary Deputy Speaker, Sir, where have I gone wrong? Can you point out? As far as I am concerned, I just said that Jimmy Angwenyi referred to me as an "Imbecile Minister" yesterday and I have not referred to him in any derogatory terms.

The Temporary Deputy Speaker (Mr. Poghismo): Order! Order, now! I did not want to drop this. In fact, I think a personal statement should have, maybe, been made at an appropriate time and not where somebody can stand on a point of order. You are already on another point of order. So, I think you said something about "The Jimmy Angwenyis of this---" and that was why I was asking you to refer to him in an appropriate manner.

The Minister for Vocational Training (Mr. Ruto): The hon. Jimmy Angwenyi.
Thank you.

The Temporary Deputy Speaker (Mr. Poghismo): Hon. Members, under Standing Order No.20(A), I have one matter here which I would like to go through very quickly.

DETENTION OF POOR PATIENTS IN HOSPITAL

Mr. Muchiri: Mr. Temporary Deputy Speaker, Sir, I am rising to request a Ministerial Statement from the Ministry of Health as to why the poor patients in Government hospitals after being discharged, are detained in the hospital. Similarly, the dead bodies are not released to the relatives of the poor people despite receiving certifying letters from the hon. Members to the effect that the patients and relatives of the deceased are poor people.

The Minister for Public Health (Prof. Onger): Mr. Temporary Deputy Speaker, Sir, I think hon. Muchiri

may not have been present when I was moving the Vote of the Ministry of Health or replying. In my reply, I specifically stated that it is not the policy and - it will not be the policy of Government to detain patients whether in public or private institutions. In any situation, I made a very candid statement by saying where a patient makes an application to be released, we will do so or the next of kin will be called upon to pay that bill. In the situation where the patient is deceased, the next of kin will be asked to pay the bill. But under no circumstances should anybody be detained in hospital. That is already contained in the last week's budget debate of the Ministry in which I made substantive statement on the issue so far raised.

The Temporary Deputy Speaker (Mr. Poghisio): I wish to assure hon. Ruto that the matter mentioned in the HANSARD will be dealt with next week.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Poghisio): Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until Tuesday, 31st October, 2000, at 2.30 p.m.

The House rose at 6.30 p.m.