

## NATIONAL ASSEMBLY

### OFFICIAL REPORT

Wednesday, 4th October, 2000

The House met at 2.30 p.m.

*[Mr. Deputy Speaker in the Chair]*

### PRAYERS

### PAPER LAID

The following Paper was laid on the Table:-

The Report of the Public Accounts Committee on the Government of Kenya Accounts for the year 1996/97.

*(By Mr. Kibaki)*

### NOTICES OF MOTIONS

#### ADOPTION OF THE 1996/97 PAC REPORT

**Mr. Kibaki:** Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:-  
THAT, this House adopts the Report of the Public Accounts Committee on the Government of Kenya Accounts for the year 1996/97 laid on the Table of the House on 4th October, 2000.

#### A BILL TO CATER FOR INDEPENDENT CANDIDATES

**Dr. Ochuodho:** Mr. Deputy Speaker, Sir, on behalf of Mr. Kariuki, I beg to give notice of the following Motion:-

THAT, in order to promote democratic practices and enhance freedom of expression, conscience and choice; and in order to provide a genuine representation of minority and other special interest groups, this House urges the Attorney-General to introduce an amendment Bill to the Constitution in order to provide for independent candidates in Presidential, Parliamentary and Civic elections and direct nomination of Members of Parliament and councillors by the respective special interest groups instead of political parties.

### ORAL ANSWERS TO QUESTIONS

#### *Question No.543*

#### REHABILITATION OF INFRASTRUCTURE IN BONDO

**Dr. Oburu:** Mr. Deputy Speaker, Sir, we have discussed with the Minister and agreed that he is going to take action on the matter. He is, therefore, not going to give an oral reply here.

**The Minister of State, Office of the President** (Mr. Nassir): Mr. Deputy Speaker, Sir, we have mutually agreed with him and that makes our work easier. We have also agreed to discuss several other issues in my office.

**Mr. Deputy Speaker:** Next Question!

#### *Question No.554*

#### COMPENSATION TO VICTIMS OF LEOPARD ATTACKS

**Mr. Deputy Speaker:** Mr. Kimetto is not in? We shall come to that Question later.  
Next Question!

*Question No.435*

SALE OF STATE CORPORATIONS

**Mr. Gatabaki** asked the Minister for Finance:-

- (a) how many State corporations had been sold as at 31st December, 1999, and how many are prioritised to be sold; and,
- (b) how much revenue has the Government realised; and,
- (c) how the sales of these proceeds were utilised.

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

- (a) One hundred-and-sixty-eight (168)

parastatals had already been sold by 31st December, 1999 while nine parastatals are prioritised for sale.

- (b) The State (Treasury and the holding companies) realised Kshs10.38 billion from the sale of the parastatals.

(c) The proceeds were used to liquidate external debts, to liquidate overdue debts owed by the holding companies - including debts owed to the Treasury, to contribute to the cost of "Safety Nets" for workers where final benefits were to be paid by the holding company, towards the cost of financial restructuring of the parastatals prior to privatization and towards venture capital investments in new projects.

**Mr. Gatabaki:** Mr. Deputy Speaker, Sir, I am shocked by the response from the Assistant Minister. We are talking of almost half of our economy being disposed of at Kshs10.38 billion. We are thinking about the expenditure of this nation which equals to almost half of the Gross National Product of this country. The Question I have asked does not seek to know what he has answered. We would like to know which are those parastatals which were disposed of and for how much. Specifically, we would also like to know how this amount of money has been spent.

Mr. Deputy Speaker, Sir, we would like, for example, to know on what grounds Sirikwa Hotel was disposed of at Kshs70 million, on what basis was Kericho Tea Hotel sold at Kshs32 million and on what basis was the Milling Corporation of Kenya sold at Kshs150 million. This is the basis of our economy which has been disposed of to very few people for little amounts of money. Could the Assistant Minister tell us how much of the national economy has been sold off to very few people for very little.

**Mr. Arap-Kirui:** Mr. Deputy Speaker, Sir, I do not know whether that was a supplementary question or a speech. If it was a speech, maybe I should leave it to the hon. Member the way it is. Maybe, I should ask how the hon. Member determines that 168 companies constitute half the economy of this country. I think I have answered the Question as asked by the hon. Member.

**Mr. Gatabaki:** On a point of order, Mr. Deputy Speaker, Sir. A summary of the entire privatization programme by a top economist in this country is as follows:

"That, the current privatization mechanism is based at the Treasury. It is Government driven and lacks both functional and legal autonomy from the Executive. This means that it is exposed to influence, pressure and political manipulation".

**Mr. Deputy Speaker:** Order, Mr. Gatabaki! What is your point of order?

**Mr. Gatabaki:** Mr. Deputy Speaker, Sir, is it in order for the Assistant Minister to mislead this House that there has been any privatization, when the general conclusion is that whatever has happened cannot be referred to as privatization? It is looting of the national economy. I am going to give an analysis why this is looting and not privatization.

**Mr. Arap-Kirui:** Mr. Deputy Speaker, Sir, I am not sure that, that was a point of order. I think that was another exercise by the hon. Member in his right to the freedom of speech, and he has made a speech. I still insist that the answer that I have given corresponds to the Question, unless the hon. Member would wish to ask a real supplementary question, and then I will answer it.

**Mr. Angwenyi:** Mr. Deputy Speaker, Sir, as you know, the Government has written off indebtedness of parastatals to the Government. For example, in case of Kenya Airways Kshs6 billion has been written off while Kenya Posts and Telecommunications Kshs27.6 billion has been written off. That is a total of Kshs33.6 billion. Here we are being told that those parastatals, in addition to others, have only fetched Kshs10 billion. Could the Assistant Minister table a list of all parastatals sold, what their value was, to whom they were sold and how much they fetched?

**Mr. Arap-Kirui:** Mr. Deputy Speaker, Sir, that is a slightly different question. In fact, I am not aware of the figures of Kshs33 billion quoted by the hon. Member as having been written off by the Government. As for a list, I think the issue of companies that have been sold by Government is very much in the public domain and should be very

well known to hon. Members. But we can eventually supply a list. There is no secret about it.

**Mr. Nderitu:** Mr. Deputy Speaker, Sir, I do not see why there should be secrecy over this. The country has been branded through the sale of parastatals to individuals. Could the Assistant Minister table a list of all the parastatals which have been sold and how much money was from the banks they had been loaned money to operate with?

**Mr. Arap-Kirui:** Mr. Deputy Speaker, Sir, as I said, there is no secrecy about this and I think hon. Members might wish to be careful about making wild allegations. Whatever has happened about the sale of parastatals has been very much in the public domain. Maybe certain individuals might not have agreed with the way some of the parastatals were disposed of. But whatever was done has been in the public domain and it has been highlighted by our Press and I think, hon. Members are aware of this.

**Mr. Deputy Speaker:** Order! Mr. Arap-Kirui; when a question is put to you, it must be answered as required by our standing orders. What is in the Press is not authoritative information. Indeed, some of the questions being raised here were issues brought to this House by way of sessional papers from your own Ministry. So, that information is in your Ministry and should be given here, but not through the Press. So, if you wish to refer them to those sessional papers, do so, but not through the Press.

**Mr. Arap-Kirui:** Mr. Deputy Speaker, Sir, I was cut short before I could finish what I was saying. This information is in public domain. There is no secrecy about it at all! I do have a list here of all the parastatals that have been privatised through various means. Privatisation of these parastatals has been done through liquidation, receivership, preemptive rights by the joint-shareholders with the Government, while others have been done through public floatation. There have been management-employee buy-outs and partial divestiture by both the Government and State Corporations. This is a complete list and I beg to lay it on the Table for hon. Members to go through it.

*(Mr. Arap-Kirui laid the list on the Table)*

**Mr. Gatabaki:** Mr. Deputy Speaker, Sir, could the Assistant Minister confirm or deny that the Industrial and Commercial Development Corporation (ICDC) shares in Firestone were sold to Mr. Merali at a fraction of its cost and that he is using the proceeds to venture into the cellular phone business? Could he also assure this House that no more sales of parastatals will be done until there is a legislative programme in place; and that any future sales will be done transparently through the Nairobi Stock Exchange?

**Mr. Arap-Kirui:** Mr. Deputy Speaker, Sir, I can only say that any sale of parastatals by the Government will be done in the open. As for the ICDC shares in Firestone, this was a question of preemptive right being exercised by an existing shareholder. I do not know whether the existing shareholder was Mr. Merali or another person.

**Mr. Gatabaki:** On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Assistant Minister to mislead the House that the preemption of shares can be done uncompetitively? Is he saying that Mr. Merali bought these shares at market prices?

**Mr. Arap-Kirui:** Mr. Deputy Speaker, Sir, I do not see the point of order in what he has said.

**Mr. Maitha:** On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister not misleading this House by including the Kenya Cashewnut Factory in this list as having been sold for Kshs78 million? We know that this factory was not even sold and that there was no money obtained! Why did he include the Kenya Cashewnut Factory in this list when we know that the Government never sold it at all? We have evidence to that effect and we will follow this matter to its logical conclusion!

**Mr. Arap-Kirui:** Mr. Deputy Speaker, Sir, the hon. Member might wish to bring a separate substantive Question on that matter and we will give him a full history of what happened. Whether that factory was sold or not is disputable. If the hon. Member wishes to bring a substantive Question on the sale of the Cashewnut Factory, I am willing to answer it.

*Question No.534*

SUGAR FACTORIES EXPENDITURE  
ON BOARD MEETINGS

**Mr. Ochilo-Ayacko** asked the Minister for Agriculture:-

(a) if he could give the breakdown in terms of dates and expenses incurred for Board meetings in 1997, 1998 and 1999 by Sony Sugar Company Ltd, Muhoroni Sugar Company Ltd, Nzoia Sugar Company Ltd and Mumias Sugar Company Ltd;

(b) how much each company in part "a" above spent on the Chairman's monthly allowances from

1997 to 1999, including expenses on the officers attached to them; and,  
(c) if he could justify the expenditure.

**The Assistant Minister for Agriculture and Rural Development** (Mr. J.D. Lotodo): Mr. Deputy Speaker, Sir, I would like to seek the indulgence of the Chair that this Question be deferred until next week on Thursday because the answer we have is not adequate.

**Mr. Ochilo-Ayacko:** On a point of order, Mr. Deputy Speaker, Sir. Did you hear the Assistant Minister say the answer he has is not inadequate? Could he advance a proper reason so that the House can grant such indulgence?

**The Assistant Minister for Agriculture and Rural Development** (Mr. J.D. Lotodo): Mr. Deputy Speaker, Sir, I stated very clearly that we did not have an adequate answer. So, we are seeking the indulgence of the House that this Question be deferred to next week on Thursday.

**Mr. Munyao:** On a point of order, Mr. Deputy Speaker, Sir. This House has been on recess for two months. This Question must have been in the Ministry for those two months. Is the Chair satisfied that the Ministry could not get a satisfactory answer for the last two months?

**Mr. Deputy Speaker:** Order, hon. Munyao! I cannot do the work of the Assistant Minister! I will defer that Question to next week on Wednesday.

**Mr. Ochilo-Ayacko:** Much obliged, Mr. Deputy Speaker, Sir.

*(Question deferred)*

*Question No. 586*

MORTUARY/LAUNDRY FACILITIES  
FOR CHUKA HOSPITAL

**Capt. Ntwiga** asked the Minister for Medical Services:-

(a) whether he is aware that there are no mortuary and laundry facilities in Chuka District Hospital; and,

(b) what plans he has to provide the said facilities to the hospital.

**The Assistant Minister for Health** (Dr. Galgalo): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that there are no mortuary and laundry facilities at Chuka District Hospital

(b) My Ministry will continue to improve the existing facilities at the hospital as funds become available.

**Capt. Ntwiga:** Mr. Deputy Speaker, Sir, this hospital lies along the Nairobi-Meru Highway where the "killer" Nithi Bridge is situated. Therefore, I expect a very comprehensive answer from the Assistant Minister. There is a small cubicle in the name of a mortuary in that hospital. Could the Assistant Minister tell this House when mortuary and laundry facilities will be availed to the said hospital?

**Dr. Galgalo:** Mr. Deputy Speaker, Sir, the existing mortuary has a capacity for eight bodies, but there is room for bringing in about four more coolers. In the next financial year, we are going to allocate the money required to ensure that those four coolers are fitted in.

**Mr. Mwiraria:** Mr. Deputy Speaker, Sir, could the Assistant Minister be more specific? Chuka District Hospital serves a very large population and a mortuary for eight bodies is totally inadequate. When we have accidents like the recent one where 20 dead bodies were pulled out of the Nithi Bridge, and taken to such a facility, there will hardly be any room for storage. Could the Assistant Minister give us a time-frame when he thinks mortuary facilities will be provided to the hospital?

**Dr. Galgalo:** Mr. Deputy Speaker, Sir, as I said earlier, the capacity of the existing mortuary is eight bodies. We intend to fit in four more coolers each with a holding capacity of six bodies. That will hold extra 24 bodies, together with the eight we already have. That will bring the total capacity to 32. We are budgeting for it in the next financial year, and I am certain about that.

**Mr. Muchiri:** Mr. Deputy Speaker, Sir, could the Assistant Minister consider reducing the mortuary charges which have become more expensive than the ordinary hotels in the City of Nairobi?

**Dr. Galgalo:** Mr. Deputy Speaker, Sir, the hon. Member is aware that Government hospitals are undergoing decentralisation. We are giving authority to health management boards constituted by the local communities and the local leaders. It will be up to the members of the District Health Management Board to set the fee structures not only for mortuary services, but also for hospital care.

**Mr. Sambu:** On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to mislead the House that the District Health Management Boards are composed by the District Development Committees and the

local leaders when in effect, the Minister takes names from District Commissioners and goes ahead to gazette them? In Nandi District, we selected particular people to join the District Health Management Board, but the Minister gazetted different names altogether!

**Dr. Galgalo:** Mr. Deputy Speaker, Sir, to the best of my knowledge and from the way the Ministry operates, members of the District Health Management Boards are chosen by the local communities. If the hon. Member has a specific case, where he feels proper procedures were not followed, he can forward it to me so that I can follow up.

**Capt. Ntwiga:** Mr. Deputy Speaker, Sir, the Assistant Minister has not said anything about the absence of the laundry machine. I would also like to inform him that there are no X-ray or theatre facilities in this hospital given that it is located in an accident prone area. What is he going to do about that?

**Dr. Galgalo:** Mr. Deputy Speaker, Sir, I agree with the sentiments of the hon. Member. It is true that we do not have an X-ray facility in that hospital but we are in consultation with Spanish Aid who have agreed to provide one. As soon as the consultations are concluded, they are going to have an X-ray machine. Secondly, there is an old Analeptic machine at that hospital which broke down. But we have already repaired it at a cost of Kshs130,000. It is going to be delivered to the hospital very soon. On the issue of the laundry, the **[Dr. Galgalo]** building is there and they are currently doing manual washing. We intend to provide a laundry machine when the situation improves. We are handling major emergencies right now. We will consider purchasing a laundry machine for them in the future.

*Question No.582*

RURAL ELECTRIFICATION IN MIGORI

**Mr. Omamba** asked the Minister for Energy:-

(a) how much money has been set aside for Rural Electrification in Migori District and Uriri Constituency in particular; and,

(b) why the officers of the Ministry are not represented in DDC meetings.

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

(a) Budgeting for Rural Electrification Programmes is district based and not constituency based. Accordingly, the 2000/2001 Budget gave Migori District Kshs11 million for Rural Electrification.

(b) At present, the Ministry of Energy has very few district offices. The Ministry is in the process of restructuring the operations of its core functions with a view to strengthening the key areas. Once this process is complete, it is hoped that the Ministry of Energy will be represented in the District Development Committees. Kenya Power and Lighting officers have been requested to liaise with the Ministry of Energy in order to attend DDC meetings.

**Mr. Omamba:** Mr. Deputy Speaker, Sir, arising from the answer given by the Assistant Minister, it seems as if Uriri is not given a share; it has been bypassed. When will the Assistant Minister consider supplying electricity to key places around Gogo Falls which also needs to benefit from this?

**Eng. Manga:** Mr. Deputy Speaker, Sir, I have said that Migori District has been allocated Kshs11 million. When that money is given to the Ministry we shall utilise it since, there is already a programme to supply the areas with electricity.

**Mr. Achola:** Could the Assistant Minister explain to the House the basis on which all the districts are given Kshs11 million while the various districts have different requirements? Why do you give Kshs11 million for every district as in the Printed Estimates here and yet, for example, Kuria is just a small district compared to Migori or Kakamega? We want the basis.

**Eng. Manga:** Mr. Deputy Speaker, Sir, we divide the cake accordingly. If you do not have, you get whatever you can get. That is how it is worked out.

**Mr. Owino Achola:** On a point of order, Mr. Deputy Speaker, Sir.

**Mr. Kajwang:** Sit down, hon. Owino Achola!

*(Laughter)*

**Mr. Deputy Speaker:** Order! Order! Hon. Kajwang, that behaviour is---

**Mr. Kajwang:** Thank you, Mr. Deputy Speaker, Sir. The Assistant Minister has just said---

**Mr. Deputy Speaker:** Order! That behaviour is totally disorderly and you must not repeat it. Proceed.

**Mr. Kajwang:** Thank you, Mr. Deputy Speaker, Sir.

**An hon. Member:** Apologise first!

**Mr. Kajwang:** Mr. Deputy Speaker, Sir, I want to apologise for ordering hon. Owino Achola to sit down. The Assistant Minister has been good to tell us that they are dividing the cake equally, and so they have given each district Kshs11 million. But he has forgotten that Suba District is the only district in the Republic of Kenya which does not have power. The nearest power to the Headquarters of the so-called Suba District is 43 kilometres away in Homa Bay. How will Kshs11 million take power to Mbita from Homa Bay?

**Eng. Manga:** Mr. Deputy Speaker, Sir, I did not say "equally"; I said "accordingly". Hon. Kajwang should check how much he got during this Financial Year; I am not saying Kshs11 million.

**Dr. Ochuodho:** Mr. Deputy Speaker, Sir, Gogo Falls, falls within Uriri Constituency which is represented by hon. Omamba and the country has been going through a problem of power rationing. What plans does the Government have to expand Gogo Falls, so that it can produce more energy? Of that energy produced in Gogo Falls, how much of it is being consumed locally?

**Eng. Manga:** Mr. Deputy Speaker, Sir, the Ministry is busy planning and trying to look into all sorts of energy. We are not just sitting there, but we are planning to see that every possible electric energy that can be available is used. So, the Ministry is planning.

**Mr. Omamba:** Mr. Deputy Speaker, Sir, I always attend the DDC meetings, but we do not get any guidelines at all from the Ministry, about the supply of electricity to the area. When will the personnel of the Ministry be available, so as to guide people how to get electricity?

**Eng. Manga:** Mr. Deputy Speaker, Sir, I have just said that currently, the KPLC staff from Migori District are representing the Ministry in the DDC.

**Mr. Deputy Speaker:** Next Question, Mr. Twaha!

*Question No.546*

REVOCATION OF BWANA MKUU'S NOMINATION

**Mr. Twaha** asked the Minister for Local Government:-

- (a) if he is aware that the revocation of nominated Councillor Nassir Bwana Mkuu has caused a lot of tension in Lamu West;
- (b) why the councillor was replaced; and,
- (c) if he could as a matter of urgency, consider reinstating him to diffuse the rising tension in the area.

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

(a) I am not aware.

(b) The nomination of Cllr. Nassir Bwana Mkuu, as a councillor of Lamu County Council, was revoked following recommendations submitted to the Electoral Commission of Kenya (ECK) by the political party that had recommended him for the appointment as a nominated councillor.

(c) The Ministry has no power to reinstate a councillor whose nomination has been revoked by the party.

**Mr. Twaha:** Thank you, Mr. Deputy Speaker, Sir. First, I wonder how hon. Kamotho can convince us since this nomination was revoked in the middle of the term. A dangerous trend is arising whereby KANU councillors are being replaced by Muungano wa Mageuzi councillors. Could the Assistant Minister confirm or deny that money changed hands in order to procure this illegal revocation?

*(Laughter)*

**Mr. Hashim:** Mr. Deputy Speaker, Sir, the hon. Member, who is my colleague, has made a very sensitive allegation. Could he, please, substantiate whether money changed hands?

**Mr. Deputy Speaker:** I think the hon. Member is saying that, that revocation was deemed to be irregular. So, can you explain to him why you did so?

**Mr. Hashim:** Mr. Deputy Speaker, Sir, as I said earlier, nomination of a councillor depends on the party which has recommended him. The Ministry received recommendation from the party of which my colleague is a very senior member. Could he, please, consult his branch before---?

**Mr. Twaha:** Thank you, Mr. Deputy Speaker, Sir. I am the Lamu West KANU sub-branch chairman. I am the one who recommended the nomination of this councillor to Prof. Onger. So, I wonder which party recommended his sacking.

*(Several Members stood up in their places)*

**Mr. Anyona:** On a point of order, Mr. Deputy Speaker, Sir. This raises a very serious constitutional and legal problem. As far as I know, once a councillor has been nominated and for that matter, indeed, a Member of Parliament, you cannot reverse the process. Under what legal provision has anybody been revoking nominations which have legally taken place? If any provision, as far as I know, for a nominated Member of Parliament, is to resign. Can he tell us on what legal basis this has been done?

**Mr. Hashim:** Mr. Deputy Speaker, Sir, this is in line with the recommendation of the Inter-Party Parliamentary Group (IPPG) resolution which was agreed upon prior to the 1997 general elections by parliamentary parties in the country.

*(Several Members stood up in their places)*

**Mr. Deputy Speaker:** Order! Order! But he asked you a question. He is the chairman of the local branch of that party, whatever it is. He did not send that recommendation; where did it come from?

**Mr. Hashim:** I do not know if Mr. Deputy Speaker will allow this House to discuss KANU matters?

**Mr. Deputy Speaker:** Order! Order! Hon. Members, we are not discussing KANU matters; we are discussing the constitutional right of a Kenyan. Whether he belongs to KANU or to Shirikisho or to whatever party, that is a very legitimate question. If you do not have the answer, say so.

**Mr. Hashim:** Mr. Deputy Speaker, Sir, I said that the responsibility to nominate or recommend a councillor is constituted by the party. So, the party which recommended him is the same party which has recommended for the revocation.

**Mr. Nderitu:** Mr. Deputy Speaker, Sir, this is an issue of the Constitution and not whether a fellow has been nominated by his chairman or not. Who gave the Minister the authority? What law of the land was he using? That is the question, my friend.

**Mr. Hashim:** Mr. Deputy Speaker, Sir, I would request that this Question be directed to the Attorney-General, so that he can give a constitutional guideline on this issue.

*(Several Members stood in their places)*

**Mr. Deputy Speaker:** Order! Order! Some hon. Members here have the habit of rising on points of order when in actual sense they want to ask questions. I will not allow that to happen.

Mr. Assistant Minister, you have now heard the sentiments of hon. Members about this very touchy issue. I think I will give you another bite of the shell. Go and get a comprehensive answer to this Question and bring it to this House next week.

*(Applause)*

*(Question deferred)*

*Question No.573*

#### REPAIR OF ROADS IN MAVOKO MUNICIPALITY

**Mr. Kaindi** asked the Minister for Local Government:-

- (a) why the Ministry has failed to repair the dilapidated roads within Mavoko municipality thus leading to a reduction in commercial and economic activities; and,
- (b) whether he could explain how much money the Ministry has set aside for the repair of those roads.

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

(a) The Ministry has not failed to repair roads within Mavoko Municipality. On the contrary, it is committed to ensuring that roads are repaired, so as to increase the commercial and economic activities in the Municipality.

(b) During the current financial year, the Ministry set aside Kshs494,140, being contribution through the Local Authority Transfer Fund (LATF), for capital projects within the Municipality. Part of this amount and another

Kshs1 million to be raised from general revenue by the Council will be utilised on roads repair and maintenance during the current financial year.

**Mr. Kaindi:** Mr. Deputy Speaker, Sir, I am not interested in statements; I am interested in facts. The first part of this Question begs the Ministry to give tangible evidence to show that they have, at any one time, attempted to repair roads in Mavoko Municipality. When did the Ministry last repair those roads?

**Mr. Hashim:** Mr. Deputy Speaker, Sir, it is true that roads in that Municipality are in dire need of repair. The Ministry is aware of the inability of Mavoko Municipal Council to repair those roads. That is why the Ministry has engaged a consultancy firm through LATF to conduct a survey for the re-carpeting of roads in the Municipality.

**Mr. Munyao:** Mr. Deputy Speaker, Sir, you have heard what the Assistant Ministry has said in his first reply to this Question. Even his second reply, which is supposed to supplement the first, contradicts his first reply. It is lamentable for an important town such as Mavoko, where all the important industries are situated, to be allocated a paltry Kshs489 for roads rehabilitation. Is the Ministry, really, serious about having roads in that Municipality repaired?

**Mr. Hashim:** Mr. Deputy Speaker, Sir, the Ministry is very much committed to re-carpeting roads in that municipality. It is very unfortunate that Mavoko Municipality is not earmarked for repairs and up-grading under the current Kenya Urban Transport Infrastructure Project (KUTIP), which falls under the *El Nino* Roads Rehabilitation Programme now being implemented.

**Mr. Deputy Speaker:** Could you ask the last question, Mr. Kaindi?

**Mr. Kaindi:** Mr. Deputy Speaker, Sir, the Assistant Minister has not answered my question. What programme is he talking about? He has talked about a Kshs25 million programme; when does he intend to start it? The LATF amount of Kshs494,000 that he said has been set aside is part of the money that the residents of Mavoko Municipal Council contribute to that Fund. What does the Ministry itself plan to do? Could he give us a definite date when the money he has talked about will be disbursed for the repair of roads in Mavoko Municipality?

**Mr. Hashim:** Mr. Deputy Speaker, Sir, I am afraid, I cannot give a specific date when that money will be disbursed for the rehabilitation of those roads. However, I would like to assure the hon. Member that the consultancy firm carrying out the survey work on those roads, M/S African Dado, has recommended the rehabilitation of six kilometres of roads in the Municipality at a cost of Kshs25 million, and that the Ministry is now in the process of looking for the source of funding.

**Mr. Deputy Speaker:** Very well; let us proceed to Mr. Wambua's Question.

*Question No.557*

GAZETTEMENT OF YATTA LANDS BOARD

**Mr. Wambua** asked the Minister for Lands and Settlement:-

- (a) whether he could give the names of the members who have been presented to the Ministry to form Yata Divisional Land Control Board; and,
- (b) when he will gazette the new Land Board for the said division.

**The Assistant Minister for Lands and Settlement** (Mr. Sudi): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The names of the following individuals have been presented to my Ministry for appointment as members of Yatta Divisional Land Control Board: The District Commissioner, Dorothy Kilonzo, Jane Mwanzia, Antony Musyimi, John Mwando Kyalo, George King'oo Wambua, Agnes Ndinda Kilonzo, Gedion K. Ikusa, Jane Thomas and Samuel M. Mulichu. Also, the following names were received for appointment as members of Katangi Divisional Land Control Board: The District Commissioner, David K. Matiku, Paul Ngui, David Mwarithi, Mutia Mwalia, Ngandi Musembi, Julius Vuti, Justus Kioko, Henry Mukesi and Mr. Rueben Munyao Kaindi.

(b) The members of Yatta Divisional Land Control Board were gazetted on 16th, June, 2000, while those of Katangi Divisional Land Control Board will be gazetted when the new division is gazetted, as is required by law.

**Mr. Wambua:** Mr. Deputy Speaker, Sir, first of all, I would like to thank the Ministry for accepting to subdivide those two divisions. It had a problem for many years, due to having one Land Control Board, which led to the suffering of many people. However, the question is: What criteria has the Assistant Minister used in choosing the members of the those Boards? As it is in Yatta, apart from the DC, all the other members of the Yatta Land Control Board are KANU officials; what actually happened is that the entire list of KANU officials in that division was lifted and forwarded to the Minister for appointment as members of the Divisional Land Control Board. The same method was used in determining the members of Katangi Divisional Land Control Board; they are the ruling party's divisional



officials, starting with the chairman, secretary, treasury, and the Maendeleo Ya Wanawake Organisation Chairlady. Could the Assistant Minister tell this House the criteria that was used in determining the membership of the Land Control Boards in those two divisions?

**Mr. Sudi:** Mr. Deputy Speaker, Sir, the names that were presented to the Minister for appointment as members of the Land Control Boards in those divisions came from the members themselves. However, the establishment of the Land Control Boards and the appointment of their memberships are government by the Land Control Act, Cap.302. It is a legal requirement that, before one is appointed a member of any Board, the relevant Land Control Board area of jurisdiction is established and gazetted; this is done after a map showing that area is prepared and approved. All the names that were presented to the Minister for appointment as members of the two Land Control Boards belong to people who hail from that area; they are all Kambas, be they supporters of KANU or supporters of other political parties. I do not know the criteria that was used in selecting these names for appointment. My Ministry received the names of these people and appointed them, and their appointment has already been gazetted.

**Mr. Muturi:** Mr. Deputy Speaker, Sir, you may have heard the Assistant Minister say that the names received by the Ministry were forwarded by the "members" themselves. However, he has not explained how the members submitted those names to his Ministry. Then, the Assistant Minister went on to say that---

**Mr. Deputy Speaker:** Mr. Muturi, ask your question; do not debate this issue.

**Mr. Muturi:** Mr. Deputy Speaker, Sir, now that the Assistant Minister has said that the nomination of members to the Land Control Board is government by the Land Control Act, Cap.302, is he satisfied that the nomination of the membership of those Boards should be done to the total exclusion of the leadership of the respective divisions, which includes - among others - the local Members of Parliament?

*(Applause)*

**Mr. Sudi:** Mr. Deputy Speaker, Sir, I think the Land Control Board Act is very clear; that when appointing members to the Land Control Board, you have to ensure that they come from a specific area of jurisdiction. I do not think that, that is a political party issue where we divide the seats according to party lines; that is in regard to the question of whether to have hon. Members to give out names because it is not provided under the Land Control Board Act which has been established by Parliament. Before any member comes to our Ministry for further action, he or she has to be approved first by the Land Control Board before the matter can be dealt with by the Ministry. However, we will consult with the hon. Member who has raised that issue so that we make sure that the proper names that have come from the Land Control Board are the names which have been gazetted by my Ministry.

*(A number of hon. Members  
stood up in their places)*

**Mr. Deputy Speaker:** Order! Hon. Members, your Standing Orders state very clearly that while an hon. Member is on the Floor either contributing or answering a question, other hon. Members must remain in their seats.

Mr. Wambua, the last one.

**Mr. Wambua:** Mr. Deputy Speaker, Sir, the Assistant Minister has said that all the members of the Land Control Board are from that area and are Kambas. Can he tell me which Mkamba is known as Mr. David Muriithi? That is a Kikuyu name. Also, which Mkamba is called Mr. Mwiraria? How could he appoint board members who are not of the Akamba tribe to look into land issues of those areas? Can he consider degazetting these names and then he waits to receive new names of the people who come from the same area?

**Mr. Sudi:** Mr. Deputy Speaker, Sir, I do not know the difference between a Kamba name and a Kikuyu name. I thought that they are all the same. I do not think that the name David Muriithi is a Kamba name or Kikuyu name. However, those are the names which we received from the Land Control Board.

**Mr. Deputy Speaker:** But there was no Board in place before those names were given!

**Mr. Sudi:** Mr. Deputy Speaker, Sir, we received from---

**Hon. Members:** On a point of order, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Order! He is still answering the question.

**Mr. Sudi:** Mr. Deputy Speaker, Sir, those are the names we received from that particular area through the normal---

*(Loud consultations)*

Why make a lot of noise? Let me answer the question.

**Mr. Deputy Speaker:** Order! Give the Assistant Minister a chance. He is having a little difficult in reading out clearly.

Mr. Sudi, just tell us who submitted those names because there was no Land Control Board before those names came forward?

**Mr. Sudi:** Mr. Deputy Speaker, Sir, the names were submitted through the District Commissioner's office after the Board sat down and presented them to my Ministry.

**Mr. Parpai:** Mr. Deputy Speaker, Sir, the Assistant Minister has confirmed to this House that the members of the Land Control Board are nominated by the DC. The Ministry is flouting the law because it requires that the local authority appoints---

**Mr. Deputy Speaker:** Order, hon. Parpai! If you want to argue, bring a Motion, but if you stand up on a point of order, raise a point of order as per the Standing Orders. Sorry; that was not a point of order.

Next Question by hon. Magara.

*Question No.551*

RECONSTRUCTION OF NYANGWETA BRIDGE

**Mr. Magara** asked the Minister for Roads and Public Works when he will reconstruct Nyangweta Bridge which links Gucha and Migori districts.

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

My Ministry shall consider constructing or reconstructing Nyangweta Bridge which links Gucha and Migori districts during the next Financial Year - 2001/2002.

**Mr. Magara:** Mr. Deputy Speaker, Sir, I thought the Assistant Minister would give us the condition and status of that particular bridge at the moment. That is one of the largest rivers which links Migori and Gucha districts. At the same time, the same bridge---

**Mr. Deputy Speaker:** Order! Ask your question.

**Mr. Magara:** Mr. Deputy Speaker, Sir, I want to make him understand; let him understand the circumstances first. Could it be possible, and as you know this Government is synonymous with tribal clashes--- That bridge links the two districts. Sometimes we have had tribal clashes linked to this Government. So, by him saying that he has constructed the same---

**Mr. Deputy Speaker:** Order! Ask your question!

**Mr. Magara:** Mr. Deputy Speaker, Sir, does he mean that for the next two years the communities and security in that region should be left like that until the next Financial Year?

**Mr. Deputy Speaker:** Hon. Magara, ask your question or I will go to the next Question.

**Mr. Magara:** Mr. Deputy Speaker, Sir, I am asking this: The condition of that bridge is so sensitive in the sense that we need an urgent plan. For how long will we wait without having that bridge in place because it is so essential that we cannot do without it?

**Eng. Rotich:** Mr. Deputy Speaker, Sir, I am aware of the condition of that bridge. At the moment, you can only pass through with a capacity of three tonnes, and beyond that, you are not able to pass through. However, we only have less than nine months to go before the next Financial Year. That is when we will start.

**Mr. Angwenyi:** Mr. Deputy Speaker, Sir, as you have heard, that is an important bridge, and we have got nine months to go before the year ends, and we will have revised estimates by March. Could the Assistant Minister consider including that bridge in the revised estimates for this year?

**Eng. Rotich:** Mr. Deputy Speaker, Sir, I cannot promise that, but we shall see if there is room for it. If there is, we shall do it.

**Mr. Deputy Speaker:** Order! Eng. Rotich, you have now a Budget that includes the year 2000/2001 and then the years 2001/2002 and 2002/2003 and you had pledged that you would provide that in the next Financial Year. Have you made provisions in the next Financial Year or not?

**Eng. Rotich:** Mr. Deputy Speaker, Sir, we have made provisions for the total cost of the bridge in the next Financial Year.

**Mr. Deputy Speaker:** Yes, Mr. Nyachae.

**Mr. Nyachae:** Thank you very much, Mr. Deputy Speaker, Sir. You have raised the question that I was going

to raise.

**Mr. Deputy Speaker:** Hon. Kimetto's question for the second time?

**Mr. Kimetto:** Mr. Deputy Speaker, Sir, I apologise for coming late and may I request you to allow me to ask Question No.554.

*Question No.554*

COMPENSATION TO VICTIMS OF LEOPARD ATTACKS

**Mr. Kimetto** asked the Minister of State, Office of the President:-

(a) when he will compensate the family of the late Robert Cheruiyot Langat who was killed by a leopard in June, 1995;

(b) when the following people who were injured by the same leopard will be compensated: Alex Maritim, Stephen Kipkorir, Joseph Soi, Chepkwony Melile, Joseph Langat, Geoffrey Langat, P. Kipkoech Yegon, Collin Ngetich, Joel Kibii Matage, P. Kipyegon Koech; and

(c) what has caused the delay in compensating the victims.

**The Assistant Minister, Office of the President** (Mr. Samoei): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The Government regrets the delay in the processing of compensation claims in respect of Mr. Robert Cheruiyot Langat who was killed by a leopard in 1995. The relevant committee has finalised the case and the Kenya Wildlife Services (KWS) is in the process of obtaining the necessary funding to pay the pending claims.

(b) Compensation claims in respect of the ten other people injured by the same leopard have been approved and will be paid in accordance with the recommendations of the District Wildlife Compensation Committee.

(c) Delays in compensating the victims have been caused by, among others, delays in submitting reports to the headquarters and the changes in the Ministry under which KWS falls.

**Mr. Kimetto:** Mr. Deputy Speaker, Sir, how soon will this payment be made because he said arrangement is being done to pay them? How much will the Ministry pay every individual who has casualties?

**Mr. Maitha:** On a point of order, Mr. Deputy Speaker, Sir. You must have noticed that hon. Nassir is addressing a public rally there while the other hon. Member is asking his question. Can you control us?

**Mr. Deputy Speaker:** Order! Hon. Nassir, we have only one Chamber here; just one. That Chamber must be reasonably quiet when we are proceeding with our business.

Proceed.

**Mr. Samoei:** Mr. Deputy Speaker, Sir, Robert Cheruiyot Langat will be paid a sum total of Kshs30,000 while the ten other victims of this leopard attack will be paid Kshs10,000 each. We did obtain approval for the payment of this money in April this year, but we were unable to factor it in the Budget. I promise that we shall do so in the Supplementary Estimates.

**Mr. Deputy Speaker:** Order, hon. Members! It is slightly beyond 3.30 p.m. and we must now proceed to the next Order. The Questions standing on the Order Paper which have not been dealt with will be answered tomorrow afternoon and will take precedence over the other Questions.

QUESTIONS BY PRIVATE NOTICE

WORLD BANK WITHDRAWAL  
FROM WATER PROJECTS

**(Mr. Sifuna)** to ask the Minister for Finance:-

(a) Is the Minister aware of the announcement on Wednesday, 13th September, 2000, by the World Bank Country Director of the Bank's withdrawal from financing water projects in the country?

(b) What steps is the Minister taking to ensure that the Bank continues to finance water projects in the country?

*(Question deferred)*

NON-REGISTRATION OF IMPERIAL  
SCHOOL KCSE CANDIDATES

**(Mr. Anyona)** to ask the Minister for Education:-

- (a) Is the Minister aware that Imperial Secondary School situated at Park Road, Ngara, in Nairobi (PO Box 72671 and Telephone 766608) has not registered Simon K. Onduso (Admission No. IMP/0132/00 and Index No.401093086), and 18 other students for the 2000 KCSE despite collection of Kshs4,000 examination fees?
- (b) Could the Minister ensure that these students are registered and sit their examinations without fail?
- (c) What disciplinary measures will the Minister take against this and all other schools which break the law in this manner?

*(Question deferred)*

**Mr. Anyona:** On a point of order, Mr. Deputy Speaker, Sir. During this season Questions by Private Notice tend to suffer from this problem. Could we request that the number of ordinary Questions is reduced so that we can accommodate Questions by Private Notice?

**Mr. Deputy Speaker:** I will attend to that one.  
Next Order!

### **BILLS**

*First Reading*

THE PARLIAMENTARY SERVICE BILL

*(Order for First Reading read -  
Read the First time - Ordered to be read  
the Second Time tomorrow)*

**The Attorney-General** (Mr. Wako): Mr. Deputy Speaker, Sir, I beg to move that in accordance with Standing Order No.101, the Parliamentary Service Bill (Bill No.14) be committed to the relevant Departmental Committee.

*First Reading*

THE CENTRAL BANK OF KENYA (AMENDMENT) BILL

*(Order for First Reading read -  
Read the First Time - Ordered to be read  
the Second Time tomorrow)*

**Mr. Angwenyi:** Mr. Deputy Speaker, Sir, in accordance with Standing Order No.101(a)2, I beg to move that the Central Bank of Kenya (Amendment) Bill be committed to the relevant Departmental Committee.

### **COMMITTEE OF SUPPLY**

*(Order for Committee read  
being Second Allotted Day)*

### **MOTION**

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

Vote 01- Office of the President

*(The Minister of State, Office of the  
President Maj. Madoka on 3.10.2000)*

*(Resumption of Debate interrupted  
on 3.10.2000)*

**Mr. Wamae:** Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to contribute to the Motion on Committee of Supply for the Office of the President. As many hon. Members of this House have said, the Office of the President is one of the key co-ordinating Ministries of the Government of this nation and it should be able to do its co-ordinating role. We are surprised that this Ministry seems to have intentions of grabbing responsibilities from other Ministries. We do not welcome grabbers. We do not see any reason or purpose as to why the department of Wildlife Services should be under the Office of the President. It should be at the appropriate Ministry which deals with wildlife and tourism and not under the Office of the President. No justifiable reason has been given on why it was transferred to this office. We do not understand either why the HIV/AIDS programme which is a medical issue has been passed on to the Office of the President. I cannot understand that fact! Why are medical issues being dealt with by the Office of the President?

I have a lot of regard for my friend, the Minister of State who is in charge of this programme and who is working very hard. He does not have medical support staff in his Ministry to advise him on how to control HIV/AIDS. He has no knowledge. He wants to control the National AIDS Council because of the donor aid money which is expected to flow in. There can be no other justification. I cannot see any other reason. In fact, the programme on HIV/AIDS is already not performing as it should be. In many countries in the world, to control HIV/AIDS, the Government has allowed parallel importation of drugs which are being produced cheaply for anti-viral therapy from countries like Brazil, Thailand and India. These drugs are about 70 or 80 per cent cheaper than the branded drugs produced by the pharmaceutical companies from the United States. If this office is desirous of helping our people, it should use this recourse to bring our people cheaper drugs to control HIV/AIDS endemic. They are now dying like flies because they cannot afford to buy these drugs which are very expensive. Why have you not used that provision? In places like India, Brazil and Thailand these drugs are sold very cheaply.

*[Mr. Deputy Speaker left the Chair]*

*[The Temporary Deputy Speaker*

*(Mr. Manyara) took the Chair]*

We would like the Minister to say if he is in charge of this programme and if he knows the generic and branded names of these drugs I doubt whether he knows them. He should tell us why this provision has not been used. If the law is not clear on this why the Bill on intellectual property which went to the departmental committee dealing with this issue, has not been brought to this House so that we can allow the Ministry parallel importation and compulsory licensing of those drugs so that our people can be helped?

It serves no purpose to just go around the country preaching that we want to save our people from the HIV/AIDS scourge. We want to save those who do not have the virus, but there are about 2 million people that the Minister goes on saying, who now have the AIDS virus. Hon. Maj. Madoka is very good at saying that 1 million people have died and 2 million have the virus. We want those 2 million to be helped. Without those drugs there is no way you can help them. When this Minister comes to reply we want him to tell us what they are going to do to bring those drugs to Kenya at cheaper rates so that our people can be assisted.

There is also the question of the *El Nino* money. Whenever I see hon. Nassir with people from his Ministry, who have no knowledge of how to build roads, going to inspect roads which fall under the *El Nino* Programme, I get very worried.

**The Minister of State, Office of the President** (Mr. Nassir): On a point of order, Mr. Temporary Deputy Speaker, Sir. When my people elected me to come and represent them here, they knew better what I could do.

**Mr. Wamae:** Mr. Temporary Deputy Speaker, Sir, I think you will agree with me that, that is not a point of order. The hon. Minister should read the Standing Orders to know what a point of order is!

The *El Nino* Roads Emergency Programme is for the construction of roads which were destroyed by the *El Nino* rains. That is a matter for the Ministry of Roads and Public Works. The Department of Roads has the expertise and personnel. Why was that programme not given to that Ministry? The Office of the President is the overall in charge, but the Ministry has the engineers and technical know-how to build roads. Why do we have the *El Nino* Roads Programme in a different Ministry from the other roads? Not unless you want to say that there are donor funds and somebody would like to get his hands on them! Therefore, he would like to bring the funds near him, so that he can control them. That is a point that needs to be looked into.

We have said that we want security to be paramount in this country. We know and we have read that, the Police Force is not up to standard in preparation to defend the security of our people. There is a lot of in-fighting in the Police Force. They do not have equipment, houses and other facilities. I would have been happy to see more funds being transferred from the Ministry of Defence and the National Security Intelligence Service to the Police Department. We want more money to be spent on the Police Department, so that policemen can be motivated and do

the job that they are required to do. Their vehicles do not have petrol. They are not properly maintained. In some places, we have police stations without transport! How do you expect the policemen to do their jobs? Although we criticise them for many reasons, we must be fair! We would like the Minister to come up with a proposal for better salaries for the Police Force. If we want our policemen not to be corrupt, they must get reasonable salaries. If we give them good salaries, the temptation for corruption will be reduced. A constable in the Police Force has a net salary of Kshs3000. It is a shame! This only attracts corruption. The Minister should definitely look into that. The House will support the Minister and the Government, if the salaries of the policemen are improved.

We also want better housing for the Police Force. There are houses in the Industrial Area which were supposed to be completed 10 years ago! They were meant for policemen. They are still not completed because there was corruption and money was "eaten". Could the Minister assure this House that the houses will be completed and given to policemen? Could he also ensure that the houses at Ruaraka, which were previously meant for the National Youth Service (NYS), are completed and handed over to the Police Department? Let the Police Department occupy those houses.

Mr. Temporary Deputy Speaker, Sir, we are willing to support the Government to give better terms of service to our Police Force. Then, we can ask them why they do not do the work that they are supposed to do. But when we do not look after them, and expect them to work for 24 hours, with all the responsibilities that we have given them - that is to look after the security of the whole nation - it is not fair and reasonable to ignore them the way we have done up to now. I am not happy because in his Vote, the Minister did not come up with a proposal for enhanced salary increments for the policemen.

The other point that I would like to mention is: The recruitment into the Police Force for training at Kiganjo is not done fairly. It is done in a corrupt manner. There is money which is paid by people who join the Police Force. The token allocated to Nyeri and other places is now Kshs60,000. It used to be Kshs40,000. Something must be done. We must have a way of conducting recruitment in a transparent manner. The people should be recruited on merit. There is a lot of unemployment in the country. The people are very keen to join the Police Force. Therefore, the temptation for corruption is there. What mechanism will the Minister put in place to ensure that the corrupt deals in the recruitment into the Police Force are removed, and that people are recruited on merit? Finally, I think that people should be recruited at the district level. Population proportions in each district should be used in the recruitment. That way, we will ensure that each district will get a fair proportion. There are qualified people who would like to join the Police Force in every district. They recruit 1,500 in a period of six months. Those are very few people, when you divide them with the requirement for the whole of Kenya. In fact, the figure should be fairly distributed in each constituency. Each constituency should get an equal number of police recruits. That will reduce corruption. That is not being done and corrupt practices continue. I hope that the Minister will look into some of those points when he comes to reply.

With those few words, I support the Motion.

**The Assistant Minister for Local Government** (Mr. Affey): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity, to support this very vital Motion. The Office of the President can be described as the nerve centre of Government operations. Therefore, all the other Departments in the Government have either direct or indirect relationship with the Office of the President. It is, therefore, important that we all give our support to the Minister and the team in the Office of the President, so that they can discharge their duties in the most effective manner.

One aspect that the Minister spoke about, which is the core responsibility of the Ministry, is the security in this country. I come from a border constituency which is affected by the insecurity in the former state of Somalia. There is need to establish a liaison office in the Office of the Provincial Commissioner, so that the local communities from both sides of the border can speak out on the problem of insecurity. That should be done before we get a full diplomatic mission. We know that Somalia as a state, has a President now. In the meantime, we should have a liaison office, so that when there are skirmishes, we can pursue the other communities on the other side of the border.

Mr. Temporary Deputy Speaker, Sir, quite a number of administrative posts at the border do not have radio communication systems. I have in mind three centres in my own constituency. On the border, I have three centres called Sarif, Merrill and Dagura. Those three centres have schools and administrative police posts. But sometimes, you will be surprised that when those centres are attacked, no messages reach Wajir because they do not have radio communication systems. I appeal to the Minister to facilitate the delivery of radio sets to those particular areas.

Mr. Temporary Deputy Speaker, Sir, the other very important function is that, we have established a sub-district known as Habasweni. Even though we have got enormous support from the Offices of the Minister and the Permanent Secretary in-charge of internal security, there are certain facilities that need to be put in place. There are no offices. The office which is there is ill-equipped. There is need to raise the status of that office to that of a sub-district. That way, the people will feel that, indeed, it is true that they have a sub-district headquarters.

Mr. Temporary Deputy Speaker, Sir, another very important issue which the Minister raised, and I am glad the officer in charge is here, is that of registration of persons. This department has been run very well, but there has been so much centralisation of these activities in Nairobi. The registration of persons exercise should not be centralised in the City, but it should be decentralised to the districts as it used to be. National identity cards should be issued to Kenyans in their locations and sub-locations. This is because the workload is so much for the officers who are in Nairobi, that at times people register for the national identity cards and months and years go by before they are issued with them. For the last one year, in my constituency, over 2,000 application forms have been filled in and less than 200 national identity cards have been delivered to the people. I would like to point out that some of those cards belong to young people who have finished school. But if the process was centralised in Wajir District Registrar's office, we would reduce the burden of waiting for these identity cards for many years. So, the problem, in my view, is that when we decide to move the operations to Nairobi, then delay in the issuance of these identity cards is inevitable.

Mr. Temporary Deputy Speaker, Sir, we have got a vetting committee in all the locations and sub-locations. I think we should trust our officers and committees on the ground. If need be, they can be made to take an oath of allegiance, so that as they vet and issue our people with national identity cards. We can trust that they will do so to deserving Kenyans instead of subjecting them to a double vetting system; one in Wajir District and another one in Nairobi. This is cumbersome, expensive and sometimes it can be unfair. So, I am only requesting the Minister and the officers concerned to consider decentralising the national identity cards registration exercise. If that is done, I am sure that we will make life quite easy for many of our people who want to get this very important document.

Finally, quite a number of my colleagues have spoken about the current retrenchment programme. I would just like to state that there are some regions in this country which cannot afford to lose even a junior subordinate staff, especially the people of North Eastern Province. This is because we have always been complaining that we have got very few people in the Civil Service; that we need to be represented in the country's Government. If you retrench and you are not employing people, you are going against the very foundation of what we said; that people who come from marginalised communities will not be affected in the retrenchment programme. I know of a constituent who comes from North Eastern Province. This constituent is disabled and he has been retrenched. I think there is need to look at this issue afresh, especially in the light of these regions which do require support in terms of getting much more into the system instead of removing the few people that we have.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I wish to support.

**Mr. Mwenda:** Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to make my very brief contribution to this Motion. First, I would like to appeal to the Office of the President to examine the role of the Administration Police (AP). In this country, we have two parallel Police Forces; we have the regular police and the AP. The discipline of the Administration Policemen (APs) in this country is completely questionable. In 90 per cent of all the cases that we hear of misuse of firearms by policemen, they are all related to the APs. So, there is a problem as relates to either the training, the length of their training or the content of their training. So, the role of the APs ought to be re-examined. I would like to recommend that this force be scrapped or merged with the regular police because there is a duplication of duties, which quite often leads to conflicts. This is because you will find that the APs are usually stationed in DOs' and chiefs' offices and their duties are reduced to merely harassing traditional liquor brewers. I would like to point out that when they arrest these brewers they hand them over to the regular police who release them and they go back to their activities. So, there is always a conflict of interest between the APs and the regular police.

The second issue I would like to touch on is the role of the chiefs, the DOs and the assistant chiefs. If you look at the Provincial Administration officers from a historical perspective, you will find that they were put in place by the colonial Government to get cheap labour from the Africans. This colonial legacy, which we have inherited and continue to apply in this nation, has actually served as a hindrance to development rather than fostering or facilitating development. Even with the amendment of the Chiefs Act, you will still find that the chiefs, the DOs and the assistant chiefs wield the same power they used to wield even before the amendment of the Act. They instil the same fear in the population as they used to do before the amendment of the Chiefs Act. My view is that the Provincial Administration serves no purpose in this country; it is a hindrance to development and it should, therefore, be scrapped. It should be scrapped and replaced with elected councils who will be responsible to the people who have elected them; who will be answerable to the electorate and who can manage the affairs of their own people in a more responsible and positive way, otherwise, the Provincial Administration will continue to be a hindrance and a barrier to fostering development.

Mr. Temporary Deputy Speaker, Sir, I would also like to talk about the issuance of national identity cards. In this country, you cannot transact business of any nature without producing an ID card. The process of acquiring a national identity card is absolutely slow. We have cases where applicants filled in their forms two years ago and up to now, their national identity cards have not reached them, have not been processed and, therefore, they cannot transact any business. There are so many other stations which lack stationery. When those who have qualified for issuance of national identity cards visit these offices, they cannot register because the officers there do not have stationery. There is

need for the various stations to be supplied with adequate and sufficient stationery so that they can register millions of Kenyans who have attained the registration age of 18 years and above. Yesterday, the Chairman of the Electoral Commission of Kenya (ECK) was talking about the need to register about three million Kenyans who would be left out in the event that a snap election is called today because they have not been issued with national identity cards and the electors cards. This cannot be done without the issuance of the national identity cards. This is a countrywide problem and it needs to be addressed very urgently. We are voting a lot of money to the Office of the President, which should be used to buy and supply stationery to various stations. There is also a problem not only of stationery, but of people being charged double fees. So, when they apply for the national identity cards and they are finally told that theirs cannot be traced, they are advised to make a fresh application and then they are asked to make a second payment.

Whose fault is it that the identity cards have not been issued? It is not the problem of the applicants, but it is the problem of the Government because when an applicant first applied for an identity card, he paid for it and expected to be issued with an identity card without any further cost. So, it must be made a policy that once a person has applied for an identity card, has paid the necessary application fee, he should be issued with it. If the identity card is lost, the Government should not charge him a second time for a fresh application.

With those few remarks, I beg to support.

**The Minister for Medical Services** (Dr. Anangwe): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to make my contribution. Let me say, at the outset, that I support the Motion in respect of the, Office of the President, for a sum not exceeding Kshs8.5 billion for the year ending 30th June, 2001.

The Office of the President performs very crucial functions in the management of Government business. Although it has asked for this Kshs8.5 billion, in my view, this is on the lower side. So, it has attempted to rationalise its expenditure and activities and what it has asked for is adequate. It is up to us to give the Office of the President the requisite support to ensure that this Motion is passed.

The Office of the President houses many units, which include the Police Force, the Department of Defence, the National Youth Service, the Provincial Administration, the Kenya Wildlife Service and many others. These units contribute successfully to the management of public affairs. As we all know, the role of the Office of the President is to co-ordinate activities. Sometimes we have heard statements made from the Floor of this House as if the responsibility of the Office of the President is to implement sectoral activities. It is my understanding that co-ordination simply means inter-relating the various sectors, efforts and units of the Government, so that resources are spent efficiently and effectively, for the purposes for which they are intended. Co-ordination does not mean implementation. Having been a Minister of State, too, I know that the role of the Office of the President is to co-ordinate Government activities and it does not implement projects. The responsibility for implementation lies with the various Ministries. Unless one has this deep understanding, he can easily confuse the role played by the Office of the President with that of implementation.

In my view, this office should be strengthened further. Whereas some people have argued that some units should be divested from this office, my view is that more roles should be assigned to this office, particularly in the setting up of desk offices for the various sectoral Ministries. If it is in respect of the Ministry of Health, there should be a sectoral desk in the Office of the President for it. If it is in respect of the Ministry of Energy, there should be a sectoral desk on energy for it, and the same should apply to other Ministries too. Critical decisions are made in these offices and you should have a desk officer in the Office of the President to review some of these policies and decisions. Of course, you may depend on the advice of the parent Ministry. There may be professional and technical Ministries responsible, but decisions may be made in a manner that sometimes may not compromise the technical aspect. That is why you need a second opinion that lies, at least, in the Office of the President. One of the critical roles of the Office of the President is the maintenance of law and order. We all understand that law and order are the prerequisite for development and many other activities. We should, therefore, support this office in its role of maintaining law and order.

However, I wish to express my disappointment and concern on behalf of Butere Constituency. Occasionally, you find occurrences and behaviours that seem to be leading the Kenyan society to a state of lawlessness and violence. You find that people are rioting in the streets, leaders are preaching mass action and people are taking the law into their hands. If we allow this kind of trend to go on, we may reach a stage where this trend will be irreversible and it may end up destroying this country. It is, therefore, behoves all of us, the wananchi and leaders of all political persuasions, to ensure that out political differences notwithstanding, we inculcate a culture of peaceful co-existence. We may differ politically, which is natural, but the bottom line is that we must maintain law and order. I call upon leaders, particularly those who have a tendency of preaching violence and disobedience the law, that they should not engage in mass action when there are other avenues of seeking redress. We know that there are those who want violence.

Mr. Temporary Deputy Speaker, Sir, when I was in the university, I had the common tendency to resort to violence. When I left university, I left this tendency to my sons to engage in it because it is part of the process of growing up. But when an hon. Member of Parliament engages in behaviour, not different from that of a university



student, one begins to wonder what we are doing. You are a law-maker and not a law-breaker and so, you should support Government efforts in maintaining law and order. Methods of addressing issues which have been proposed by some of our colleagues in this House are counter-productive. Mass action is meant to bring pressure to bear at critical points in the decision making process. To the extent that it does not work, why do you keep on resorting to it? It looks as if some leaders' hobby is to engage in mass action. They should go and play football if they cannot find another hobby.

Mr. Temporary Deputy Sir, on the issue of the Police Force, the policemen need support. They are doing a good job against the backdrop of scarcity of resources. We have criticised them, but their job is more difficult than we can appreciate. They should be provided with more resources if the country can afford them. I know that if they had adequate resources, they would deal with carjackers in this country and all those who engage in various criminal activities. From my point of view as the Member of Parliament for Butere Constituency, I would request the hon. Minister that as he looks at his resources, he should consider Butere Police Station. It does not have a Land Rover and it becomes difficult for the policemen to perform their duties. The officers there have been coming to me to highlight this problem, but I have never had the chance to bring it to the attention of the Minister. The Minister should consider Butere Police Station and provide it with a Land Rover for the policemen to perform effectively.

On the issue of registration of persons, this is a national problem. This affects people who have just attained the age of 18 years, most of whom are unemployed. The hassles they go through in the rural offices, whether in districts or divisions, leave a lot to be desired. Some of them have had to come to hon. Members for assistance. Whether it is the issuance of an identity card, there is a fee that is required. Even when they have paid this fee, they find it difficult to obtain these identity cards, particularly if they are seeking jobs. I agree that it costs money to issue identity cards, but on the other hand, it is also a security matter the same way police work is and we cannot put a price to it. May I request my hon. colleague that he should consider issuing identity cards free of charge. I know for now he has factored into his estimates the revenue generated by registration of persons, but in future, he should consider issuing identity cards to the young people free of charge because the cards relate to a security matter.

Mr. Temporary Deputy Speaker, Sir, it will also help many people to access these identification cards when they require them.

On the issue of retrenchment, much has been said about it, but we all acknowledge that it is a bitter pill. If we had another option, we would have done so, but it is happening within a broader framework where we are being told to cut down on public expenditure. It is a matter of policy which we all share, including people in the Opposition. Members of Parliament from the Opposition side have been at the forefront, boldly telling donors to pressurise the Kenyan Government to do A, B, C and D. So, they are equally culpable. They should not reach this stage and then shy away from this responsibility. I know that, if resources were to allow. We would have continued to have these people in employment, but there it is, we have taken that particular decision and it is for the good of the country. It will help us cut down on public expenditure. It will give more resources, of course, to the private or money to be reserved for operations, maintenance and investment in development budgets. So, let us support it for the time being. I know in the course of it, people have called for retrenchment of Ministers. Go and ask the people of Butere Constituency whether I need to be retrenched. They will lynch you in the process.

Thank you very much, Mr. Temporary Deputy Speaker, Sir.

**Mr. Ndicho:** Mr. Temporary Deputy Speaker, Sir, thank you very much for giving me this opportunity to air my views on this Motion.

I would like to start from where hon. Anangwe has just stopped, on the issue of retrenchment. It is an abuse of the process of natural justice when you retrench people in the morning and then by the evening you employ others. While the retrenchment exercise is going on, the Government is appointing more Assistant Ministers to draw more money from the State coffers, and yet it is making noise that the same coffers are getting dry. This Government ought to have cut the Cabinet into half, instead of having so many Ministers. They should be 14. So, what you are telling Kenyans and the world is not what you are practising. It is illegal! The work of any Government is not to sack its citizens but to employ them.

Now the Government has given the private sector a chance to sack people. This is because they are saying: "If your Government is doing it, we shall also do it."

In Thika, all the factories are now borrowing this "retrenchment" terminology. They are sending people away and the people have no chance of getting redress anywhere because the Government that ought to protect them and their jobs is also retrenching others.

There was a time in the mid-1980s, when the Government made an order that every employer must employ at least 10 per cent of local citizens in his establishment. So, we are not taking it very kindly, and that is why we applauded Mr. Kiliku for taking this Government to court to stop those retrenchments.

Who is retrenching the black Kenyans? It is a whiteman called Dr. Richard Leakey.

In Britain, there are no British who have been retrenched by the British Government, yet a whiteman comes to Kenya and he is placed there by the World Bank and International Monetary Fund (IMF) to retrench Kenyans.

**Mr. Angwenyi:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to cast aspersions against a citizen of this country with regard to his race or colour?

**Mr. Ndicho:** Mr. Angwenyi, where are you now? Sometimes you are on this side and sometimes you are on that side! What is wrong with this hon. Member?

*(Laughter)*

Mr. Temporary Deputy Speaker, Sir, we know that the persons who are behind this thing are whites from Washington; IMF and World Bank. When President Moi is appointing more Assistant Ministers, the same World Bank is not making noise to Dr. Leakey, it is just keeping quiet. But, when 25,000 poor people aged about 30 years are retrenched--- When you are retrenched from the Civil Service at the age of 30 or 35 years, you cannot get employment anywhere!

Mr. Temporary Deputy Speaker, Sir, the principle of "Last In, First Out (LIFO)" is rubbish! If there were people to go home, it is possibly the old ones, not somebody who is 35 years old. So, we are telling this Government to think again. President Moi has given those retrenched people up to the end of the year to stay in Government houses, but I am asking him to go further and say: "Weka kando mambo haya ya kufuta watu". We are looking upon the Government to stop this exercise because it is not home-based, it is foreign-based.

Mr. Temporary Deputy Speaker, Sir, Kenyans are very angry with their Government for allowing itself to be dictated by whites and foreigners to retrench its own people. We are very angry and we are not happy at all!

We wish you could call that snap election you are threatening us with and you are not going to get even 10 Members of Parliament on a KANU ticket! You dare call that snap election now and you will incur the wrath of Kenyans! I am very angry and I am sure everybody is angry, including Ministers. They are also angry because it is their people who are being affected. I am sure there is no one here who can go home and say: "Unajua, ni Wakikuyu, Wajaluo ama Waluhya waliofutwa kazi". It is everybody! So, Mr. ole Ntimama, tell President Moi to stop this exercise of retrenchment once and for all. We do not want it! I know you are vocal, except the other day when you said that: "All that land from South of the Railway line belongs to Maasais."

**An hon. Member:** Yes, it is true!

**Mr. Ndicho:** If you are doing that to evict Kikuyus or the Kisiis who are there, tell the Whites who are now in Del monte, Kakuzi and Socfinaf to go so that, as you evict the Kikuyus, they will also displace the Whites here. We are not going to take it any longer.

Mr. Temporary Deputy Speaker, Sir, the Constitution provides that you can settle anywhere in this country. So, my friend, hon. ole Ntimama, stop that exercise; it is not good! We are now ready anyway.

**An hon. Member:** Ready for what?

**The Minister of State, Office of the President** (Mr. ole Ntimama): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to tell me to stop talking about land when, a few months ago, he vowed to invade all the Whitemen's farms? We did not say that we are going to invade the land. We are going to reclaim our land, but not to invade.

**Mr. Ndicho:** I talked about invasion of Whitemen's farms. I have got a Motion here whose notice I will give tomorrow about how we are going to reclaim all the land owned by Whites.

Mr. Temporary Deputy Speaker, Sir, this morning I was in Juja where we have a whole Manyatta of Maasais who have come there to graze their cattle. I went to the people or Gatwanyaga and told them: "Please bear with these people because their place is dry. They are not interested in your land, all they want is the grass, after that, they will go back when rain comes. The Constitution allows them to move anywhere in this country."

With regard to policemen, they are engaging in crime because of poor pay and poor housing. In Thika, four policemen share a single room. They have four beds in that single room. At every corner of that room there is a bed. When the wife of one police officer visits him, he has to go to Thika Town and hire lodgings for three people in order to be left with his wife in the single room. Thika Town is a confluence of people from North Eastern and Central Provinces. If you look at the state in which police officers live there, it is degrading and that is why they are engaging in criminal acts. It is high time the Government thought about the security enforcers.

In every Government, whether in, America, Europe and wherever, police officers and all those who ensure there is security, are well remunerated and well taken care of so that they are contented with their jobs. If you pay police officers little money and you make them live like squatters, when the people they are protecting are living like kings, they will be disillusioned and will have a low morale. That is what Mr. Matagaro was talking about before he was called to be reprimanded.

Mr. Temporary Deputy Speaker, Sir, the promotion of policemen is not on merit, it is on the basis of who-is-who, who comes from where and who is your godfather. So, if you want to have a good police force, let there be merit in promotion and in everything, so that these policemen are well cared for and that way, their morale will be boosted.

The police officers are used by executives to break the law. I was here in 1997 when we passed the law, that when a Member of Parliament wants to hold a public rally or a procession, all he needs to do is to go to a police station, get the OCS and not the OCPD since that is what the law says and notify him: "I am going to hold a meeting here on this and this day", and the police officer is supposed to keep a register of the people who have applied for meetings. He then goes to that register and finds out whether there is another person who has booked the same venue. If there is, he then tells this person: "Please, you cannot hold this meeting on this day and time because somebody else has done it." However, that is not what is happening. It is the OCPDs who have taken over and thus breaking the law.

Mr. Temporary Deputy Speaker, Sir, hon. Orengo went to Mombasa and on the day that he wanted to hold a meeting at Tononoka, hon. Nassir who is my good friend, arranged for a Presidential rally there, so that hon. Orengo is beaten in his own game. I am happy because when hon. Orengo learnt of that, he said that he was not going to hold the rally. When President Moi came from Arusha, and was told that there was to be a rally there, he was not happy. Mr. Minister, hon. Marsden Madoka, you must tell the police that they must respect the law. Let the police enforce the law and not break it. When I want to have a meeting in Thika, I do not find the OCS. Where does the OCPD come in?

Mr. Temporary Deputy Speaker, Sir, on the issuance of identity cards, because my friend mentioned it, in Thika if you come from the border districts; that is Busia, Kakamega and Bungoma, you will face hardships when trying to get your identification card. People from Kakamega, Busia and Bungoma districts in Thika are frustrated. They cannot be given identification cards. They are Kenyans and they are forcing me to do the job of a DC; to go all the time to the registration officers for them to be given their identification cards.

With these few remarks, I support.

**The Minister of State, Office of the President** (Mr. Nassir): Bw. Naibu Spika wa Muda, nafurahi sana kupata nafasi hii kuzungumza machache. Kwanza, wale wasiojua ni heri wajue and wale ambao hawajui wajifundishe. Wakati huu, ni wakati wa kupitisha pesa, ili tuweze kufanya kazi ya wananchi. Katika wakati wangu, miaka 30 katika Serikali, nimeona tofauti nyingi toka Mtukufu Rais achukue usukani. Ni tofauti nyingi kwa sababu naona kila kabila liko ndani ya Serikali. Ni wakati huu ambapo polisi wamejaribu kuzuia watu wasiibe benki, wasiue watu wengine au wasifanye maovu zaidi. Isipokuwa tumekuwa na orodha za fedheha za ufasadi, lakini orodha za fedheha za watu ambao wamechukua mali nyingi na viwanda vingi hatukuwa nazo. Orodha za fedheha za wale wanaofanya ukabila katika Kenya hatukutengeneza. Haya yote yanatokana na watu ambao wanaamini katika roho zao kwamba kama jambo hawakufanya hao, yeyote ambaye amelifanya ana makosa na hajui kulifanya. Huu ni ugonjwa kwa watu wengine. Kama hao hawakufanya, basi watu wengine wote hawajui. Watu wengine wote ni wezi au hawajui kusoma.

Bw. Naibu Spika wa Muda, hata mwenzangu mmoja hapa alikuwa akizungumza juu ya kuwaajiri watu. Leo ndipo tunaona katika polisi majina kama Katana, Kazungu, Mohamed lakini hatukuwa tunaona hivyo hapo mbeleni; kutoka mkubwa mpaka chini. Leo ukienda uko, kutoka juu mpaka chini, watu wanazungumza lugha ya nyumbani tu, hata ikiwa mtu mwingine anazungumza lugha nyingine. Lakini leo kwa sababu Mungu anatuweka hai mpaka tunaona hivyo leo, basi ni ugonjwa. Wakati wa kuandikisha watu kazi, maofisa hutoka Nairobi mpaka Mombasa. Katika mji wa Mombasa, kuna makabila yote pale kama Wajaluo, Wakamba na Wakikuyu na vipande vyao vimeandikwa kuwa ni wazaliwa wa Mombasa. Lakini utapata kwamba watu huja na magari na jamaa zao kuwasaidia waajiriwe kazi ya polisi, AP na jeshi katika Mombasa; halafu wanaleta orodha huku Nairobi na wanasema eti majina hayo yanaandikishwa Mombasa na hali yule ambaye anaandikisha watu huja kuandikisha jamaa zake!

Bw. Naibu Spika wa Muda, tuna mambo mengi ya kusema. Tunasema wakati huu ni wakati wa hatari. Hata kama mtu ana bendera na gari na kadhalika, bado ni wakati wa hatari. Wakati watoto wanaibwa ndani ya mitaa na kuuawa, huu ni wakati mbaya sana. Umefika wakati Serikali inatakikana itoe amri kwamba kwa kila mtaa, kuwe na wazee wa kuchunga watoto wachanga. Mtu akija kuzunguka, aulizwe: "Kweli wewe ni Mkenya mwenzetu lakini unafanya kazi gani?" Pia yafaa kuwe na polisi, chifu katika mtaa, ili waweze kuchunga watoto hawa kwa sababu haya mambo yatatuletea hatari kubwa sana. Mambo ya kuuana ni mambo ya hatari.

Bw. Naibu Spika wa Muda, haya ni mambo ya hatari; watu wanaona kwamba kuna kundi la majambazi ambalo linaitwa "*Mwengeka*"!

**Mr. Maitha:** Wanaitwa *Mungiki*

**The Minister of State, Office of the President** (Mr. Nassir): "*Mwengeki*"! Bw. Maitha, unawajua kwa sababu uko nao!

**Mr. Maitha:** Akina nani?

**The Minister of State, Office of the President** (Mr. Nassir): Akina "*Mwengeki*"!

(Laughter)

Kuna wakati IPK ilikuwa Mombasa---

**Mr. Maitha:** Jambo la nidhamu, Bw. Naibu Spika wa Muda. Waziri anasema mimi ni *Mungiki*. Mimi sijakuwa *Mungiki*. Anaweza kuthibitisha kuwa mimi ni *Mungiki*?

**The Minister of State, Office of the President (Mr. Nassir):** Bw. Naibu Spika wa Muda, rafiki yangu alikuwa pia mfuasi wa IPK, wacha kuwa *Mungiki* tu! Lakini nasema haya mambo yatazamwe na wazee katika Kenya hii. Si mambo mazuri. Tulikuwa na IPK kule Mombasa. Tukawalaani na tukasema si jambo nzuri na wasifanye hivyo na mpaka leo wametulia. Naomba watu wa kila mkoa wahutubie watoto wao, kwa sababu ule mwendo wanaenda katika miji na pia katika nchi nyingine, watafanya mambo haya.

Bw. Naibu Spika wa Muda, naomba sana, ijapokuwa watu wana hamu ya bendera, hawana hamu ya siku za usoni za watoto wetu. Wanafikiria tu, juu ya "tumung'oe nani na tumuache nani". Kitu kikubwa ni usalama na hata ukiwa tajiri ama mwenye cheo kikubwa, ikiwa huna usalama, basi ujue utakuja kimbia kama wenzetu waliokimbia Uganda. Walikimbia mbio na magari na wakaacha mashamba ya kahawa. Tuchunge sana amani na bendera iwe nambari mbili ama tatu. Watu wa Kenya yafaa wapendane. Umefika wakati, na sioni haya kusema ninakuta ndugu zangu barabarani hapa wakijitia bendera na wakija kujua sura yangu, wanageuza sura na kuuliza: "Huyu jamaa tumfanyeje?"

Bw. Naibu Spika wa Muda, mambo kama haya ni mabaya na yanatakikana yachungwe. Kuchukiana ni jambo baya na tunataka kupitisha Hoja hii kwa sababu kuna mambo mengi katika Serikali. Katika Ofisi hii, kuna mambo mengi. Kuna mambo ya chakula cha kugawa, barabara na mengineyo. Ijapokuwa mmoja anasimama na anasema hawana ujuzi, hao wamekuwa mitume. Wamekuwa "mercenaries" wakiona mtu mwingine. Hakuna hodari wa mahodari, ila Mwenyezi Mungu.

Bw. Naibu Spika wa Muda, binadamu husaidiana katika maisha yao ya kila siku. Kwa hivyo, tupitishie Hoja hii, ili Ofisi ya Rais ipate pesa za kutosha kuhifadhi usalama ambao umezoroteka sana hapa nchini. Tunataka usawa na haki kwa kila mwananchi. Ni lazima tufikirie mambo ambayo yanawaudhi wananchi wetu. Kwa mfano, wananchi wetu wanaudhika sana kwa kuwaona matajiri wachache na maskini wengi hapa nchini. Ikiwa tajiri fulani anaweza kuwasomesha watoto wake hadi Ulaya, na ilhali wananchi wengi hawana hata chakula, ni jambo la kuhuzunisha sana. Ni lazima tufikirie jambo hili kwa makini sana. Haifai kuona matajiri wakiwa na pato kubwa na wananchi wetu hawana chochote. Lazima matajiri wajiulize kama raha wanayoifurahia kwa wakati huu kama wajukuu wao pia watakuwa nayo siku za usoni.

Bw. Naibu Spika wa Muda, ijapokuwa tuna vyama vingi vya kisiasa nchini, ni lazima tuhifadhi amani yetu. Nimezungumza machache kuhusu orodha ya fedheha. Lakini kuna orodha nyingi za fedheha mbali na ile iliyowasilishwa hapa Bungeni. Kwa mfano, kuna matajiri ambao wana zaidi ya ekari 500 na wananchi wengi hawana makao maalum na wanalala nje kwa sababu hawana nyumba. Haifai kujifanya mwanasiasa mzalendo ikiwa hauwezi kupigania haki za wananchi wetu. Wananchi wetu wameerevuka sana hivi kwamba hatuwezi kuwandanganya tena. Haitakuwa ajabu ikiwa tutapanda juu ya jukwaa kuwahutubia wananchi kisha watupige kwa mawe. Hii ni kwa sababu wananchi wetu wana taabu nyingi sana. Sisi, waheshimiwa Wabunge, kwa uwezo wake Mwenyezi Mungu na baraka zake, tulijipatia mshahara mnono. Kuna haja ya kufikiria juu ya hali ya watoto wetu katika siku za usoni.

Bw. Naibu Spika wa Muda, nimezungumza mengi kuhusu hali ya usalama nchini. Hali ya usalama wetu ni mbaya sana kwa sababu sisi tuliiasi mfumo wa kisiasa wa Kiingereza tuliourithi kutoka kwa Serikali ya Mkoloni. Lakini leo tunalazimishwa kufuata mfumo wa kisiasa wa Marekani wa vyama vingi. Tuna wilaya zetu na mikoa inayosimamiwa na makamishena. Tuna wakuu wa polisi katika kila mkoa wanaofanya kazi kikamilifu. Hata tuliiasi mfumo huo wa kisiasa ambao ulikuwa ni kielelezo cha demokrasia nchini. Leo hii tunaufuata mfumo wa kisiasa wa Marekani kwa sababu tunaomba pesa kutoka kwao. Ni lazima tufuate mfumo ufao na wenzetu watatuheshimu. Mfumo wa kisiasa wa Uingereza ndio mzuri katika utawala wa nchi hii.

Kwa hayo machache, Bw. Naibu Spika wa Muda, ninaunga mkono.

**Mr. Muite:** Mr. Temporary Deputy Speaker, Sir, we are being asked to authorise a sum of Kshs8.5 billion to the Office of the President. This is a lot of money. The question that we need to address our minds to, as the watchdog of public money, is the issue of expenditure. Have we, as the National Assembly, been effective in acting as a watchdog over this sort of money? I do want to submit that when it comes to the issue of finances, like the sum of Kshs8.5 billion that we are being asked to authorise for various Sub-Votes under the Office of the President, the only way we can be effective is to truly have a budgetary committee that will sit down with experts and go through each item with a tooth-comb to ensure that every shilling which we are being asked to authorise here is worthwhile and it should be authorised and it will be spent for the purposes it is voted. Even the two most important Committees of this House; the Public Accounts Committee (PAC) and the Public Investments Committee (PIC)--- One can compare them to a pathologist. A pathologist is a person who carries out a postmortem and tells the people why the patient has died. This House should not be equated to a pathologist. We do not want to be acting in arrears all the time to expose money

that was misappropriated three, four or five years ago. That is being a pathologist. If we are going to be effective, we must stop the misappropriation. Most Parliaments have got internal institutional structures of vetting the expenditure before it is incurred, for example, India. The Indian Parliament has got a very effective budget committee and the way it works is that, today this sum of Kshs8.5 billion would not have been authorised without a committee to compare how money voted last year was spent. The Office of the President would have to satisfy that committee that every shilling in the last year's budget was actually spent for the purposes for which it was voted and there was no misappropriation. Only then does the Parliament of India authorise further expenditure for the current year. I would like to see a mechanism of that sort here. Time has come when we, as a House, should stop acting like pathologists. We should have a committee that will vet and ask questions such as: "Why are you asking for this sum of money? What is this Vote for? What did you do with the money we voted for you last year?" We should ask these questions before we can authorise any expenditure to the Office of the President. That is the way we can effectively control the Executive arm of the Government. When we have a new Constitutional order through the Ufungamano Initiative because that is going to be the Constitution for this country, we will distribute---

**Mr. Ngure:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to waste our time when he knows the bigger bodies are not in Ufungamano?

**Mr. Muite:** Mr. Temporary Deputy Speaker, Sir, I was expressing my opinion. When the new constitutional order is in place, we will not allow so many Ministries to be lumped together under the Office of the President. That is not going to happen. The Office of the President will have defined duties. All important Ministries and parastatals will not be under the Office of the President. This is why the sum of money they want us to approve is very high. This is the last time we will be seeing this sort of figure being requested for by the Office of the President.

Mr. Temporary Deputy Speaker, Sir, let me move on to a different point I would like hon. Ministers to speak on behalf of the Office of the President. This is because I know the Kenya Airports Authority (KAA) falls under the Office of the President. I am pleased to see that the Minister in charge of KAA is here and the Permanent Secretary is also in attendance and he will be able to give the necessary instructions to the Minister to be able to enlighten this House on very important issue. The important issue is the current rehabilitation of Jomo Kenyatta International Airport (JKIA) at a cost of Kshs2.5 billion. We would like this House to be enlightened because it is in the public domain that no lesser person than the President himself actually cancelled the contract and ordered for its re-tendering because it lacked transparency. Who is this who is so powerful that he has been able to ignore the Presidential directive and proceeded with that contract? The rehabilitation work is now going on. Who overruled the President? What is the status of this Belgian contractor who is carrying out the rehabilitation at KAA, particularly, when it is known that a powerful Cabinet Minister in this Government has been able out of his Ministerial emoluments to acquire the controlling interest in one of the largest banks in Belgium? Is there a connection between this Belgian company and this bank? Can we get some enlightenment as to whether that particular Minister played any role in overruling the President in saying that the tender should be re-tendered? Why was there no re-tendering as directed by the President?

Mr. Temporary Deputy Speaker, Sir, not too long ago, we were told that there are two types of democracy; a parliamentary and a military democracy. Before we vote this money, we want to know what was meant by that because there was an insinuation that, "if you, Kenyans, are not satisfied with the current parliamentary democracy, I am going to unleash onto you a military democracy." What is a military democracy? This is something we would want to be enlightened on. This sort of threat is---

**The Minister of State, Office of the President (Mr. Sunkuli):** On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member for Kabete says that the President said that he would unleash a military democracy in this country. To the best of my of knowledge, the President has never said that he is going to unleash a military democracy in this country. There is no such thing. Could the hon. Member apologise to the House for misleading it?

**The Temporary Deputy Speaker (Mr. Imanyara):** Mr. Sunkuli, I was also listening and I did not hear that. He expressed an opinion but he did not say that the President said that he is going to unleash the military, unless you heard differently. Mr. Muite, what did you say?

**Mr. Muite:** Mr. Temporary Deputy Speaker, Sir, I am asking the Minister of State, Office of the President to enlighten us before we vote this sort of money to that office. The President talked about two types of democracy; a parliamentary one and a military democracy. Can the Minister of State, Office of the President, enlighten Kenyans and this House on what is a military democracy? That is what we want to know.

To move on to a different point, Mr. Temporary Deputy Speaker, Sir, I think that we have blamed the police. I know there are shortcomings in the Police Force, but let us remember that the Police Force is part and parcel of the Kenyan society. Other Members have contributed, but we as a nation, cannot expect effective services from the police unless we empower and motivate them in terms of emoluments, conditions of service, housing and so on. I would like to say that many of our police stations are in a deplorable condition. Last Saturday, I had occasion to go to Karen Police Station, which serves a very large area. I had to give the police officers a lift in my own car when they had their

own guns inside my car for the simple reason that Karen Police Station which is a very important police station serving a very large area, for the last two and half years--- I would like to address this to the Minister, Maj. Madoka. This station has not had a single vehicle, not even a Mahindra, not a 999, not a Land Rover, nothing. If you want anything done by the police officers at Karen Police Station, you have to hire a car and give them a lift.

Mr. Temporary Deputy Speaker, Sir, let me appeal to the Minister to, please, kindly consider urgently sending one police vehicle to Karen Police Station.

Thank you.

**Mr. Angwenyi:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a chance to contribute to this important Vote. The Office of the President is the engine of the nation. That Office symbolises the life of the nation. So, the Vote we are talking about today is a very important Vote. Although my colleagues have said that there are too many departments in that Office, I wish we could put more of them together so that we have eight Ministries instead of having 27 Ministries. I would advocate that we incorporate what is in that Office and amalgamate the other Ministries. For example, the Ministry of Labour and Human Resource Development can be combined with the Ministry of Home Affairs, Heritage and Sports. We will end up with fewer Ministries with people having adequate responsibilities to execute.

Mr. Temporary Deputy Speaker, Sir, that Office comprises of very important departments of Government, like the Provincial Administration. I have seen that the Provincial Administration has been allocated a substantial amount of money. I wonder why we are creating very many districts and divisions in the country. I do not even understand what a DC does from morning till evening and comes the next morning to do it day in, day out throughout the year. Most of the DCs out there in the field are an impediment to development. I have a case in my constituency where the President authorised funds to be given to do a road, so that our tea and coffee could be delivered to the factories and markets, but the DC has been withholding payments to the casual workers who worked in June. He has been withholding that cheque for the last five months. This is a DC who is supposed to give services to the people. I would propose that some of these districts are done away with, and that a district should have, at least, four or five constituencies so that a DC can have some work to do. I would rather that we rely more on chiefs and their assistants because they are with our people and they know our problems. If we reduce the numbers of districts, we would probably make some savings so that we can pay chiefs and assistant chiefs better. Maybe, we can recall back some of the people who are being retrenched.

Mr. Temporary Deputy Speaker, Sir, another important department in that Office is the Department of Police. Everybody has talked here and we talked the same last year. But I am surprised that the allocation given to the Department of Police for development is only an increment of Kshs15 million. That important department should have been allocated more money. Instead of allocating so much money to the Department of Defence, we should have allocated more money to the Police Force, built houses for them, given them facilities like vehicles and paid them well, so that they do not have to go for "chai kidogo". We sympathise with these people. If you drive at night, you find a traffic police officer, for example, at Karura, braving the cold weather and he is going to earn, maybe, Kshs2,000 or Kshs3,000 at the end of the month. Do you expect him not to accept a small bribe? I would urge the Office of the President to request for more funding for the Police Force.

Mr. Temporary Deputy Speaker, Sir, if we were to do that, then we would expect the Police Force to work well. We would expect them to curb the insecurity that has risen in this country, investigate and solve cases of crimes that are committed in this country and also block the inflow of more arms into the country from our neighbouring volatile countries.

I have also noted that, in the Office of the President (OP), there are some activities being carried out, one of which is the Poverty Eradication Programme (PEP). I am surprised to note that the amount that was set aside for the PEP has actually been reduced from Kshs32 million to Kshs31 million per year, at a time when the country has embarked on a programme to eradicate poverty.

Another aspect that has not been well taken care of is drought recovery. Adequate allocations have not been set aside for this programme. Recently, we toured the northern parts of the country, where people are suffering; all their herds of cattle have died, simply, because we did not construct water dams to harvest the *El Nino* rains of 1997. We have not dug boreholes to supply the people and their livestock with water. So, I would have thought that this important Ministry would seek better budgetary allocations for those services.

Another aspect that I would like to recommend is that the OP should seek further allocation for the Arid and Semi-Arid Lands (ASAL) projects. The North Eastern Province has been allocated only Kshs234 Million for development. That province is only one of the many parts of this country that have been ravaged by drought. Other areas experiencing similar conditions include the northern and southern parts of the Rift Valley Province as well as Eastern and Coast Provinces. How is the OP going to take care of those areas?

Mr. Temporary Deputy Speaker, Sir, the economy of this country depends largely on agriculture and tourism.

Wildlife contributes heavily towards the success of tourism. I have, however, noted that the allocation for tourism development is less than Kshs150 million; this is happening at a time when we are sending tourist officers overseas to campaign for more tourists to visit our country. I wish the OP sought adequate resources for the development and provision of these important services.

The OP is supposed to harmonise the activities of all the other Government Ministries and Departments, but I am surprised that the same Office has come up with two parallel payrolls - one for senior people in the Government and another one for other civil servants serving under the same Office. There are Permanent Secretaries (PSs) who earn Kshs2 million per month, while other PSs earn less than Kshs30,000. The irony of the whole saga is that those PSs who earn more are neither better qualified nor do they do more work than their colleagues who earn Kshs30,000.

I would, therefore, urge the OP to harmonise the payroll for all senior personnel. If the Ministry decides to pay a PS Kshs2 million, every PS in the Government should be paid Kshs2 million. After all the money being paid to those other PS has been borrowed from the World Bank, and will be re-paid by Kenya taxpayers. So, all Government employees who fall in a certain grade should be paid the same salary.

Mr. Temporary Deputy Speaker, Sir, this country has been reported as having been among the top ten most corrupt countries in the world. The OP is, therefore, supposed to curb corruption in this country. Could the Minister in charge of the Provincial Administration (PA) and the Police Force, undertake to deal with corruption seriously, so that this country's taxpayers can have value for whatever purpose their money is being used?

With those few remarks, I beg to support.

**Mr. Wamalwa:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this debate on the Vote of the OP.

I agree with an earlier speaker who said that the OP is the confluence of the whole Government - the confluence of how the Government exercises power through the system of Ministries. The OP, therefore, ought to be the edifice of excellence and the shining example for other Government Departments to emulate. The problems of the OP have all been highlighted by previous speakers and, certainly, the question of the OP being loaded with too many Departments and responsibilities is a factor that we must consider. Indeed, one could say that the OP is top-heavy. In fact, one feels that the exercise of retrenchment ought to have started from the OP, or should have been more drastic with regard to the OP than any other parts of the Government.

One Department in the OP that is natural for retrenchment, because it is outdated and is no longer keeping up with modern trends of Government, is the PA. I was rather surprised to hear my friend, hon. Nassir, the old, wise and venerable man from the Coast, say that the whole system of provinces and districts is our democracy, and that we should never change it.

I am not actually surprised that a former Provincial Commissioner (PC), hon. Haji, supports hon. Nassir's view point regarding the PA. I must say that hon. Haji was a good PC, but my friend, hon. Nassir, is a little out of touch with trends in the world today. In the world today, people want to have the right to make decisions at local level. The PA was a colonial system that was designed by the colonial power in absolute control of the natives that it was ruling; those natives had no say in what was happening in the Government. Today, Kenyans want to have a say in everything that affects them. That is why we have taken certain steps, and I am glad to note that the Government is actually implementing the tenets of the FORD(K) manifesto, the basis of which is that there ought to be a devolution of power from the centre to provinces and the local people, allowing them to make decisions at local level in terms of priorities of development and how they want that development to be implemented. For example, there are now District Roads Boards in place, and each constituency can prioritise which roads ought to be given first priority. This idea is directly from the FORD(K) manifesto.

Mr. Temporary Deputy Speaker, Sir, the PA today is an anachronism; it does not serve any useful purpose whatsoever. We would like, in this process of devolution, to empower the local authorities to become local governments, properly so-called, in their localities, and to be in charge of education, the police, roads, agriculture and everything else, so that money voted by this House can go directly to the district or local authority level, as the Roads Board money does. Indeed, in the wisdom of this Government, it was decided some years back, that the Government would pursue what it called "District Focus for Rural Development" (DFSRD). Under this strategy, the Government envisaged a situation where Votes passed in this House to various Ministries are disbursed directly to the District Treasuries, and the Ministry representatives at the district level take over the responsibility of spending that money and accounting for it. This process, which was the Government's own process, by-passes the Provincial level, thereby rendering PCs obsolete. As we talk today, there is hardly any useful function that a PC performs, because everything is now being directed to the districts. Indeed, it was discovered that the provincial level was just a bottle-neck in development; it was resolved that, money would go there, and decisions would take long to make before it was disbursed to the districts. So, money now goes to the districts directly. At the district level, one wonders what, really, the District Commissioner's role really is.

When you go to the DC's office in any part of this country, you will be told that the DC is busy chairing a meeting. If you ask what sort of meeting he is chairing, you will be told that he is chairing the District Agricultural Board meeting, or the District Education Board meeting, or even other district committee meetings. You would ask yourself: Is this DC an expert in agriculture? Is he a soil chemist? Does he understand rotation and soil physics? Of course, he is not, and yet he is chairing that meeting and there is the District Agricultural Officer.

**Mr. Temporary Deputy Speaker** (Mr. Imanyara): Order, hon. Wamalwa! Unless Maj. Madoka gives you his two minutes, it is time for him to give the Government response.

**Mr. Wamalwa:** Mr. Temporary Speaker, Sir, I am sure he will give me the two minutes, at least to wind up.

There is a lot to be done along those lines. One would like to see the Office of the President (OP) being an example to the whole Government, even in the exercise of routing out corruption.

With those few words, I beg to support the Motion.

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Speaker, Sir, I would, first of all, like to thank all the hon. Members who have contributed to this Motion on the Vote of the Office of the President. They have all made some very useful recommendations, and we have taken note of most of them. But I would like to respond to some of them.

First, I would like to touch on the Provincial Administration. Many hon. Members criticised the Provincial Administration, but under the present constitutional set-up, I believe that the Provincial Administration is doing a very good job. If you think in terms of what the DCs and the PCs do in co-ordinating government activities, you will find that they are always very useful. Some hon. Members have criticised chiefs and assistant chiefs. Hon. Members will recall that when it was suggested that we should scrap the offices of the chiefs and assistant chiefs, the entire country was up in arms. That means that people do approve the role of the Provincial Administration, and the chiefs and assistant chiefs are amongst them. You may get one or two individuals who may be unfair and corrupt, but I think that the entire system has been very useful.

Hon. Members have also come up here and said that the OP is top-heavy. I would like to say this: That over the years, in fact, we have off-loaded many of the other functions and departments which were in the OP. For example, the Nyayo Tea Zones Corporation is no longer with the OP. The other departments which were moved out include the Permanent Presidential Music Commission, the Permanent Presidential Soil Conservation and Afforestation Commission, the Government Chemist, the Research Authorization, the Non-Governmental Organisations Co-ordination Board, the Agricultural Development Corporation and the Directorate of Applied Technology, that is the Jua Kali section. So, we have taken note of some of the remarks which were made, and we did act accordingly to try and ensure that we do not overload the OP.

I wish now to respond to hon. Members' remarks concerning the continuation or the retention of some of the departments in the OP, such as the *El Nino* Emergency Fund. Within the OP, we have the Disaster Management Committee, and it has the responsibility of tackling all disaster management situations. That is why that project was specifically brought to the OP because we have a committee which is charged with the responsibility of ensuring that all national disasters are properly co-ordinated.

Hon. Members have raised the question of the National Aids Control Council (NACC) being in the OP. I think there is a slight misconception. We believe that HIV/AIDS is not just a health issue; it is much broader than that. People have said that we do not have the doctors, *et cetera*, to manage the HIV/AIDS pandemic. Our role is not to manage the HIV/AIDS pandemic; the management of HIV/AIDS will continue to be the sole responsibility of the Ministry of Health. The role of the NACC is to co-ordinate because we have to have a multi-sectoral approach to that particular problem. We have the private sector and various HIV/AIDS control units in each Ministry. So, ours is to co-ordinate and solicit for funds and set up the necessary systems to be able to manage that overall pandemic. As it is, we are setting up the various Constituency Aids Control Committees in the various constituencies, and those committees which have been set up are already receiving some of the funds. Hon. Members have complained that we have not yet started disbursing funds. In fact, it has taken time for the funds to come through, and they have not yet come through, and that is why we have not yet disbursed most of the money. The funds which have been allocated by the Government have been mainly used to help set-up the NACC and for its overall administration. The NACC has got its own Board and it has a full representation from all sectors of this country. They do not need the experts to manage HIV/AIDS because its management will continue to be the responsibility of the Ministry of Health. It is an important role, and we will have to discharge that responsibility properly. Therefore, we can justify the placing of the NACC in the OP. It will play that co-ordination role which, in fact, is the responsibility of the OP.

The other issue which has been discussed at length is the question of the Kenya Wildlife Services (KWS). Whereas it is true that the KWS has the responsibility of looking after our game parks, one of the major roles that they play is also of a security nature. Most of the parks have bandits all over the place and the organisation has been playing a major role as a security agent. It has worked well, and I think that it is proper that it should be put together with the



other security agencies because they work along together with the regular police, the Kenya Army, the Administration Police and others. So, it fits within the set-up of security agencies because it is an armed unit. It is proper that it should fall under the OP which has the control of the security agencies.

One of the other areas which has brought up quite a bit of concern is the Kenya Police Department. I know that many people have come out and criticised the police and we accept that, occasionally, we have had a few of the police officers who have not acted professionally. We are against the general condemnation of the Police Force, because they do a good job, and we want to thank them for what they do. Regarding those few errant officers who have not performed well, we have dealt with them and we will continue to deal with them as effectively as we can to ensure that they do not damage the image of the Police Force.

We have talked of housing and the general welfare of our police officers. It is true that we have not yet been able to accommodate all of our police officers as well as we would like to. We have not been able to equip that department and pay the police officers as we would like to. As I said in my opening remarks, the Government is doing its best to try and ensure that we do get sufficient funds to be able to improve on those various services. One hon. Member, and I think it was Mrs. Seii, said that over the years we have pledged that we would improve accommodation and provide transport to police officers. She implied that we do not do that, but we do a lot.

Last year alone, we provided transport to police officers in terms of 522 Land Rovers. Two hundred and twenty-two vehicles were provided to the regular police and 320 to the Administration Police. We provided a total of 342 small cars to the police and 36 trucks. In total we have been able to provide 900 vehicles. This is still not enough. We have made provisions to supply additional transport in this financial year to improve on the performance of the Police Force.

As much as we would like to provide all the necessary equipment, whether it is communication, transport or police uniforms, the problem we have is that we have a limited revenue base. In other words, we have to work within certain limitations. We have to work within the revenue available. We will continue as much as possible to equip the police and provide the necessary communication equipment so that they can improve on their various functions. In terms of buildings, we have done a lot to try and improve on accommodation whether it is office or residential accommodation. For example, last year we did over six projects. We have done the CID headquarters, Kapenguria Divisional Headquarters, Bute Police Station, GSU Training School and Nakuru Police Lines. We have just completed the Industrial Area Police housing project and we are depending on the funds that are available.

The other issue which was raised was the question of recruitment of policemen. Most people try to allude that there is a lot of corruption in the way the policemen are recruited. It is not the case. It is illegal for people to give out a bribe for them to be recruited into the Police Force. When people are asked to produce any funds to be recruited they should bring this to the notice of the senior police officers and appropriate action will be taken. It is not the Police Force to be condemned if an individual accepts or asks for a bribe. Do not condemn the Police Force, because it is not the policy of the police force to accept bribes to recruit people into the force. We do our best to ensure that the best people are recruited.

Equally, people complained that promotion of police officers is not done on merit. We have promotion panels right from the districts, the provinces and then the headquarters; to try and ensure that promotion is done on merit. We will continue to ensure that promotion is done on merit.

The other department which was mentioned is the Immigration Department. I want to state that the security of the State cannot be compromised under any circumstances. We will not relax any rules or procedures in the issuance of passports or visas. We have to ensure that proper vetting is done so that the people being issued with passports are genuine Kenyans. I would like to state that all genuine Kenyans, who are travelling on genuine business, will be given their passports. We know that sometimes people complain that bank statements are required for them to be issued with passports. That is illegal and we will look into it to see that such documents are not demanded before people receive their passports.

There was a question of foreigners coming into the country as students and then engaging in business. That is illegal. Whenever we have apprehended such people we have certainly charged them in court and sent them out of the country. If anyone knows of such people then they should come forward and we will be able to act accordingly. There was the question of an individual who was named here, who came to the Airport and he was held there and was not allowed to come into the country. If this individual was on transit then he did not have a visa and, therefore, he could not be admitted into the country. We make no apology for that because we have got to safeguard the security of the State. We are trying to improve on the facilities on the Transit Lounge so that people do get fairly comfortable facilities. As far as entry into the country is concerned, the action taken by the immigration officers was perfectly justified.

The other issue which was also brought up was the question of retrenchment. It is a painful exercise which we have had to undertake but one which has to be done. There have been complaints and we have set up various appeal

panels to ensure that those who feel aggrieved can adequately appeal---

*(Loud consultation)*

**The Temporary Deputy Speaker** (Mr. Imanyara): Order! Hon. Nyenze, hon. J. Nyagah and the others, please, consult in lower tones to allow the Minister to make his contribution.

**The Minister of State, Office of the President** (Maj. Madoka): Thank you, Mr. Temporary Deputy Speaker, Sir. I was saying that it is a painful exercise and those who feel that they have been retrenched unfairly are free to appeal and their appeals will be considered. In such an exercise, it will be very difficult to satisfy everybody, but everything possible is being done to try and ensure that we are as fair as possible.

The other issue which was also raised was the question of registration of persons. For security reasons, we cannot relax some of the rules. It is true that we inconvenienced quite a few people particularly those who come from the border towns. We have had Ugandans, Tanzanians and Sudanese who want to get Kenyan registration cards. We have had to exercise extra caution by having vetting committees in the various districts to try and ensure that only genuine Kenyans get these ID cards. I want to assure this House that any genuine Kenyan will be given his ID card. If there are any problems, we will continue to try and streamline the system. The registration is being computerised so that we have proper records and be able to facilitate the smooth issuance of these cards.

Other useful suggestions were made and we have taken note of them. We will continue to accept any constructive ideas. On the question of poverty alleviation, eradication and food relief, people asked whether Kshs1.5 billion was going to be enough to give relief food. That was only the Government's contribution. We are getting very many donations from various donors which will help us in alleviating this problem.

I want to thank the hon. Members for their support and to assure them that every single penny which has been voted in this Budget will be properly accounted for. When audit is done we will be able to say: "Yes, we have controlled those funds properly."

I beg to move.

*(Question put and agreed to)*

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

IN THE COMMITTEE

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

**The Temporary Deputy Chairman** (Mr. Musila): Hon. Members, we are now in the Committee of the whole House, and I now call upon the Minister to move the Motion.

Vote 01 - Office of the President

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT, a sum not exceeding Kshs8,489,236,495 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2001, in respect of:-

Vote 01 - Office of the President

*(Question proposed)*

VOTE R01 - RECURRENT EXPENDITURE

SUB-VOTE 010 - GENERAL ADMINISTRATION AND PLANNING

*Head 001 - Headquarters*

**Mr. Ojode:** Mr. Temporary Deputy Chairman, Sir, on Head 001, Item 191 - security operations - we gave the Office of the President about Kshs88 million. This year, they need about Kshs60 million. I have checked on the summary schedule, but there is nothing indicated there. Could the Minister explain to us what are those security operations which require that kind of money?

**The Minister of State, Office of the President (Maj. Madoka):** Mr. Temporary Deputy Chairman, Sir, I think I cannot go into the details of all the security operations. But you can see that, because of the ceiling, the figure has been reduced this year. We may even have to come and ask for more.

**Mr. Achola:** Mr. Temporary Deputy Chairman, Sir, on the same Head 001, we have Item No.068 on training expenses, together with Item No.067 on fees, commissions and honoraria. Last year, we had nothing. But this year, between the two of them, we have Kshs6 million. Is that part of retrenchment or what?

**The Minister of State, Office of the President (Maj. Madoka):** Mr. Temporary Deputy Chairman, Sir, as you are aware, we did embark on a major exercise of re-training the chiefs and the DOs. That is why we budgeted for that.

**Mr. Ojode:** Mr. Temporary Deputy Chairman, Sir, last year, on Head 001, Item 141, they required Kshs14 million for water and conservancy expenses. This year, they only need Kshs2.2 million. Why do we have that big difference? Do they have some water somewhere free of charge?

**The Minister of State, Office of the President (Maj. Madoka):** Mr. Temporary Deputy Chairman, Sir, last year, there were specific projects. That is why we had such a figure.

**Mr. Ojode:** On a point of order, Mr. Temporary Deputy Chairman, Sir. That is not a good clarification! Imagine we passed for them Kshs14 million last year! This year, they only need Kshs2 million. Why is the difference so big like that? Why can we not get a good explanation? Have they reserved some water in some place which will not warrant some payments? Maybe, they never used the money to purchase the water!

**The Minister of State, Office of the President (Maj. Madoka):** We had very many pending bills last year. So, the provision is for the normal monthly bills.

**Mr. Achola:** Mr. Temporary Deputy Chairman, Sir, on page four, Head 001 Items 600, 604 and 620, how come they have the same figure for this year, next year and the next three years on Appropriations-in-Aid, on the sale of non-capital goods? Could he explain what is there?

**The Minister of State, Office of the President (Maj. Madoka):** Mr. Temporary Deputy Chairman, Sir, we are not expecting any major changes in that particular area. That is why we left it at that.

**Mr. Kaindi:** Mr. Temporary Deputy Chairman, Sir, still on Head 001, I have a query on Item 500, which is on the District Cash Fund. It is given as Kshs160 million, Kshs130 million, Kshs 160 million and Kshs180 million. Could the Minister explain what that Item means?

**The Minister of State, Office of the President (Maj. Madoka):** Mr. Temporary Deputy Chairman, Sir, these are the funds which enable the various Ministries to operate within the district.

**Hon. Members:** No!

**Mr. Ojode:** On a point of order, Mr. Temporary Deputy Chairman, Sir. Would I be in order to ask the Minister to give us a breakdown of the amount of money they give each district? How much money do they give to each district, because it is not in the summary?

**The Minister of State, Office of the President (Maj. Madoka):** Mr. Temporary Deputy Chairman, Sir, I cannot give that breakdown at this particular stage.

**Mr. Ojode:** Then, we will not pass it! On a point of order, Mr. Temporary Deputy Chairman, Sir. I think we are here to give them the money to use. There is no way he can ask Parliament to give him Kshs160 million, which he cannot account for. We want to know the share each district will get. That is when this money will be passed! This is money which we are passing! We are not playing here!

**The Minister of State, Office of the President (Maj. Madoka):** Mr. Temporary Deputy Chairman, Sir, it is there, but I am saying that I do not think I should do that. It is on the schedule.

**Mr. Ojode:** It is not in the summary and neither is it in the annex!

**The Minister of State, Office of the President (Maj. Madoka):** Mr. Temporary Deputy Chairman, Sir, in fact, there is a book here titled: *The District Allocation Budget*.

**The Temporary Deputy Chairman (Mr. Musila):** Did you get that, Mr. Ojode; that there is a list showing the district allocations for the Kshs160 million? Mr. Minister, the hon. Members are not satisfied.

**The Minister of State, Office of the President (Maj. Madoka):** Mr. Temporary Deputy Chairman, Sir, it is on the annex and they can look at it.

**The Temporary Deputy Chairman (Mr. Musila):** Can you give them the page number so that they can look at it?

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

**The Temporary Deputy Chairman** (Mr. Musila): Let us clear his question first. Mr. Maitha, you will get an opportunity.

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, I know that it is an average of Kshs4 million for each district. These are drawn for the various Ministries. It is in the annex and we are trying to look at it.

**The Temporary Deputy Chairman** (Mr. Musila): Mr. Maitha, did you want to ask something about the same?

**Mr. Maitha:** Mr. Temporary Deputy Chairman, Sir, I wanted to support my friend's point by saying that most of our districts are impoverished by the district treasuries by being given inadequate budget. It is good if we are given the codes of those districts and told how much money each district will get so that we can at least, follow-up that matter as hon. Members of Parliament from those districts.

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, my understanding was that the list was given to every hon. Member of Parliament, and it gives all those details.

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

**The Temporary Deputy Chairman** (Mr. Musila): Let us call it off. I think hon. Members, the Minister has given a list which is readily available and I understand that it has been circulated to hon. Members.

**Hon. Members:** No! No!

**The Temporary Deputy Chairman** (Mr. Musila): Did the Minister say that it was circulated to hon. Members to---

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, I thought it had. If it has not, it certainly will. All the details are there. This is the book.

**The Temporary Deputy Chairman** (Mr. Musila): So, let us exhaust Mr. Ojode's question.

**Mr. Ojode:** Mr. Temporary Deputy Chairman, Sir, the book the Minister is talking about does not show anything given to the Homa Bay District Treasury. All district treasuries are "broke". They do not have funds at all. Not even a single cheque of Kshs5 can go through. If each department is allocated some funds, what is it for? What is it meant to do, because it is under the Office of the President and it is supposed to go to the district treasuries? For what purpose is this money going to the district treasuries, and how much money is being given to each and every district? *Hapana cheza!*

**The Temporary Deputy Chairman** (Mr. Musila): Well, give the Minister a few minutes for consultation.

**Mrs. Seii:** Mr. Temporary Deputy Chairman, Sir---

**The Temporary Deputy Chairman** (Mr. Musila): We are dealing with the Minister who is here, Madam.

**An hon. Member:** This is Parliament! Just defer it.

**The Temporary Deputy Chairman** (Mr. Musila): No, we are not deferring it.

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, normally, we have the district funds. So, all the funds for the various Ministries in the district are controlled by the Treasury. When funds are brought to the Office of the President, depending on the needs of each district they are then forwarded to the respective districts.

**Hon. Members:** No! No!

**The Temporary Deputy Chairman** (Mr. Musila): Order! Order, hon. Members! I think the Minister has given several replies on this question and I will now allow another question.

**Mr. Ojode:** No! No! We have not got an explanation.

**The Temporary Deputy Chairman** (Mr. Musila): You may not be satisfied, but it is exhausted. Can I allow another question?

**Mr. Achola:** Mr. Temporary Deputy Chairman, Sir, the Minister has no answer for it. So, I think we will accept it for the time being. At the bottom of page six we have Head 275, Item 151 - purchase of maize for drought and relief at Kshs1.5 billion. Could the Minister explain to the House how this money will be spent and how it will be distributed countrywide?

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, I think I did say that this money is allocated for the purchase of food, which will be distributed depending on the needs of the various regions.

**Mr. Ngure:** Mr. Temporary Deputy Chairman, Sir, the essence of this is that we are passing the budget to the Office of the President, and if we are passing it, we are passing it on behalf of our constituents. I want to know how much is coming to my constituency, especially on food. The needs of food in this country has been passed to the Office of the President. So, they should have allocated funds according to the needs of people from the districts.

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

**The Temporary Deputy Chairman** (Mr. Musila): Order, Mr. Maitha. Mr. Ngure has asked a question and the Minister has stood to answer it and you have now stood on a point of order.

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, maize will be purchased from this fund and it will be distributed to the famine-stricken areas as and when the need arises.

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

**The Temporary Deputy Chairman** (Mr. Musila): Order, Mr. Ngure! You know that we are not debating. You have asked a question and it has been answered. You can ask a supplementary question, but now I have given the Floor to Mr. Maitha.

**Mr. Maitha:** Mr. Temporary Deputy Chairman, Sir, I agree with the Minister's explanation. But take the example of the food which was distributed by hon. Nassir in Ugenya because hon. Orengo had gone to Mombasa. In which Vote is that food provided for?

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, whatever food is distributed in any particular area is from the same Vote.

**Mrs. Seii:** Mr. Temporary Deputy Chairman, Sir, you will realise that there is a problem with the question of discretion. If items are not allocated correctly so that we know who is getting what, then we will wonder whose discretion will have more weight so that it can bend towards the request?

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, I did not get the question.

**The Temporary Deputy Chairman** (Mr. Musila): The Minister has said that he did not get the question. Could you repeat it?

**Mrs. Seii:** Mr. Temporary Deputy Chairman, Sir, whose discretion will be considered when it comes to deciding which district or which degree of famine will be taken into account so that the Minister knows who should be given relief food? What kind of famine will be considered? Will it be political famine or the real famine?

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, the question that the hon. Member has asked is really dependent on the fact that there are certain areas which are more affected by famine than others. Each district has got a committee which decides on its needs and that is what is normally done.

**Mr. Wambua:** Mr. Temporary Deputy Chairman, Sir, the Minister has chief officers to assist him. We are not satisfied with the handling of this Kshs130 million which is from the District Cash Fund---

**The Temporary Deputy Chairman** (Mr. Musila): Order, Mr. Wambua! You cannot take us back to a question we have disposed of. If you have another question, I will give you a chance. If you do not have another question, please sit down.

**Mr. Kaindi:** Mr. Temporary Deputy Chairman, Sir, we are talking about food and the discretion. For example, In Machakos District, of the 12 divisions only six are given relief food. The Committee that the Minister has talked about at the district level sat down and set the priorities. Because of the severity of the drought, every division was treated as a severe case. We have seen the hon. Minister going round distributing food in various places. Can the Minister explain to us if this supplementary money that he is now holding to buy food will supplement the World Food Programme (WFP) or is it a separate programme? How will it be adjudicated?

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, I said that the Kshs1.5 billion is the Government contribution. Then we will get other funds from the various donor communities. That will also go into these areas depending on the needs of those areas.

**Mr. Kaindi:** On a point of order, Mr. Temporary Deputy Chairman, Sir. I think the Minister has side-stepped the issue. We used as a district to get the Government share of that food. In each division, we used to receive about 400 bags for relief food and today we are not receiving any relief food in six divisions. The WFP is distributing food to six divisions and the Minister has said that the Government portion has now been taken by the six divisions. What rationale are they using? At the district level, we are saying that the WFP contribution plus the Government portion have now been given to Machakos District. People cannot understand why food is being distributed to six divisions and not 12 divisions when the needs are the same as far as we are concerned.

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, I believe Machakos District gets about 4,000 bags of relief food. It is the Committee which sits down and determines how it should be distributed.

**Mr. Achola:** Mr. Temporary Deputy Chairman, Sir, I have three queries on those Heads. On page eight, Head 556 under Item 182, we have, "payments of rents and rates - non-residential of Kshs3 million". There was no

expenditure last year on that Item, but this year the Minister has proposed an allocation of Kshs3.6 million. Why is that the case? The next query comes from page nine, Head 564, under the Item on maintenance of strategic reserves. I can see that last year, we spent Kshs97 million under this Item, but this year the Minister has not budgeted anything under this Item. Why is it so? This is a very important Item. What are we doing about our National Food Security Office? The last query is on Item 182 on page eight, Item 251 on page nine and Item 000 of Head 566 - Personal Emoluments on Development Co-ordination. The Minister has budgeted for Kshs13.3 million when last year he had budgeted nothing. What is this allocation all about?

**The Temporary Deputy Chairman** (Mr. Musila): Mr. Minister, you should start with Item 182 which is on payments of rents and rates - non-residential. The question is that last year, there was no budget for this Item and this time you have budgeted Kshs3.6 million for it. The hon. Member wants to know why it is so.

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, the Efficiency Monitoring Unit (EMU) was transferred from the Cabinet office to Kenyatta International Conference Centre (KICC) where it has to pay the necessary rents and do a bit of renovation.

**Mr. Achola:** Mr. Temporary Deputy Chairman, Sir, I do not quite agree with that explanation. If that was the case, then the next five Items would apply, but that is not the case in this one.

**The Temporary Deputy Chairman** (Mr. Musila): Mr. Achola, the Minister has said that the Efficiency Monitoring Unit was in another building and now it has moved to KICC where it has to pay rent.

**Mr. Achola:** Mr. Temporary Deputy Chairman, Sir, so the Unit was housed in an office where it was not paying anything?

**The Temporary Deputy Chairman** (Mr. Musila): Well, it was housed in a Government building, presumably.

**Mr. Achola:** Mr. Temporary Deputy Chairman, Sir, so why did it move out of a Government office which was free of charge to a building where it will pay rent?

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, we had to do a bit of re-organisation and there was not adequate space for this.

**The Temporary Deputy Chairman** (Mr. Musila): Mr. Minister, now can you go to Item 251 - Maintenance of Strategic Reserves? The question was that last year, you allocated Kshs97 million to this Item, but this year you have allocated nothing to it. The hon. Member wants to know why you are not reserving food this time.

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, the maintenance of strategic reserves was pushed on to Item 151.

**Mrs. Seii:** On a point of order, Mr. Temporary Deputy Chairman, Sir. We are asking [**Mrs. Seii**] questions and we are not getting answers. I hope at the end of the day, you are not expecting us to vote this money. I suppose this session is meant for us to hear the answers. This was a very simple question. Where was the Efficiency Monitoring Unit moved from and why? Who is occupying its former office? How much rent is being paid? I think the Chair should also help us so that we can get clear answers. Otherwise, we will just be rubber stamps here, which we do not want to be.

**The Temporary Deputy Chairman** (Mr. Musila): No, I would not like you to be rubber stamps. I thought the Minister did answer that question in respect to the movement of Efficiency Monitoring Unit from the Government house to KICC, where they are paying rent. What was the question thereafter?

**Mrs. Seii:** Why?

**The Temporary Deputy Chairman** (Mr. Musila): No, ask the Minister. It is not me to answer that question, the Minister is there to answer the question.

**Mr. Maitha:** Mr. Temporary Deputy Chairman, Sir, I think the Minister should be more elaborate because we understand that, right now, there are some government officers who are paying rent, like DOs. Like in Mombasa, all the DOs are staying in rented houses because all the Government houses were sold. Maybe, that is the code they are using. Could he, maybe, check with the officers and find out? "The Government in waiting is here!"

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, I will not answer that question. I think I did explain that there was a need to move the Efficiency Monitoring Unit because we were under a lot of pressure in the Cabinet office. So, we created more room.

**The Temporary Deputy Chairman** (Mr. Musila): I thought Mr. Maitha talked about DOs and this is a specific Government Department; Efficiency Monitoring Unit, it has nothing to do with DOs.

**An hon. Member:** But it measures strength!

**The Temporary Deputy Chairman** (Mr. Musila): The Minister was in the process of answering Head 275. Could we give him a chance to do that? You asked three questions on Head 275.

**Mr. Achola:** Yes, he asked three questions, but the Minister's answer was not adequate. Could I still ask?

**The Temporary Deputy Chairman** (Mr. Musila): Which one, Head 275?

**Mr. Achola:** Yes, he has just given an answer.

**The Temporary Deputy Chairman** (Mr. Musila): Okay, go ahead.

**Mr. Achola:** Mr. Temporary Deputy Chairman, Sir, the answer is not correct because the Minister is saying that, all this money is transferred from here to page 6 on purchase of maize, drought and relief, which is Item 151 but that cannot be true. This is because last year you had so much money, but this year you have Kshs1.5 million. So, it could not have been transferred from here to the other side because it is still on Item 151, even in the previous year. There should be a different explanation, not the one you have given.

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, we are not having money for strategic reserves because there is a move to buy relief food because of the drought situation.

**The Temporary Deputy Chairman** (Mr. Musila): All right. Can I now ask the Minister to answer the last question from Mr. Achola on personal emoluments, on page 5, Head 566, Item 00? His question was, nothing was allocated for development co-ordination last year, and now you are asking for Kshs13.3 million-plus.

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, this Item 00 was transferred from Head 249 because of the new MTEF system of budgeting. That is why this was done.

**Mr. Ojode:** Mr. Temporary Deputy Chairman, Sir, I would like to draw the attention of the Chair to page 11, Head 931, Items 112 and 132. On Item 112, you will realise that, last year alone, we passed Kshs200,000 only for them and they were very much comfortable with it. This year they want Kshs3 million. I need an explanation on that. Also, on Item 132, these are expenses of boards and committees. Last year we gave them Kshs40 million and this year they want Kshs90 million. What has happened and why that gap? Which committees are these?

**Mrs. Seii:** Mr. Temporary Deputy Chairman, Sir, let me ask a question.

**The Temporary Deputy Chairman** (Mr. Musila): No. That is not fair; if you want to ask a supplementary question, let the Minister answer the question first and then you raise your question.

**Mr. Achola:** It is just on the same!

**The Temporary Deputy Chairman** (Mr. Musila): But the Minister is in the middle of a consultation! How would he listen to the question?

**Mrs. Seii:** Mr. Temporary Deputy Chairman, Sir, I think we need to defer this issue to give him time to state his views because he is not ready and he does not seem to---

**The Temporary Deputy Chairman** (Mr. Musila): Order, Mrs. Seii! Could I have your response, Mr. Minister?

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy [The Minister of State, Office of the President] Chairman, Sir, I do not take too kindly the remarks of the hon. Lady, but I will go ahead and answer.

On Item 132, we have allocated quite a bit amount of money because of the Njonjo Commission, the Teso District Border Committee and the Disaster Management Committee.

**The Temporary Deputy Chairman** (Mr. Musila): How about on Item 112?

**The Minister of State, Office of the President** (Maj. Madoka): On Item 112, it is anticipated that there will be a lot of trouble this year.

*(Loud consultations)*

**The Temporary Deputy Chairman** (Mr. Musila): Order! Order, hon. Members. Could we allow Mr. Mwenda to ask his question?

**Mr. Mwenda:** Mr. Temporary Deputy Chairman, Sir, this is very strange. I thought the current Government policy is to cut down on travelling expenses? Last year, it was Kshs200,000 and now it is Kshs300 million. Why does the Minister anticipate more travelling this year than last year?

**The Temporary Deputy Chairman** (Mr. Musila): It is Kshs3 million, not Kshs300 million. Just correct that.

The question is, the Government is supposed to cut down on expenditure. Last year it was Kshs200,000 and now it is Kshs3 million. Why has this figure gone up to Kshs3 million? That is Mr. Mwenda's question.

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, in the past, we had all major external Presidential visits under the Ministry of Foreign Affairs and International Co-operation, but that has now been brought under the Office of the President.

**The Temporary Deputy Chairman** (Mr. Musila): I will now allow one question only from Mr. Achola and that is it.

**An hon. Member:** No, we are tired! Put the Question!

*(Heads 001, 018, 038, 249, 256, 275, 377,  
531, 556, 564, 566, 577, 578, 602, 603,  
931, 952 and 963 agreed to)*

*(Sub-Vote 010 agreed to)*

SUB-VOTE 011 - FIELD ADMINISTRATION SERVICES

*(Heads 005, 006, 039 and 041 agreed to)*

*(Sub-Vote 011 agreed to)*

SUB-VOTE 012 - ADMINISTRATION POLICE SERVICES

*(Heads 010, 011 and 012 agreed to)*

*(Sub-Vote 012 agreed to)*

SUB-VOTE 013 - GOVERNMENT PRESS

*Head 014 - Office of the Government Printer*

**Mr. Achola:** Mr. Temporary Deputy Chairman, Sir, I would like an explanation on Head 014, Item 220 on purchase of plant and equipment. Now, could the Minister explain to the House although we know this is capital expenditure, why we are moving from Kshs66 million to Kshs460 on buying new equipment? What is it for?

**Mr. Maitha:** Mr. Temporary Deputy Chairman, Sir, I need your guidance. In the Office of the President, we have four Ministers heading various departments. We have hon. Nassir heading the *El Nino* Emergency Programme. We want to know if hon. Maj. Madoka being the Minister in-charge of Internal Security, is the boss of all these Ministers?

*(Laughter)*

**The Temporary Deputy Chairman** (Mr. Musila): Mr. Maitha, I think you very well know of the collective responsibility and I think it is with a light touch. So, we take it as that and we ask the Minister to continue.

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, in fact, this was an accounting adjustment which was recommended by PAC. So, all these had been bought and that is an adjustment.

**Mr. Parpai:** On a point of order, Mr. Temporary Deputy Chairman, Sir. What does that mean?

**The Temporary Deputy Chairman** (Mr. Musila): Mr. Minister, hon. Parpai is requesting for clarification of what you have said?

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, this was actually paid by the Treasury and it is now being provided for in this particular Vote, but it has already been paid.

**The Temporary Deputy Chairman** (Mr. Musila): Have you understood?

**Mr. Achola:** Yes, Mr. Temporary Deputy Chairman, Sir. I have understood it like they already spent the money without authority and--

**The Temporary Deputy Chairman** (Mr. Musila): Mr. Achola, you have just walked from there to the microphone without my permission but anyway, you can continue.

**Mr. Achola:** Mr. Temporary Deputy Chairman, Sir, I apologise. What the Minister is saying in essence is that they spent the money without the authority of the House and they acted without authority. Is that the understanding? Can you come clean on this?

**The Minister of State, Office of the President** (Maj. Madoka): Pardon? What are you asking?

**Mr. Achola:** I am saying that you have just said that you have already spent the money, so you are just



coming here for us to sanction it. As far as I am concerned, that is not right. If you have already spent the money without the authority of the House, that is a different issue. So, please, tell us?

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, this was passed last year and paid by the Treasury direct but now, it is just an adjustment.

**Mr. Achola:** No, it cannot be! What are you talking about? Then why is it in these books?

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

**The Temporary Deputy Chairman** (Mr. Musila): Mr. Minister, I think the hon. Members want you to simplify it because you are too brief and you need to answer those questions elaborately. I would like you to elaborate, so that we move from that item.

**Mr. Maitha:** Can you prove your "seniority?"

*(Laughter)*

**The Minister of State, Office of the President** (Maj. Madoka): I can see hon. Maitha is really after me. Mr. Temporary Deputy Chairman, Sir, this was equipment required by the Government Printer and it was paid for by the Treasury and as was recommended by the PAC, it should be reflected in the Government Press Vote.

**Hon. Members:** That is better!

**Mr. Ngure:** On a point of order, Mr. Temporary Deputy Chairman, Sir. I do not think the Minister is in order to mislead us. Under what Vote was the money paid? I mean, you already have excess money. From what Vote?

**Hon. Members:** From the Contingency Fund!

**The Temporary Deputy Chairman** (Mr. Musila): My impression is that the Members were satisfied, but Mr. Minister, can you answer that?

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, I think Members were satisfied. This was checked by the PAC and they made the recommendation.

*(Head 014 agreed to)*

*(Sub-Vote 013 agreed to)*

#### SUB-VOTE 014 - NATIONAL YOUTH SERVICE

*(Heads 013, 016, 017, 036, 081, 357,  
358, 361 and 363 agreed to)*

*(Sub-Vote 014 agreed to)*

#### SUB-VOTE 016 - IMMIGRATION

*Head 016 - Computer Expenses*

**Mr. Achola:** Mr. Temporary Deputy Chairman, Sir, I would like to get clarification from the Minister on Page 27 on Immigration, Head 016, Item 185 which is computer expenses. Now, we had Kshs48.500 million last year. You are proposing to spend Kshs126 million. This is a massive increment. Can you tell us what you want to do with them, since they are three of them, if you can mark them?

*Head 375 - Eldoret International Airport*

Mr. Temporary Deputy Chairman, Sir, the next one is Head 375 on Eldoret International Airport. I have no hangovers about Eldoret Airport, but can we be told why we have personal emoluments of Kshs6 million from Item 00 to Item 80 which were not there the previous year but will be there this year?

**The Temporary Deputy Chairman** (Mr. Musila): Mr. Minister, could you answer Item 185 of Head 016 which is "Computer Expenses?"

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, we are computerising the entire department to ensure that it is efficient. So, that is how the purchase of computers come in.

**Mr. Maitha:** Mr. Temporary Deputy Chairman, Sir, when the Minister is talking of computerisation, does it apply to only the headquarters or all branches in Kenya of the Immigration Department, so that we can understand the volume of the computerisation programme? This is to know if it is justified with the money that you are asking for.

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, this is to cover the entire department.

**The Temporary Deputy Chairman** (Mr. Musila): There was another Item. Which one is that?

**Mr. Achola:** Mr. Temporary Deputy Chairman, it was Head 375, Items 000, 050, 060 where we had no expenditure last year and we are proposing some expenditures on Eldoret International Airport.

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, when we first sent officers there, they were being charged under the Head Office. But now officers in the department have been moved to Eldoret Town.

*(Heads 371, 373, 374, 375, 393  
and 395 agreed to)*

*(Sub-Vote 016 agreed to)*

SUB-VOTE 017 - POLICE

*Head 003 - CID Headquarters  
Head 085 - Office of the Commissioner of Police*

**Mr. Ojode:** Mr. Temporary Deputy Chairman, Sir, on Head 003, Item 181 and Head 085, Item also 181, you will agree with me that last year, they never requested for money. However, this time round they want us to give them Kshs30 million. Can the Minister explain why last year they never requested for any money on this item and why on head 085, they want us to approve Kshs100 million?

**The Temporary Deputy Chairman** (Mr. Musila): Mr. Minister, Head 181 deals with the CID headquarters and Head 085 - Item 181, Office of the Commissioner. Could you explain why you want us to approve Kshs100 million for the construction of CID headquarters?

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, the C.I.D officers do not have any headquarters and we want to give them some reasonable accommodation. That is why we have gone out to lease or rent houses for them.

**The Temporary Deputy Chairman** (Mr. Musila): What about the Commissioner's office, Item 181? Could you deal with Head 085, Item 181 as well because last time you did not ask for any money and now you want Kshs100 million?

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, the reason is the same.

**Mr. Ojode:** On a point of order, Mr. Temporary Deputy Chairman, Sir. As far as I am concerned, the former Commissioner of Police, Mr. Wachira, used to live in Nairobi that means there was an official house for him. Last year, they did not ask for any money and now they want Kshs100 million. Is the Minister in order to say it is the same reason? Let the Minister explain to us why he wants Kshs100 million on this item? That is not Kshs1,000!

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, the hon. Member might wish to know that the former Commissioner of Police, Mr. Wachira, lived in his own house and we have rented a house for the current Commissioner of Police.

**The Temporary Deputy Chairman** (Mr. Musila): In any case, I believe the House belongs to the office of the Commissioner of Police and not to the Commissioner himself. Is that so, Mr. Minister?

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Chairman, Sir, it is for the entire department. I only referred to the former Commissioner of Police because the hon. Member raised it.

**Mr. Ojode:** Mr. Temporary Deputy Chairman, Sir, can we please get some explanation from the Minister? We are talking of Kshs100 million. There is nothing on the summary at all. The Accounting Officer is here, why can he not get the explanation from him? Why do they want us to approve Kshs100 million on this item and yet, last year, they did not ask for a single cent? On item 181, on CID headquarters, they also want us to approve Kshs30 million and yet, last year, they did not ask anything on this item. Why can we not get an explanation?

**The Temporary Deputy Chairman** (Mr. Musila): I think that is a legitimate question which begs for an answer.

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, I think hon. Members have been talking about us making sure that we provide some reasonable accommodation for our officers. So, we have gone out and hired some of these quarters in order to accommodate them. We are hiring offices for our officers all over the country, not just in Nairobi. This is a temporary measure. When we complete the various buildings that we are putting up throughout the country, this item will look different.

**Mr. Ojode:** Mr. Temporary Deputy Chairman, Sir, in other words, the Minister is saying there are extra residential houses and offices which they are renting. If that is what he is talking about, then he should give us a breakdown, for example, in Kisumu, they are renting these residential houses or offices. In Nyandarua, they have rented this office. But he cannot just come and say that we are renting residential houses or offices for Kshs100 million within a year. It is not possible. Give us a breakdown.

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, I do not think we can really do that right now, but we can provide that information. Let the hon. Member bring a question and we will give him the entire breakdown.

**Mr. Parpai:** Mr. Temporary Deputy Chairman, Sir, what surprises me in that item is that the Government is withdrawing from hiring private houses for civil servants. What is special in this particular case?

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, I think the hon. Member is sort of contradicting himself. Hon. Members have been asking us to try and ensure that we provide adequate accommodation for the policemen to improve on their welfare. When we do it, they are complaining. That is not logical.

**Mr. Ngunjiri:** Mr. Temporary Deputy Chairman, Sir, we are not complaining; all we need is a breakdown.

*(Heads 003, 007, 008, 009, 085, 086, 091, 092,  
093, 094, 095, 097, 101, 104,105,106, 107, 108,  
109, 110, 111, 112, 150, 301 and 302 agreed to)*

*(Sub-Vote 017)*

SUB-VOTE 019 - GENERAL SERVICE UNIT

*(Heads 088, 102, 103, 303 and 304 agreed)*

*(Sub-Vote 019 agreed to)*

*(Vote R01 agreed to)*

VOTE D01 - DEVELOPMENT EXPENDITURE

SUB-VOTE 010 - GENERAL ADMINISTRATION AND PLANNING

*(Heads 001, 018, 038, 185, 249, 283,  
298, 377, 531 and 579 agreed to)*

*(Sub-Vote 010 agreed to)*

SUB-VOTE 011 - FIELD ADMINISTRATION SERVICES

*(Heads 005 and 006 agreed to)*

*(Sub-Vote 011 agreed to)*

SUB-VOTE 012 - ADMINISTRATION POLICE SERVICES

*(Heads 010 and 011 agreed to)*

*(Sub-Vote 012 agreed to)*

## SUB-VOTE 013 - GOVERNMENT PRESS

*(Head 014 agreed to)*

*(Sub-Vote 013 agreed to)*

## SUB-VOTE 014 - NATIONAL YOUTH SERVICE

*(Heads 357, 358 and 361 agreed to)*

*(Sub-Vote 014 agreed to)*

## SUB-VOTE-015 - KENYA AIRPORTS AUTHORITY

*Head 772 - JKIA Crisis Centre and Communication*

**Mr. Achola:** Thank you, Mr. Temporary Deputy Chairman, Sir. Can the Minister explain to us what they are going to do with this Kshs26 million at JKIA Crisis Centre, on page 8?

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, we are setting up a special Crisis Centre with all the necessary equipment in terms of communication and so on. This is a major exercise and it will require that sort of funding.

*(Head 530 and 772 agreed to)*

*(Sub-Vote 015 agreed to)*

## SUB-VOTE 016 - IMMIGRATION

*(Head 373 agreed to)*

*(Sub-Vote 016 agreed to)*

## SUB-VOTE 017 - POLICE

*(Heads 003, 085, 086, 092,  
094 and 097 agreed to)*

*(Sub-Vote 017 agreed to)*

## SUB-VOTE 019 - GENERAL SERVICE UNIT

*(Heads 088, 102 and 103 agreed to)*

*(Sub-Vote 019 agreed to)*

*(Vote D01 agreed to)*

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Chairman, Sir, I beg to move that the Committee of Supply do report to the House its consideration of the Resolution and its approval of the same without amendment.

*(Question put and agreed to)*

*(Resolution to be reported without amendment)*

*(The House resumed)*

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

## REPORT

### VOTE 01 - OFFICE OF THE PRESIDENT

**Mr. Musila:** Mr. Temporary Deputy Speaker, Sir, I am directed to report that the Committee of Supply has considered the Resolution that a sum not exceeding Kshs8,489,236,495 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 01 - Office of the President, and has approved the same without amendment.

**The Minister of State, Office of the President** (Maj. Madoka): Mr. Temporary Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

**The Assistant Minister, Office of the President** (Mr. Samoei) seconded.

*(Question proposed)*

**Mr. Maitha:** Mr. Temporary Deputy Speaker, Sir, while accepting that this is the main Budget for the Government, we wish to congratulate the Ministers of State, Office of the President, being headed by "senior" Minister, hon. Madoka, and all the officers in that Ministry, for the good job they have been doing. I would like to urge them to ensure that whatever money has been allocated to the Ministry should be used properly. I have a problem with the Immigration Department in my constituency. People there are being forced to give identification papers that are not necessary before they can be cleared for the award of travel documents. When they apply for such documents, they are asked to produce their grandparents' birth certificates, which in most cases are not available. The Immigration Department should ensure that they do away with such unrealistic demands. In 1969, when---

**The Temporary Deputy Speaker** (Mr. Imanyara): Mr. Maitha, you know, we are not in the main debate on this Vote.

**Mr. Maitha:** Mr. Temporary Deputy Speaker, Sir, I am only trying to support the approval of this Vote.

**The Temporary Deputy Speaker** (Mr. Imanyara): But you had an opportunity to do so.

**An hon. Member:** You are out of context!

**Mr. Maitha:** No, I am not out of context. I am only trying to support the Government of the day; we are also "a Government in waiting". So, we should support you.

Mr. Temporary Deputy Speaker, Sir, the Office of the President should use the money that we are about to vote here this evening to implement projects that will be beneficial to Kenyans, and not to harass members of the public, as District Commissioners (DCs) harass squatters at the Coast Province. You may have read in the newspapers yesterday that a DC in Coast Province harassed some squatters.

**The Temporary Deputy Speaker** (Mr. Imanyara): Very well; you have said enough, Mr. Maitha.

Could you proceed, Mr. Ojode?

**Mr. Ojode:** Thank you for giving me this chance, Mr. Temporary Deputy Speaker, Sir. I agree that the Minister has a difficult task, but I am also requesting him to allocate some monies to the district headquarters, so that whenever they have problems, they can have funds with which to solve them. I would like to take this opportunity to inform the Minister that the police in Ndhiwa Constituency do not have a vehicle. I would like to appeal to him to provide the police in my constituency with a Land-Rover, even if it is a rehabilitated one, so that they can perform their duties effectively.

With those few remarks, I beg to support.

**Mr. Ochola:** Mr. Temporary Deputy Speaker, Sir, I wish to make a suggestion. The Office of the President was previously considered to be the most corrupt in this country. In fact, it was regarded as the epicentre of corruption in this country, but with the establishment of the Kenya Anti-Corruption Authority (KACA), we are appealing to the Government to leave it alone so that it can do its work in order to make sure that the money we are passing today is taken care of.

With those few remarks, I wish to support the Motion.

**Mr. Kihoro:** Mr. Temporary Deputy Speaker, Sir, I also want to make one comment; that, if there is a change in direction of an item in the Budget estimates that is actually moved during the Committee Stage, a great improvement on what was spent last year, I would propose that you should save on time next time, especially if that item is foot-noted and broken down into its components.

*(Question put and agreed to)*

**ADJOURNMENT**

**The Temporary Deputy Speaker** (Mr. Imanyara): Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until tomorrow, Thursday, 5th October, 2000, at 2.30 p.m.

The House rose at 6.35 p.m.