

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 25th June, 1998

The House met at 2.30 p.m

[Mr. Speaker in the Chair]

PRAYERS

NOTICE OF MOTION

REVOCATION OF LEGAL NOTICE No.32 OF 1973

Dr. Kituyi: Mr Speaker, Sir, I beg to give notice of the following Motion:-
THAT, this House urges the Government to revoke Legal Notice No.32 of 1973, which established the Kenya Sugar Authority under the Agriculture Act, Cap. 318 of the Laws of Kenya, and replace it with an Association of Sugar-cane Manufacturers.

ORAL ANSWERS TO QUESTIONS

Question No. 014

DISPOSAL OF ADC FARMS

Dr. Kituyi asked the Minister of State, Office of the President:-

- (a) what is the criteria upon which the Government prioritizes interested people in the sale of Agricultural Development Corporation (ADC) farms; and,
- (b) whether he is satisfied that this criteria has been followed in the disposal of Agricultural Development Corporation (ADC) farms.

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

- (a) Land is given out at an affordable cost to the following parties:-
 - (i) displaced squatters removed from private land or Government forests,
 - (ii) those relocated from water catchment areas,
 - (iii) individuals who surrendered their land to the Government for public utilities,
 - (iv) poor landless people; and,
 - (v) those displaced in tribal clashes.

These categories of people, except those under part "(iii)" above, are charged some fee to cover administrative costs, like survey and to compensate ADC for some permanent development. This fee has often been mistaken to be the purchase price.

(b) Yes, I am satisfied that the criteria for sale of ADC farms was followed whenever we had sales of ADC farms.

Dr. Kituyi: Mr. Speaker, Sir, first, I have a problem with the answer from the Assistant Minister. This Question first came up last week. The Government gave me a copy of the answer, but the Assistant Minister told me that he was not satisfied with it. The same Question was on the Order Paper yesterday and although I received a written reply, the Assistant Minister had lost his way behind the Speaker's Chair. The answers given yesterday and last week state that the ADC stopped selling its farms in the late 1970s, and then described the criteria they had used. The answer that I have received now states what is purported to be the criteria used for the different categories of purchasers. Let us assume that the Assistant Minister has become wiser since yesterday to know that they have still been selling their farms. Could he now tell the House whether they are availing farms at affordable prices for the poor? In what category do senior persons in the Government who have received some or whole of ADC farms fall? Examples of these people are: hon. Francis Polisi Lotodo, who got a share of Mwisho Farm in Trans Nzoia, and the brother of a gracious lady of this House, Mr. Reuben Chesire, who got land in the

past two years.

Mr. Angwenyi: Thank you, Mr. Speaker, Sir. We have said that there are five categories of people who are allocated ADC farms. Some of the people who have been mentioned, if they have ever been given land, could fall under one of these categories, especially those who were relocated from water catchment areas. You could be a senior man and live on a catchment area, and if the Government discovers that, it could allocate you land on an ADC farm. Also, as we develop the country, you may be in an area where your land could be used for public utility and in such a situation, you would be given land in an ADC farm.

Dr. Leakey: Mr. Speaker, Sir, is the Assistant Minister aware that the ADC farm in Naivasha has been partly allocated for the development of a luxury tourist camp? I wonder what category of persons that is!

Mr. Angwenyi: Mr. Speaker, Sir, the hon. Member has answered himself. We needed a service and that is a public utility, as you realise. You were here yesterday when an hon. Member told us that we must expand our revenue base, and this is exactly what we are doing in Naivasha.

Mr. Kapten: Mr. Speaker, Sir, the Assistant Minister must be serious in this matter. The Government seems to be playing about with the poor landless Kenyans. I have over 1,000 landless people in my constituency who have been asking the Government to give them land, and so far, nothing has been done. There is an ADC farm in my constituency which is being subdivided as I am speaking, and it has been given to PCs, DCs, Ministers and so forth. Some of these people are large ranch owners. Why is the Government giving land to the rich and forgetting the poor landless people in Kwanza Constituency? You are sitting on a time bomb and it will soon explode.

Mr. Angwenyi: Mr. Speaker, Sir, it is the policy of the Government to assist poor and landless people. Landless people are not only in Kwanza Constituency. There are others in Kitutu-Chache and even where Mr. Speaker comes from. The Government cannot settle everybody who is landless. If it were able to do that, it would take long process. It is yet to settle the people of Kwanza.

Mr. Sambu: On a point of order, Mr. Speaker, Sir. Having given the categories of people who are supposed to be settled, is the Assistant Minister in order to come here and openly mislead this House? We know, for example, Jabali, Kimwani and Mwisho farms have been allocated to the wrong people. Could the Assistant Minister go and get a better answer? He has been misled by his officers. The actual list on the ground does not tally with the categories of the people who are supposed to be resettled.

Dr. Kituyi: Mr. Speaker, Sir, before I ask my last question, the concerns raised by hon. Sambu are very genuine. As legislators, we are trying to ventilate into ways of avoiding tensions over land appropriation in the country. As I had said in my preamble, I have three copies of a written reply given on three different days. All three of them are saying that the Government stopped selling ADC farms in the 1970s. The Assistant Minister is giving another answer on how they are selling them now. He sets out criteria of prioritising the poor can be given farms. Farms like Zea are being subdivided, and the landless squatters who live there are being evicted so that people from outside those farms are given the farms.

Mr. Speaker, Sir, the Assistant Minister now comes here and tells the House that Mwisho farm and Naivasha farm - the farm given to Mr. Gideon Moi the other day, which has been electrified and not even the local police station has been electrified - are priorities because we have to raise revenue. What is so sweet about the money of those individuals that you cannot avail the opportunity to the landless who live on those farms to give you that similar money? Could the Assistant Minister give some serious reply or be so dignified as to request for more time to find out details for this Question?

Mr. Angwenyi: Mr. Speaker, Sir, I sympathise with Dr. Kituyi. The Government has always been taking care of the interests of the poor landless people. The answer I have given to the House today is the right one from the Ministry.

Mr. Kapten: Mr. Speaker, Sir, the Assistant Minister is misleading this House. Dr. Kituyi has just mentioned two names of people who do not fall under any of those categories. Could the Assistant Minister tell this House why rich people, who already have thousands of acres of land, are given land whereas the landless people are left out? Under what category do the Ministers and PCs who are allocated this land fall?

Mr. Angwenyi: Mr. Speaker, Sir, I am not aware that the people who have been mentioned have been given land. But once we establish that they have been given land, we will find out how they got it.

Mr. Speaker: Next Question!

Question No.318

RELIEF FOOD FOR MWINGI DISTRICT

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

- (a) how many bags of famine relief maize or other items of relief food were delivered to Mwingi District during 1997; and,
 (b) if he could give a break-down of the number of bags issued to each location.

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

(a) Mwingi District was allocated a total of 95,281 bags of relief food between January and December 1997. Out of this allocation, 4,977 bags of relief food was cancelled in December 1997 as per Sales Order No.355476 of 3,084 bags, and Sales Order No.355475 of 1,893 bags, and returned to the National Cereals Board (NCPB). The same balance of 1,893 bags was re-issued under Sales Order No.35550, but a balance of 889 was recalled to the National Cereals Board headquarters.

(b) The amount which was distributed to the needy families, and whose records are available at the DC's Office, Mwingi, and at the National Cereals and Produce Board are as per the attached annex.

The annex gives us a breakdown of the famine relief allocation; that is, the number of bags issued on a monthly basis and per allocation.

Mr. Musila: Mr. Speaker, Sir, I would like to thank the Assistant Minister for the answer he has given. It is gratifying to know that the Government allocated 95,281 bags of famine relief to Mwingi. The normal practice when this relief food is allocated to districts, is that a committee in the district sits and allocates famine relief to various areas. At a casual look, the list that has just been given by the Assistant Minister does not satisfy anyone that actually famine relief food was distributed as indicated.

Could the Assistant Minister confirm to this House that a committee - as it is the practice - allocated this famine relief food to locations as indicated on this list?

Mr. Angwenyi: Mr. Speaker, Sir, hon. Musila is an authority in the distribution of relief food, judging by his background. I would like to confirm that there are divisional, locational and sub-locational committees that allocate relief food to the various persons that need relief food.

Mr. Musila: Mr. Speaker, Sir, I beg to differ with the Assistant Minister. Could he table the minutes of the various meetings held by the committees? I have information that no meeting took place, and as much as the people appreciated, this maize never reached the people as indicated, because it was given out on a friendly basis. Only a very small fraction reached the people.

Mr. Angwenyi: Mr. Speaker, Sir, I do not have the minutes of the various committee meetings. The most important thing is for the committees to hold meetings. The objective is to make sure that this relief food reaches the people in need.

Dr. Wako: Mr. Speaker, Sir, could the Assistant Minister tell us what happens when the sales order for the food is cancelled. For example, in the northern frontier region, in most cases, this food does not reach the people, although the sales order is issued. We do not know what happens to this sales order. It is only on record, but in actual fact, no food reaches its destination. I think the National Cereals and Produce Board and the committee concerned co-operate and pocket the money for purchase of this food.

Mr. Angwenyi: Mr. Speaker, Sir, this relief food is distributed in all those needy areas. We would be very grateful if the MPs from the affected areas could report cases of fraud or misuse of this relief food, because distribution of this food takes a very huge part of our budget.

Mr. Wamae: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to continue insisting that the committees have issued this food to the people, when the hon. Member for the area says that he is sure that the maize never reached the people? Would it not be in order for the Assistant Minister to go back and bring a better answer to this House?

Mr. Angwenyi: Mr. Speaker, Sir, I do not understand the point of order raised in this House by the hon. Member. I have said that we will be grateful if hon. Members of the areas affected take interest and find out whether this food is reaching the people or not.

Mr. Leshore: On a point of order, Mr. Speaker, Sir. The famine relief issue is a very serious one. Whenever we go back to our constituencies, our people ask us to tell the Government to stop supplying this food because the needy people do not get it. I would like the Assistant Minister to tell this House why the Office of the President issues orders to the National Cereals and Produce Board (NCPB) to supply famine relief food to needy people, when they know that the NCPB is not capable of supplying the food to the needy people in the district.

Mr. Angwenyi: Mr. Speaker, Sir, the reason why the Office of the President orders this food from the NCPB is because it has enough of it. We must buy this food from somewhere. If we bought it from elsewhere, probably from Mr. Angwenyi, hon. Members would argue and cry in this House. The Office of the President is

buying famine relief food from an organisation which was established by the Government of Kenya. It is also known throughout the country. The NCPB has the necessary logistical capability to distribute the food to the needy people.

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

Mr. Speaker: Order! Order! I appreciate the anxiety shown by hon. Members on this Question. This is because it affects the livelihood of their people. What do I do, hon. Members, if I have no time left for the Question? Maybe, I will take off a minute from the remaining Questions and allow two hon. Members to raise supplementary questions on this Question.

Mr. Shaaban: On a point of order, Mr. Speaker, Sir. The Assistant Minister's answer is to the effect that 5,281 bags of relief maize have been released to needy families. For every bag of relief maize which is distributed, a certain amount of money is given out by the Government for the transportation of food into the affected sub-locations and locations. Can the Assistant Minister tell this House how much money the Government allocated to Mwingi District for the whole of 1997 to cater for the transportation of this food? How much money has the Government given out to enable the transportation of this food to the affected sub-locations and locations? Can the Assistant Minister confirm or deny that this food is transported by the affected people themselves because the money given out by the Government is not used for its transportation?

Mr. Angwenyi: Mr. Speaker, Sir, I cannot say how much money the Government gave out for transportation of the relief food to Mwingi District in 1997, because I do not have the figures with me. But later on I can reveal the amount the Government gave out. However, the most important thing is not who transports this famine relief food, but does famine relief food reach the needy people?

Mr. Speaker: Mr. Angwenyi, it is apparent that the House has not been satisfied with your answers. This is a Question that involves two things. One, it concerns the human stomach and two, the Government funds which are used to save the people from hunger. Would you like me to give you more time to answer it? This is a suggestion but not an order.

Mr. Angwenyi: Mr. Speaker, Sir, I would be grateful to give a more detailed reply next week.

Question No. 026

SUBDIVISION OF CENTRAL KADEM LOCATION

Mr. Onyango asked the Minister of State, Office of the President when Central Kadem Location currently having four sub-locations will be subdivided into two locations.

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

Central Kadem Location has not been considered for subdivision into two locations. This is because the Nyatike Sub-District Development Committee does not consider its subdivision to be a priority at the moment. In any case, the area being considered has a population of about 2,000 people, and it covers about eight square miles.

Mr. Onyango: Mr. Speaker, Sir, I think the Minister is misleading this House. According to the answer I have been given, the subdivision of Central Kadem Location into four locations is not a priority for Nyatike Sub-District Development Committee. I asked for the location to be subdivided into two and not into four locations. So, the answer I have been given by the Minister of State, Office of the President, is irrelevant. It means that the Ministry did not answer the Question. However, the Minister of State, Office of the President, should know that the Sub-District Development Committee has passed a resolution on this matter. He should also know that even an interview for the position of a chief was done, and Mr. Oketch was supposed to be the chief, but he died before taking the office. After his death, nothing else was heard of the matter. Can the Minister of State, Office of the President, tell us whether the location was only meant for that particular person who died?

Maj. Madoka: Mr. Speaker, Sir, we have not got any such information. Maybe, it can be forwarded to us. All that we know is that Nyatike Sub-District Development Committee has not recommended the subdivision of this particular location.

Mr. Achola: On a point of order, Mr. Speaker, Sir. Can the Minister of State, Office of the President, tell the House the criteria the Government uses in determining when to divide a specific location into two?

Maj. Madoka: Mr. Speaker, Sir, there are three basic requirements. First, we look at the population of the location, the general terrain of the area and the overall population.

Question No. 349

EXPANSION OF WAJIR DISTRICT HOSPITAL

Mr. Mohamud asked the Minister for Health:-

(a) whether he was aware that Wajir District Hospital built in 1944 has only two wards with a bed capacity of 36 and that the hospital lacks a mortuary, children and recovery wards among other facilities;

(b) if the answer to "a" above is in the affirmative, what plans he has to expand the hospital and provide these essential facilities; and,

(c) considering the remoteness of the area served by the hospital, whether he could provide an ambulance and rehabilitate other hospital vehicles.

The Assistant Minister for Health (Mr. Criticos): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that most of the existing hospital buildings that were put up by Italians in the 1940s are beyond economic repair and cannot be rehabilitated. There is need, therefore, to relocate the hospital to a new site, where a modern hospital with a bed capacity of 150 can be put up.

(b) In the late 1980s the Wajir District Development Committee recommended a new site for the Wajir District Hospital. The site was identified and the master plan for the development of the hospital drawn. My Ministry, with the support of the World Bank, initiated development of a new hospital by awarding a tender worth Kshs8,743,344 to a contractor to construct a modern theatre with a six-bed recovery ward. However, squatters in the land refused to vacate the parcel of land where the hospital was to be put up. The Ministry of Health was, therefore, forced to terminate the contract. The situation persisted until the World Bank Credit No.1904KE expired. To date, the land issue has not been resolved by the local community. The Ministry of Health will, therefore, put up a modern hospital with a capacity of 150 beds when the land issue is resolved.

(c) The hospital has one vehicle that is in good condition. The Ministry of Health will consider providing it with an ambulance. It will also rehabilitate the existing vehicles within the limitations of the funds to be provided in the next financial year, and also in the approved forward Budget.

Mr. Mohamud: Mr. Speaker, Sir, the issue of land problem does not arise in Wajir. In fact, we can settle half of the population of Kenya there. We have plenty of land. The Assistant Minister is actually misleading the House by saying that there are squatters in the area that was identified for the new hospital. I think the Assistant Minister is not telling the truth.

Mr. Criticos: Mr. Speaker, Sir, the Ministry of Health does not grab land. It is the District Development Committee (DDC) which recommended the site. But when we moved in to construct the new hospital, it was full of squatters. We had to stop the project. We even reached a stage of releasing over Kshs8.7 million for the project. If the DDC can give us land, we will construct the hospital.

Mr. Shill: Mr. Speaker, Sir, I think if we are not careful, it will be useless to put questions to the Ministers. This is because we sometimes get very absurd answers. Last week, the same Assistant Minister said that Wajir Hospital has 174 beds. But today, he has accepted that there are only 36 beds in the hospital. Could the Assistant Minister go to Wajir---

Mr. Criticos: On a point of order, Mr. Speaker, Sir. I never said what the hon. Member is alleging about the 36 beds. I do not know where the hon. Member got what he is alleging.

Mr. Shill: Mr. Speaker, Sir, what I have said does not concern what is being answered today. But there was a time when the Assistant Minister was asked about malaria by hon. Anyona. He gave the figure that I have mentioned. That is what I am referring to.

Anyway, since Wajir is part of Kenya, could he go there and establish the truth, rather than relying on answers given by negligent civil servants?

Mr. Criticos: Mr. Speaker, Sir, I do not see where the negligence of the civil servants comes in, in this matter. We are asking the people of Wajir to give us some land and we will construct a hospital since we have funds. That is what we are asking for.

Dr. Ali: Mr. Speaker, Sir, I am more qualified to ask this Question than anybody else. This is because I was the Medical Officer of Health (MOH) of Wajir Hospital until June, 1997. There is a lot of land where the hospital is situated right now. There are old houses which have been condemned and vacated. There is no need to shift to any other area. I personally used Kshs2 million, which used to be returned to the Treasury every year, to put up a building there. So, the old houses can be demolished and the compound used to build a modern hospital. We do not need any other land.

Mr. Speaker: Dr. Ali, was that a question or an answer?

Dr. Ali: I am requesting the Assistant Minister to use the same land where the hospital is built.

Mr. Criticos: Mr. Speaker, Sir, our technical people found out that the land is not good for a new hospital. Therefore, they asked to be given alternative land. So, can the hon. Members who come from that area go to the DDC and identify another portion of land, and we will move ahead to construct a new hospital?

Mr. Speaker: Dr. Ali, who is the former MOH, has volunteered some information. Could he tell the House whether he was part of the recommendation that an alternative site was to be sought?

Dr. Ali: Mr. Speaker, Sir, there is a lot of land around the hospital. So, the issue of land in Wajir does not arise. We have the whole of Wajir district. We have a lot of land which can be used.

Mr. Keynan: Mr. Speaker, Sir, the Assistant Minister has habitually, persistently and eloquently misled the House on a number of

[Mr. Keynan]

occasions. The other day, he told us that Wajir District Hospital has 171 beds. I would like him to confirm the true position from hon. Ndambuki, who has visited the hospital, and who is better informed than the Assistant Minister. What the Assistant Minister has been telling this House is irrelevant and full of malice. I would like to tell this House that I am prepared to donate land for the construction of a new hospital. He should just tell us when the funds are available.

Mr. Criticos: Mr. Speaker, Sir, I do not see where the confusion is. There is no confusion whatsoever. The money is there. We even went to the extent of releasing the funds.

(Loud consultations)

Mr. Speaker: Order! I can see we are in trouble with all these warriors! Can we put our tempers down!

Mr. Kaindi: On a point of information, Mr. Speaker, Sir. I have worked in this province as the Provincial Physical Planning Officer. I have visited Garissa and Wajir, and I know what the hon. Members are saying is correct. The site where the present hospital is has plenty of land. In fact, you only need to re-organise the land. In any case, if the site is not suitable, there is still more land. Land is not an issue in Wajir.

Mr. Shidie: On a point of order, Mr. Speaker, Sir. We have not concluded this Question. We are not talking about a hospital in Wajir. We are talking about a death chamber. This is because the hospital does not exist and it is already condemned. Could the Assistant Minister be more serious and utilise the money for the sake of the people of Wajir? We are talking of human lives that are at risk. The Assistant Minister is not taking us seriously. He is trying to wriggle out of the Question just like that.

Mr. Criticos: Mr. Speaker, Sir, what I have said is what I was asked to answer. That is what I have done. I have produced an answer which states the exact position as it is. But I recommend to the hon. Members to go back to the DDC and get another piece of land allocated to the squatters who are residing in the current site.

Question No. 183

MORTUARY FOR RUNYENJES DISTRICT HOSPITAL

Mr. Kathangu asked the Minister for Health:-

- (a) whether he is aware that Runyenjes District Hospital lacks a mortuary; and,
- (b) when the Ministry will put up a mortuary for the hospital.

The Assistant Minister for Health (Mr. Criticos): Mr. Speaker, Sir, I beg to reply.

- (a) I am aware that there is no mortuary at Runyenjes Sub-District Hospital.
- (b) There is a dispute over the land set aside by the Runyenjes Municipal Council for the construction of a mortuary. Provisions for the mortuary will be programmed after the land dispute is resolved.

Mr. Kathangu: Mr. Speaker, Sir, according to the answer given by the Assistant Minister, he implies that he has been thinking about a mortuary in Runyenjes, but there is a land dispute. We would like to know the parties that are involved in the dispute. This is because Runyenjes has got more than 15 plots which are available for the construction of a mortuary. We would like to know whether there is money allocated for this particular project.

Mr. Criticos: Mr. Speaker, Sir, I do not have the relevant information on the exact cost of the mortuary. But, obviously, a mortuary will have to be adjacent to the hospital.

Mr. Ndwiga: Mr. Speaker, Sir, this issue arose in this House last year. You have noticed that whenever this Assistant Minister is asked a question about expansion of hospitals and mortuaries his answer is

always about lack of land. The issue of land in Runyenjes does not arise. In fact, I am sure he must have noted down the word "land" in this House because nobody could have given him that answer. Around Runyenjes Sub-district Hospital, we have a lot of land. Last year in this same House, a similar Question was asked, the Sub-DDC and the DDC set aside land for a mortuary for Runyenjes Sub-district Hospital. Why is he misleading this House? Could he tell us how much money he has got for Runyenjes Sub-district Hospital because we are ready to show him the land next week?

Mr. Criticos: Mr. Speaker, Sir, if we are shown the land, we have funds to construct a mortuary. I said earlier on, I do not have the information.

Mr. Ndwiga: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to continue misleading this House? He did not answer my supplementary question. I asked: "How much money does he have?" The truth is that this Assistant Minister is taking the House for a ride. How much money, in Kenya Shillings, do you have? I will show him the land.

Mr. Criticos: Mr. Speaker, Sir, we are not going to buy land with that money, but we do have money to construct the mortuary.

Mr. Kathangu: On a point of order, Mr. Speaker, Sir. The Assistant Minister may want to know that Runyenjes Sub-district Hospital has got about six agents of deaths: These are typhoid; malaria; brews called Medusa, Sorghum Sake and Tornado. Every week we have got about 60 people dying around Runyenjes Constituency where we have got about four hospitals and none of them has got a mortuary. I want to know from the Assistant Minister if this money is available, whether it could be transferred immediately to Runyenjes Municipal Council so that it can construct a mortuary.

Mr. Criticos: Mr. Speaker, Sir, obviously, there is confusion here and I do not have the proper information, but I am willing to undertake to bring the relevant information on how much money is available for that mortuary next week.

Mr. Speaker: Very well! Next Question, Mr. M.M. Galgallo.

Question No.322

REHABILITATION OF FORT HUTCHINSON

Mr. M.M. Galgallo asked the Minister for Home Affairs, National Heritage, Culture and Social Services when he will declare Fort Hutchinson in Moyale a national monument and secure it for rehabilitation.

The Assistant Minister for Home Affairs, National Heritage, Culture and Social Services (Mr. Marrimoi): Mr. Speaker, Sir, I beg to reply.

I am aware of the existence of Fort Hutchinson in Moyale. The museums personnel from Sites and Monument Department will shortly visit Fort Hutchinson to evaluate the structures and all other relevant data pertaining to the Fort. It is only after such information has been documented that the Ministry will be in a position to decide on its declaration as a monument in accordance with Cap.215, The Antiquities and Monuments Act.

Mr. M.M. Galgallo: Mr. Speaker, Sir, whereas I appreciate the rest of the answer given by the Assistant Minister, I would like him not to hide behind such phrases as "shortly will visit." He should be specific and tell us when the officers of Sites and Monument Department will visit Moyale to inspect this site.

Mr. Marrimoi: Mr. Speaker, Sir, the notice of declaration will take a period of one month upon which the Minister may confirm or withdraw it at his discretion depending on the strength of the objectives, if any.

Mr. Speaker: Next Question, Mr. Mwiraria.

Question No. 177

LAND ADJUDICATION APPEALS

Mr. Mwiraria asked the Minister for Lands and Settlement:-

(a) whether he has delegated his powers of hearing land adjudication appeals to District Commissioners; and,

(b) if so, under what instrument.

The Minister for Lands and Settlement (Mr. Ngala): Mr. Speaker, Sir, I beg to reply.

(a) The Minister has delegated his powers of hearing land adjudication appeals to the District Commissioners in all the districts in Kenya except Nairobi, because there are no appeal cases in Nairobi.

(b) The powers to hear and determine appeal cases were delegated to the District Commissioners under the Provisions of Section 29(4) of the Land Adjudication (Amendment) Act of 1997 under the Legal Notice No.191 of 1985. Under the same notice, the Minister also appointed senior public servants, who were former District Commissioners, to assist dispose of over 5,000 appeal cases which were pending at that time.

Mr. Mwiraria: Mr. Speaker, Sir, under the laws of this land, a person exercising delegated powers cannot delegate them to another person. Is the Minister aware that DCs throughout the country have delegated these powers to their DOs and, therefore, the decisions taken by those appeal tribunals are illegal?

Mr. Ngala: Mr. Speaker, Sir, the decision for the delegation of powers was made when it was found to be impossible for the Minister to hear all the appeals. At that time hon. Members brought in questions to find out what could be done to have the cases heard. It was found necessary for the Minister to give the powers to the DCs, so that they could reduce the backlog. So, the idea of delegating these powers was to serve the people because the Minister was not in a position to listen to all the cases. Where the DC has been given the powers it is possible, sometimes, for him to delegate to his DOs to hear to the cases, because what we want is service to the people to be given as quickly as possible.

Mr. Keriri: Mr. Speaker, Sir, is the Minister aware that these powers are not only delegated to DOs by the DCs, but they are also delegated to some other human beings who are called "chairmen", and that these people delay appeal cases deliberately? Is the Minister aware of that, and, if "yes", could he tell us why this is so?

Mr. Ngala: Mr. Speaker, Sir, we are talking of different stages. You find that there are certain gentlemen who are called "chairmen" of certain committees who hear the cases. The reference to chairmen is there at certain points within the process. I want to assure hon. Members, that, as far as I know, we are contemplating looking at this particular situation. We are going to find ways of reviewing it so that we can appoint permanent people to be hearing these cases.

Mr. Mwiraria: Mr. Speaker, Sir, I am horrified that the Minister says that, in his view, the DCs can delegate their responsibility to the DO. Surely, this is contrary to the law of the land. There are many cases in Meru where the DC delegated some powers to the DOs who in turn have misused those powers by taking wrong decisions. It is unfortunate that I did not bring my papers here to prove this. However, I have one case where somebody sold 10 acres of his land, but showed the buyer 10 acres of somebody else's land and the DO decided, on behalf of the DC, that the owner of the second parcel of land was the one who should move out. The question that I am really asking the Minister is: Since it is illegal for a person with delegated powers to sub-delegate those powers to another person, in cases where that has happened, is he prepared to revoke the decisions made by the DOs?

Mr. Ngala: Mr. Speaker, Sir, I do not see any problem in that. However, if there are any cases where injustice has been done when the DO has been in the Chair on behalf of the DC, then we can look into that situation. However, I think what we are trying to do is to provide the services, and if there are any cases where the hon. Member feels decisions taken have been unfair, we are prepared to look into them.

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

Mr. Speaker: I am sorry, Mr. Mwiraria. Maybe, you will get in touch with the Minister.

Hon. Members, I intend to defer Messrs Shitanda and Maore's Questions to next week on Tuesday.

Question No.360

POLLUTION OF RIVER MWERA

(Question deferred)

Question No.312

PRIVATIZATION OF KNA

(Question deferred)

QUESTIONS BY PRIVATE NOTICE

RELOCATION OF KIOSK TRADERS IN LARI DIVISION

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

(a) Is the Minister aware that as a result of demolition of several hundreds of kiosks at Rukuma and Nyambari in Lari Division along the Nairobi-Nakuru Highway hundreds of small traders and their families have been left without any means of livelihood?

(b) If the answer to "a" above is in the affirmative, what is the Government's position with regard to licensing of kiosks in the whole country?

(c) Could the Minister consider re-locating these traders to an appropriate area adjacent to the kiosks since the land in question belongs to the Government?

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

(a) I am aware of the illegal structures which were demolished because they were erected on a road reserve and under high voltage electric power lines. The owners were advised by many people, including the present Member of Parliament for Lari, Mr. Gitonga, not to erect those kiosks there. However, I am not aware that these people and the traders have been left without any means of livelihood, because they were later allocated land behind the shops. Further, they were given land at the Uplands market, but they sold those particular pieces of land. So, they must have had money to live on.

(b) It is the Government's policy to support the informal sector and the licensing of kiosks is generally left to the local authorities.

(c) We do have Government land and do intend to consider allocating it to the affected traders, but we are worried that they may sell the land as well.

Mr. Gitonga: Mr. Speaker, Sir, this is a very interesting answer given by the Minister. He has said that I advised the people not to erect their kiosks under the high voltage electric lines. That maybe true, but I am not talking about the kiosks which were built, or erected, under the high voltage power lines. I am talking about the kiosks which have been in existence for the last 20 years. I am sorry that one of the kiosks that have been demolished is patronised by none other than His Excellency the President, where he stops and usually has his cup of tea. This kiosk has been demolished and the Minister has said that the people have been allocated an alternative area to erect their kiosks. When were they allocated this alternative area because I was there last week?

Maj. Madoka: Mr. Speaker, Sir, when the kiosks, where the President normally has a cup of tea, were demolished the owners relocated to the plots at the back of the shops. We are considering allocating them plots on the present Government land, which, as you know, is situated opposite the kiosks in question. We have not done it yet, but it will be done.

Mr. Muite: Mr. Speaker, Sir, part "b" of this Question by Private Notice is seeking to find out whether this Government has got a policy countrywide with regard to kiosks. I did not quite hear what answer the Minister gave to that part of the Question. I would like to know whether, indeed, the Government has got a policy and if it does not have one, could the Government develop a policy to deal with hawkers around the country? For example, in Nairobi, there is no sense in licensing hawkers and then the same Government goes in the middle of the night to demolish these kiosks and yet these people are poor. They need food and shelter just like you and me. Can this Government develop a policy where, for example, some roads in Nairobi, like Banda Street, can be closed to motor vehicles on both sides to allow hawkers to do their business? Why can you not clear the vehicles one day in a week so that the street can be a market for these hawkers? Can you develop a policy so that we balance the needs of the hawkers against the needs of the other people? You clear the hawkers from the Central Business District, of which 90 per cent is Indian-owned. You clear out Africans because they are hawkers. Can you develop a policy where you are going to balance the needs of all the Indians and the Africans?

Maj. Madoka: Mr. Speaker, Sir, I appreciate the sentiments expressed by the hon. Member. However, what I would like to say is that the policy of the Government is to leave the work of licensing of the kiosks to the local authorities.

CLOSURE OF SCHOOLS IN JARAJILLA DIVISION

Mr. Shill: Mr. Speaker, Sir, I beg to ask the Minister for Education and Human Resource Development

the following Question by Private Notice.

(a) Is the Minister aware that all schools in Jarajilla Division have been closed due to insecurity?

(b) If the answer to "a" above is in the affirmative, what measures is the Minister taking to ensure that the schools are re-opened as a matter of urgency?

The Assistant Minister for Education and Human Resource Development (Mr. Awori): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that two out of the three primary schools in Jarajilla Division of Garissa District have been closed due to insecurity. However, the third school, Amuma was rendered inoperational because of poor enrolment arising from the nomadic way of life of the parents.

(b) My Ministry has instructed Al Jugur Primary school teachers, who had stayed away due to the recent clan animosities near the school, to return since the Government has provided adequate security. My Ministry is further liaising with the Provincial Administration in Garissa District with a view to improving the security situation to enable Jarajilla Primary School to re-open. However, Amuma Primary School will only be re-opened if the nomadic parents return to the site.

Mr. Shill: Mr. Speaker, Sir, it is very unfortunate that this Question, which the Assistant Minister has answered, was forwarded to him two weeks ago and, maybe, he never cared to know whether the situation has changed. That should stop now. I would like to make this bit of observation before I ask a question. These teachers have not left the school as the DO had instructed them to do earlier. Whenever we cite some problems in our area, we are told that it is not possible to do certain things due to insecurity or unavailability of funds. It is the same Government, which the Assistant Minister represents, which has removed the DO and the Administration Police from the affected areas. He is now saying that he has liaised with the Provincial Administration and that adequate security has been provided. Is the Assistant Minister aware that the DO has instructed the teachers to resume duties, but the teachers have refused to heed his instructions?

Mr. Awori: Mr. Speaker, Sir, no, I am not aware.

Mr. Shill: Now that the Minister has been informed, what action will he take to make sure that these teachers attend and that in future, they do not refuse to go to that place?

Mr. Awori: Mr. Speaker, Sir, the environment in that area is so difficult that I am not surprised that the teachers have refused to go there. Nevertheless, we will try and help them.

Mr. Speaker: Order! Order, hon. Members! Hon Members we are going to the Committee of Supply, which must end by today, because a Vote on Account must be done before the 26th of June, which is tomorrow. The House will not sit tomorrow, so we will have to finish this Motion today and this is what is always done. But because I know Members have an interest in contributing, the practice has been that, every Member including the Mover, takes ten minutes, because in the end, when the real votes come for discussion in this House, Members will have adequate time then, to articulate their views. So, I take it, therefore, that we will continue with the practice that everybody, including the Mover, will have ten minutes.

Mr. M. A. Galgalo: On a point of order, Mr. Speaker, Sir. I rise on a point of order to demand a Ministerial Statement---

Mr. Speaker: Mr. Galgalo, I know what you are talking about. I thought you made an application under Standing Order No.20(a), for you to make that statement at zero hour, which is after 6.30. p.m. So, will you, patiently, wait until 6.31 p.m.? Next Order!

COMMITTEE OF SUPPLY

(Order for Committee read)

MOTION

VOTE ON ACCOUNT

The Assistant Minister for Finance (Mr. Keah): Mr. Speaker, Sir, I beg to move:-

THAT, in accordance with section 101 of the Constitution of Kenya, the withdrawal from the Consolidated Fund of the sum of K£2,836,271,795 made up in the manner set out in the Vote on Account laid before the House, be authorised for the purpose of meeting expenditure necessary to carry on the services of the Government of Kenya during the year ending 30th June, 1999, until such time as the Appropriation Act for the year comes into operation.

*(His Excellency the President has
signified his consent to this Motion)*

ESTIMATES showing the several services for which a Vote on Account is required for the year ending 30th June, 1999.

Vote No.	Service	Total Net Estimates K£	Vote on Account K£
R01	Office of the President	624,005,480	312,002,740
R02	The State House	17,085,300	8,542,650
R03	Directorate of Personnel Management	88,544,110	44,272,055
R04	Ministry of Foreign Affairs	102,958,900	51,479,450
R05	Ministry of Home Affairs, National Heritage, Culture and Social Services	166,871,860	83,435,930
R06	Ministry of Planning and National Development	18,228,980	9,114,490
R07	Ministry of Finance	151,190,840	75,595,420
R08	Department of Defence	544,662,500	272,331,250
R09	Ministry of East African and Regional Co-operation	7,330,700	3,665,350
R10	Ministry of Agriculture	163,952,410	81,976,205
R11	Ministry of Health	414,080,440	207,040,220
R12	Ministry of Local Authorities	5,411,860	2,705,930
R13	Ministry of Public Works and Housing	103,209,090	51,604,545
R14	Ministry of Transport and Communications	28,036,750	14,018,375
R15	Ministry of Labour	10,555,750	5,277,875
R16	Ministry of Tourism	17,632,470	8,816,235
R17	Ministry of Environmental Conservation	3,023,520	1,511,760
R19	Ministry of Information and Broadcasting	14,481,270	7,240,635
R20	Ministry of Water Resources	57,590,350	28,795,175
R21	Ministry of Natural Resources	47,391,950	23,695,975
R22	Ministry of Co-operative Development	15,509,720	7,754,860
R24	Ministry of Trade	23,778,580	11,889,290
R25	Office of the Attorney-General	15,789,390	7,894,695
R26	Judicial Department	10,766,250	5,383,125
R27	Public Service Commission	1,795,970	897,985
R28	Office of the Controller and Auditor General	5,663,140	2,831,570
R29	National Assembly	26,567,020	13,283,510
R30	Ministry of Energy	2,337,900	1,168,950
R31	Ministry of Education and Human Resource Development	2,207,848,810	1,103,924,405
R32	Ministry of Industrial Development	6,873,280	3,436,640
R33	Electoral Commission	14,000,000	7,000,000
R34	Ministry of Rural Development	19,995,900	9,997,950
R35	Ministry of Research and Technology	137,702,300	68,851,150
R36	Ministry of Lands and Settlement	31,989,370	15,994,685
TOTAL		K£ 5,106,862,160	2,553,431,080

ESTIMATES showing the several services for which a Vote on Account is required or the year ending 30th June, 1999.

Vote No.	Service	Total Net Estimates K£	Vote on Account K£
D01	Office of the President	126,877,180	63,438,590
D02	The State House	908,720	454,360
D03	Directorate of Personnel Management	7,844,240	3,922,120
D04	Ministry of Foreign Affairs	2,545,100	1,272,550
D05	Ministry of Home Affairs, National Heritage, Culture and Social Services	8,957,350	4,478,675
D06	Ministry of Planning and National Development	14,687,830	7,343,915
D07	Ministry of Finance	42,226,580	21,113,290
D08	Department of Defence	10,050,780	5,025,390
D10	Ministry of Agriculture	61,031,280	30,515,640
D11	Ministry of Health	54,282,460	27,141,230
D12	Ministry of Local Authorities	9,062,990	4,531,495
D13	Ministry of Public Works and Housing	70,170,880	35,085,440
D14	Ministry of Transport and Communications	9,347,040	4,673,520
D15	Ministry of Labour	66,000	33,000
D16	Ministry of Tourism	382,110	191,055
D17	Ministry of Environmental Conservation	1,853,100	926,550
D19	Ministry of Information and Broadcasting	352,760	176,380
D20	Ministry of Water Resources	31,949,080	15,974,540
D21	Ministry of Natural Resources	32,173,190	16,086,595
D22	Ministry of Co-operative Development	2,293,330	1,146,665
D24	Ministry of Trade	1,060,720	530,360
D25	Office of the Attorney-General	2,905,870	1,452,935
D26	Judicial Department	952,980	476,490
D30	Ministry of Energy	3,125,150	1,562,575
D31	Ministry of Education and Human Resource Development	40,668,750	20,334,375
D32	Ministry of Industrial Development	1,739,890	869,945
D34	Ministry of Rural Development	11,250,310	5,625,155
D35	Ministry of Research and Technology	15,555,680	7,777,840
D36	Ministry of Lands and Settlement	1,360,080	680,040
	TOTAL	K£ 565,681,430	282,840,715

GRAND TOTALK£	5,672,543,590	2,836,271,795

=		

Mr. Speaker, Sir, hon. Members have had some time to go through their copies of the printed estimates books for the year 1998/99 laid in this House on Tuesday, 9th June, 1998. As can be seen from the copies of the Vote on Account already circulated, the hon. Members are being asked, at this stage, to vote half of the net total sums of money as contained in the 1998/99 Printed Estimates of Recurrent and Development expenditure, in order to carry out uninterrupted, the services of the Government, until the Appropriation Act comes into effect.

Mr. Speaker, Sir, this is indeed, in accordance with section 101 of the Constitution of Kenya, which authorises the withdrawal from the Consolidated Fund, of sums of money not exceeding one half of the net sums included in Recurrent and Development Estimates of Expenditure for that year, until such time as the Appropriation Act for the year comes into operation.

Mr. Speaker, Sir, the details of these estimates are reflected under various votes in the 1998/99 printed estimates of recurrent and Development Expenditure. Let me hasten to add that hon. Members will, of course have the full opportunity to discuss these estimates in detail during the Committee of Supply at a later date. At the moment, all I am urging this House to do is to pass this Motion as a matter of procedure, so that, come 1st July, 1998, we can continue to provide the services that the Government must provide. We can then start effectively, repairing the roads as well as providing many other services.

Mr. Speaker, Sir, with these remarks, I beg to move.

The Minister for Lands and Settlement (Mr. Ngala): Mr. Speaker, Sir, I stand to second this procedural Motion. During the debate just concluded on the Budget Speech, many Members discussed a lot of issues and problems that are facing the country and they expressed the view that, it was important for the Government to look into ways of how to tackle the many problems that are facing the nation. Therefore, since we are trying to get six per cent of the Printed Estimates money to enable the different Ministries to continue providing services, I think it is important that, as Members of Parliament, we should pass this Motion to make it possible for the different Ministries of the Government to continue to give services, during the financial year ending June 1999. So, I would like to urge hon. Members to deliberate and at the end of their contribution, be able to approve this Motion.

Mr. Speaker, Sir, with those few remarks, I beg to second.

(Question proposed)

Mr. Muite: Mr. Speaker, Sir, this august House is supposed to be the watchdog of public funds, to ensure that they are not misused. That is our primary purpose as a House. We have to devise ways and means of being effective as a House, in order to ensure that we discharge our duty as the watchdog of the Government, as far as the use of public funds is concerned.

Mr. Speaker, Sir, it is my submission that this House cannot be effective, unless it has got in place mechanisms and institutions for ensuring that we can effectively check expenditure.

Mr. Speaker, Sir, I would like to take this opportunity to remind the House that in April last year, during the Supplementary Budget, I raised the issue here, when Mr. Wetangula was in the Chair, that we could not at that time approve the Supplementary Budget because it had not gone through the Estimates Committee. At that time, Standing Order 146 required the Budget to go through the Estimates Committee. The importance of a Committee is that it has time to sit for a week or two weeks to scrutinise each figure and call in aid experts to come and sit with it. All that I am saying is that in the absence of a Committee that can scrutinise these figures--- We are being asked to pass these figures which amount to Kshs56 billion and yet we have two hours within which to do it.

Can we honestly and sincerely tell Kenyans that within two hours we are able to effectively act as a check and a balance, and that we have scrutinised these figures? No! The only thing we can do is to reinstate the Estimates and Budget Committee.

(Applause)

That Committee must sit for a week or two weeks and scrutinise these figures and the figures of last year's Budget.

If we have to be effective we must scrutinise each and every Vote of each Ministry. We should find out, for example, how the Ministries spent the money that we approved to them last year. Did they spend that money for the purpose it was voted? Where we find that a Ministry did not spend that money for the purpose it was voted,

but for another purpose, we have the right, as the House, to refuse to vote more money for that Ministry.

Mr. Speaker, Sir, it is that Committee which should be leading us in this debate since its members would have sat for days with the assistance of experts. They would be questioning the Government. In the absence of that kind of Committee, we will come here and talk in generalities. The Government is happy that we, as the individual hon. Members, have no capacity of scrutinising the Estimates. For example, we are told that the Continental House was bought and County Hall is available to be used by hon. Members. If we are to be effective, then those offices should be made available to individual hon. Members. Not only should they be made available, but we should also have a team of accountants and bankers to do research for us. How can we be expected to cope with work in our constituencies, politicking and the hon. Member for Kerio South? It is too much for one hon. Member. We want the experts who can do research and brief us so that when we come to this House we can talk sense. We do not want to just talk in generality.

Mr. Speaker: Mr. Muite, as your Speaker, I am committed to helping the House to go into that direction.

Proceed!

Mr. Muite: Mr. Speaker, Sir, on behalf of hon. Members, I thank you for that assurance. I only add this plea: When the Standing Orders Committee meets again to examine these rules, you should support the sentiments that I am expressing now, so that we reinstate that Committee in the Standing Orders.

Mr. Speaker, Sir, time has passed since I raised those arguments during the Supplementary Budget. Hon. Orenge also raised the same arguments during our disruption of last year's Budget. This time round, we are trying to be state persons. So we did not repeat the same arguments out of respect to the Head of State during the presentation of the Budget in this House. But this is the same point that hon. Orenge wanted to raise. I think, and submit, that it was wrong for this Government to answer the hon. Orenge and myself by deleting the Standing Order 146, thereby removing the Estimates and Budget Committee from the Standing Orders.

What are we going to do today other than stand here and talking in generality, or say whether we support the Budget or not? We are not being effective at all. We are not doing justice to Kenyans or to this Government.

It is not every Ministry that wants to indulge in financial irregularities. There are many good Ministries. So they would benefit themselves in having the few individuals who want to misappropriate money being exposed. But they can only be exposed if we have that sort of Committee.

Indeed, if you want to assist the Government and the President, you do so by telling him the truth rather than what he wants to hear. That is the problem in this country. All of us, particularly my hon. colleagues on the other side of the House, say things not because they are right, I believe, but because they imagine that those are the things that the President wants to hear. That is not helping the President. Tell the President the truth. Even if he does not want to hear it, because sometimes the truth is not very pleasant, but you will help him. Tell him the truth. Let us reinstate this Committee in order to reduce the expenditure by the Government. This Committee will strictly ensure that Ministries will not misappropriate even a single shilling. That is my contribution.

The Minister for East African and Regional Co-operation (Mr. Biwott): Mr. Speaker, Sir, as it has been said, this is a procedural Motion, and it is intended to provide continuity in public functions---

Mr. Anyona: On a point of order, Mr. Speaker, Sir. Something new is being introduced in this Motion. This is not, by any means, a procedural Motion. It is a substantive Motion. It is a Vote on Account.

Mr. Speaker: Indeed, you are right! It is not only a substantive Motion, but it is, in fact, a Constitutional Motion. It derives its validity and necessity from Section 101 of the Constitution of the Republic of Kenya. So, let everybody understand that it is a substantive Constitutional Motion.

The Minister for East African and Regional Co-operation (Mr. Biwott): Thank you, Mr. Speaker, Sir. That gives the Motion the weight which I also attach to it.

Mr. Michuki: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: This is a ten-minute debate and we are taking the time of hon. Biwott. Why do you not wait until you catch my eye?

Mr. Michuki: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: You cannot stand when I am standing. Neither can you speak when I am standing! What is it, Mr. Michuki?

(Laughter)

Mr. Michuki: Mr. Speaker, Sir, my point of order is that I did not understand what you meant by a

constitutional Motion. I am lost. I agree that the Motion is constitutional because it is provided for in the Constitution. The matter that we are discussing is a procedure of getting money from the Consolidated Fund. This is provided for in the Constitution. But the issue itself is procedural. So, hon. Biwott, in my opinion, was right because the procedure to follow is laid down in the Constitution and we are following it.

Mr. Speaker: Order! Mr. Michuki, on your own admission I can see that you are lost. So, can I bring you back to line? The Constitution requires that before you get any money from the Consolidated Fund, Parliament must give an approval. So, Parliament can only approve, if it passes a resolution in this House to order that, that money be withdrawn from that Consolidated Fund and used for the purposes stated on the Vote on Account. That is the only legal way in which you can get that money out of the Consolidated Fund before you pass the necessary Bill. To that extent, it is a legal "fishing rod" into the Consolidated Fund. You fish out that money legally and put it into the arms of the Government. So, it is not a formal Motion: It is a substantive Motion as required by the Constitution. I hope you have found your way now.

Proceed, hon. Biwott.

The Minister for East African and Regional Co-operation (Mr. Biwott): Mr. Speaker, Sir, indeed, this is a substantive Motion, which is provided for under Section 101 of the Constitution of Kenya.

Mr. Mwiraria: But that is not substantive.

The Minister for East African and Regional Co-operation (Mr. Biwott): It is a substantive Motion. I hope the hon. Member has heard now.

Mr. Speaker Sir, I beg to apologise if I had mentioned the words "Procedural Motion". Be that as it may, Parliament is the only authority in this country that can appropriate public funds. However, it takes long to do so. It will take us until October. According to the Act which provides for public funding, the Budget for the 1997/98 Financial Year will end on 30th June, 1998. Come 1st July, 1998, the Government will have no legal authority to spend even a cent of public funds. Therefore, we need some finances to cover the period between now and the time when the Appropriation Act comes into operation. So we can then keep services going until when we have the time to scrutinise the Estimates as provided for in the Printed Estimates.

Mr. Speaker, Sir, the prayers by the hon. Member for Kabete will be answered. I am quite sure that when the Minister for Finance replies to this Motion, he will give the Member for Kabete an appropriate answer. Indeed, any money that we approve here must be scrutinised by Members of this House. We have now agreed that the relevant Committees of this House must function and that we should not leave it upon the Controller and Auditor-General to scrutinise the funding of public institutions. Therefore, there should not be any fear. In fact, it is also wrong for any Member to even contemplate disrupting the activities of this House. That is not an act of civilisation. Any disruptive scheme is not commensurate with the integrity of a Member who is supposed to be here.

Mr. Speaker, Speaker, Sir, there has been an attempt to allude that, perhaps, the President is only told the things that he needs to know. I think the President is the oldest Member of this House; he knows better than any of us in this House and has a wider coverage. Therefore, he knows the truth. I believe that everybody who sits in this House has sworn to say nothing but advise or assist the President truthfully, and to uphold the Constitution of Kenya. Therefore, there should be no notion that somebody will say anything that he does not believe in. If anybody says anything that he does not believe in, then that man is not worth his salt.

Mr. Speaker, Sir, we will be discussing the Budget Estimates for each Ministry and Department. I hope that those who are in the Finance and Estimates Committee will assist us by scrutinising the printed copies of these Estimates and lead in the contribution while debating the Votes for each Ministry or Department so that by the time we authorise these Estimates and convert them into a Bill, we will have authorised the exact amount of money needed, knowing very well where every penny of that money will go to. Otherwise, we will not be responsible Parliamentarians if we were to assume and approve certain amounts of money without knowing where it will be going. Those who elected us assume that we approve things that we understand. Those of us who are energetic and keen to scrutinise the Estimates should do so; I should take the lead in doing this. I would, in this case, encourage the hon. Member for Kabete to spend as much time as possible, going through the Estimates. The hon. Member can assist instead of waiting for the Report of the Controller and Auditor-General who, in any case, audits funds that have been used many months ago and, therefore, by the time we try to arrest the situation, it is too late.

I think we ought to accept the fact that before the Minister for Finance presented his Budget in this House, he had the occasion to talk to the Committee of Finance, Planning and Trade. So, we can assume that the process of involving Members on a wider scale has started already and that it is in place. We hope that all hon. Members who, from time to time, tend to remind us of their youthful days - maybe, at the universities, when they used to demonstrate or do things like that - should be a little bit more responsible. They have matured since then

and now, they are expected to come here and talk with other leaders, plan and provide funding for their people so that money can be expended expeditiously. As the money is expended, the Estimates Committee should also follow up to make sure that the money is expended on the intended purposes all the time. Also, all Kenyans, for the good of Kenya, should assist whenever they see that things are not going the right way, instead of accusing other Kenyans or talking about corruption without bringing forward the corrupt persons and assisting the police to investigate. We all ought to assist the Anti-Corruption Unit and the police as much as possible to ensure that we check on anything we consider to be corrupt until people become upright. I would ask religious organisations to intensify preaching and doing whatever is relevant to convert the peoples' souls so that they become upright and pious.

Mr. Speaker, Sir, with these few remarks, I beg to support.

Mr. Mwiraria: Thank you, Mr. Speaker, Sir. I rise to support the Motion, but I would like to request the Minister for Finance to do a few things. The latest Report of the Controller and Auditor-General is full of malpractices. The Report indicates that in the 1995/96 Fiscal Year, more than 50 per cent of the Budget of the Republic of Kenya for that year was wasted through unsupported and unconstitutional expenditures, purchases of goods and services that were never delivered, irregular transactions and many other irregularities.

Mr. Speaker, Sir, the Minister for Finance, in his Budget Speech, introduced the question of posting financial controllers in all Ministries and Departments, but he did not say how he intended to stop these wasteful expenditures. Since the country is in such great financial difficulties, we, really, cannot afford to approve 50 per cent of the Budget through Vote on Account to be spent by the Government unless we are assured that strict control measures will be followed.

Mr. Speaker, Sir, we would like to hear from the Minister for Finance that the Treasury which is the custodian of public funds in this country will stop these malpractices. We have cases where the Treasury advised a parastatal like the Kenya Power and Lighting Company not to channel money to Authorities such as the Tana and Athi Rivers Development Authority. We also have cases where the Treasury opened new bank accounts, contrary to the law. We also have cases in court and I cannot mention them because they are *sub judice*. These include payments to Kamlesh Pattni and many others. We have a case for instance, where the Treasury bought computers for the National Registration Bureau at a cost of millions of shillings. But those computers were not used because they were ordered without proper specifications and when they were delivered, they were found to be unsuitable.

Mr. Speaker, Sir, we also have a situation where the Treasury paid a financial commitment fee of Kshs7 million for somebody who was supposedly going to get financing for Eldoret International Airport which he did not do. So, we really need assurance from the Minister for Finance that, starting from his own Ministry, he will put in place stringent control measures to ensure that Government funds are properly used.

Mr. Speaker, Sir, when we read through the latest Report of the Controller and Auditor-General; it makes one really sad. Kshs107 billion was wasted in one year. What guarantee is the Minister giving us that the same will not be repeated? What guarantee is he going to give us that what has been happening will not happen again this year? For instance, Ministries have been calling for tenders and then awarding the tenders to the highest bidder. This is what the Ministry of Health did in 1995/96. I am asking these questions because our country is going through a very serious crisis which needs everyone's efforts if this country is going to be saved. So, I am appealing to the Minister to take corrective measures to ensure that whatever money is being approved will be put to good use.

Mr. Speaker, Sir, we have got the perennial problem of unpaid bills which I have to keep on hammering. This is expenditure which was incurred by the Accounting Officers improperly, knowing that they did not have the money in their Votes. As a result, such bills are carried forward. As of now, I believe that this expenditure is beyond Kshs8 billion for the current financial year. Can we really continue this way? Can we continue ordering items which do not meet our specifications and which, in some instances, are second-hand, as happened in the Ministry of Education? They ordered 20 buses for the public universities at a cost of Kshs39 million but all were rejected by the universities because they were second-hand. We, certainly cannot afford to continue this way.

Mr. Speaker, Sir, having said that, I would like to join my colleague, hon. Muite who said that our primary responsibility as a Parliament is to oversee public expenditure. The Treasury, in 1995/96 also approved several loans without the approval of this House. It approved loans for KENATCO, Kenya Posts and Telecommunication, the Nyayo Motor Corporation, Kenya Airways and so on. Surely, why should Parliament be left out? Why is it that this august House is not given an opportunity to have a say before such loans are guaranteed? We have an important task ahead of us. The Minister has given us a very bold and well thought-out Budget but will it work, unless the control measures which will stop all these malpractices are put in place? The answer is simply; no. But at this time, we cannot afford any more wasteful expenditure. If we do

that, this country will degenerate into chaos. This country could become ungovernable. I know that people have said that and others have objected. But the circumstances will force the ordinary mwananchi not to accept what the Government will say.

Mr. Speaker, Sir, I wish to conclude by saying that, in a country where 13 million Kenyans are living below the poverty line, and where three million Kenyans with secondary and university education are walking in the streets of our cities without employment, we have to do everything possible to avoid civil conflicts.

With those remarks, I beg to support.

The Assistant Minister, Office of the President (Mr. Angwenyi): Thank you, Mr. Speaker, Sir, for giving me a chance to contribute on this important Motion.

Mr. Speaker, Sir, this is the first time in our history that the Government has proposed a balanced Budget. But that does not mean that our Budget is perfect. Therefore, for that Budget to be effective, we must assist the Government by approving this amount and by making sure that the money is used for the purposes for which it is intended.

Mr. Speaker, Sir, as you can notice from the amount the Government wants this House to approve today, only 10 per cent is for Development while 90 per cent is for Recurrent Expenditure. If a substantial amount of that 90 per cent was for operations and maintenance, then we would be on a proper course in our development programmes. We should make sure that the money we approve in this House is used for development and operations and maintenance. We should reduce the amount of money voted for Recurrent Expenditure.

Mr. Speaker, Sir, to do that we must convince our constituents, the people of Kenya, that the Government is not a provider of employment. All the Government needs to do is to provide an environment in which other factors in the economy can create employment for our people. My predecessor, hon. Mwiraria, talked about three million people being out of jobs. In fact, the number is closer to five million people. We churn out graduates from our colleges, universities and high schools to the tune of more than half a million every year into the job market which is non-existent; a job market where people have been made to believe that the Government is the only agency that can provide employment. We have liberalised our economy; this means that the effective forces that will be at work are the market forces. We cannot be able to plan more but we can only be able to give guidelines. But as we give guidelines, we must look at various important aspects of our country if we are going to develop.

For example, we must devote more funds and resources to those areas that create employment and are valuable to our people. These are areas like agriculture. I have often spoken in this House about the plight of our farmers. Most farmers have got one or two acres on which to grow their tea. They spend all their resources on practising crop husbandry. But that tea cannot be delivered to a factory, simply because there is no factory to process it. Alternatively, if there is a factory, then there is no road by which he can transport that tea to the factory. The investment of that small-scale farmer is wasted. We should increase our expenditure on tourism. A few years ago tourism used to bring to this country close to Kshs30 billion but now that has gone down by 50 per cent.

That is one area where I thought we should have spent more money in order to revive it quickly. We should provide the necessary infrastructure and an enabling environment. We should allocate more money towards tourism instead of giving these other areas which only consume instead of creating wealth for this nation. If we were to spend more money in these areas that I am talking about; farming and tourism, it will be necessary to allocate more money for the Ministry of Public Works so that they can provide infrastructure. We should also spend more money on energy through electrification. The people concerned should ensure that these services and the infrastructure are equitably distributed in the country. It does not speak well of us when we provide water, roads and rural electrification to a certain area while other areas do not receive a single thing and yet they are part and parcel of this country. We must get to a point where we talk in unison, whether we are in the Opposition or in the Governing party. We should look into the welfare of this country.

We have said that we want to be industrialised by the year 2020. From this votes I cannot see adequate funds voted for this Ministry which will undertake the industrialization of the country by the year 2020. In fact, this Ministry has been given peanuts and yet we want industrialization, to create employment, raise our people's standards of living and compete in exporting our merchandise to the region and beyond. Every year, we vote a lot of money for the Ministry of Health and yet health services in this country are declining. In the area where I come from, Kisii, a lot of people die of highland malaria every year. It is as if we do not have people in the Ministry of Health who can plan how to handle and control, if not prevent, the incidents of highland malaria.

This is one area where public funds are misused. Expired drugs are bought and given to the hospitals. So, even if you are treated with those drugs, you cannot be cured. I believe that the Ministry concerned should take care of the health of our people. Currently, health is a cost-sharing issue. A person goes to a hospital or clinic and he pays money to be treated or served. After paying money to be served, he is told to go and buy some medicine in some kiosk. Medicine which has been---

Mr. Gatabaki: On a point of information, Mr. Speaker, Sir. I have recently been familiarizing myself with the Constitution and the Standing Orders of this House. The Constitution is very specific about the collective responsibility of a Government. It is the duty of Ministers and Assistant Minister to speak with one voice in support of the President. The confusion that we have here is that we do not identify this. The Member on the Floor is an Assistant Minister and he is speaking against the Government in the same way as the MP for Githunguri. He should either resign, cross over to this side or cease to disparage the Government of His Excellency the President, whom he supports.

Mr. Speaker: Order! Order! Mr. Gatabaki, do you feel threatened that the Assistant Minister is taking away from you the most lethal weapon you have; that of criticism?

Proceed.

(Laughter)

The Assistant Minister, Office of the President (Mr. Angwenyi): Mr. Speaker, Sir, His Excellency the President of the Republic of Kenya believes in the welfare of the people of Kenya. So, even if I am a Minister who wants the good welfare of the people of Kenya, then I must be told that I am wrong. I am the representative of the people of Kitutu Chache, people who are dying in hordes because of poor health services. I have to personally foot the bill for the transportation of bodies of five people every week, on average. Nobody will stop me from speaking for my people. It does not matter who I am.

As we vote for these funds, Parliament must take its cue and its position to see that the funds are used for the purposes for which they have been voted. It should blow the whistle if it sees that the funds are being misused and that some people are using nepotism instead of using proper criteria for the disbursement of public funds of this country. That is the only way that we can develop. We must also be able to say the truth. The truth is the key word to ensure proper expenditure of these funds.

If a Permanent Secretary were to give me a million shillings, that would be misuse of these funds. It is my duty to report that, now that we have got the Kenya Anti-Corruption Authority for this purpose.

With those few remarks, I beg to support.

Mr. Gatabaki: Mr. Speaker, Sir, I am truly grateful for the opportunity to contribute to this Motion and express my opposition. As I had told the House, I have been studying the Constitution of the Republic of Kenya and the Standing Orders of this House, to minimize the chances of being thrown out.

Mr. Speaker, Sir, the Motion reads that: "In accordance with Section 101 of the Constitution of Kenya---" This is very important. "In accordance with the Constitution of the Republic of Kenya---" I did not write that. When history will be written, whoever will be writing that history will say that, there were some people in the Eighth Parliament who stood for the Constitution of the Republic of Kenya. Section 15(1) of the Constitution of the Republic of Kenya on which we are seeking the authority to spend Kshs56 billion of the taxpayers' money says; and this is from our founding fathers--- It says: "There shall be a Vice-President of the Republic of Kenya." Section 17(1) says: "There shall be a Cabinet and the Cabinet shall consist of the President, the Vice-President and Ministers appointed by that Government.

Mr. Speaker: Is that not repetition?

An hon. Member: Nobody else has mentioned that!

Mr. Speaker: I am asking Mr. Gatabaki. You have been reading Standing Orders, so you tell the House. I think that section is now tired. From yesterday and the day before, you have been talking about section 15; the Vice-President, the Cabinet--- Are you not continuously repeating yourself? That is against the Standing Orders.

Mr. Gatabaki: Mr. Speaker, Sir, I am standing continuously to defend a very important principle, that we cannot sit here and listen, or give a Government authority to spend so many billions, if that Government is not legally and Constitutionally constituted, as by law required.

Mr. Anyona: On a point of order, Mr. Speaker, Sir. I am very interested in the position of Vice-President, except that I am not interested in being Vice-President. I think the House has got some serious business before it. If I understand hon. Gatabaki right, he is making reference to Section 101 of the Constitution with regard to the Vote on Account. I cannot understand the connection between Section 17 of the Constitution and Section 101 of the Constitution, in this respect. Can you help us?

Mr. Speaker: Well, I have tried to help--- Order! Mr. Gatabaki, I am trying to help you. I have already pointed out to you, that as a matter of fact, that is repetition. And, Mr. Anyona, I think quite correctly, is also pointing out to me that it is also irrelevant. So, can you try to avoid repetition and irrelevance?

Mr. Gatabaki: Mr. Speaker, Sir, with due respect to hon. Anyona, it becomes difficult for the country to know whether he is in KANU or in the Opposition. The kind of hurry he has in handling the Constitution---

(Laughter)

Mr. Speaker: Order! Order, Gatabaki!

Mr. Anyona: On point of order, Mr. Speaker, Sir. This is not a matter of jest. I raised a [Mr. Anyona] matter in all seriousness, and in a Constitutional context. I do not think it is right that a Member should, in any way, cast aspersions as to where I belong. I have been here long before him and I am likely to be here long after him.

An hon. Member: Ah, is that---

Mr. Speaker: Order! Order! I intend not to have this debate take that dimension. First of all, Mr. Gatabaki, there are so many hon. Members in this House lawfully in KANU; there is nothing wrong with being in KANU. There are so many Members in SAFINA, DP and SDP. They are all lawfully here in this House. Will you now stop harping unnecessarily on the importance or non-importance of any political party? Every Member has a choice to join whatever political party they choose. So, can you keep that in mind and come back to the relevant part of the Motion, Section 101? Shall we grant this money or shall we not?

Mr. Gatabaki: Mr. Speaker, Sir, thank you very much for notifying me on that point. This House, from 1992, became a multi-party Parliament. All the Opposition Members on this side, or the Government on that side, continue wondering about those people who speak on behalf of the Government, like hon. Anyona. They are wondering whether he should be here or on that side. Having said that, if you look at page 108---

Mr. Speaker: Order, Mr. Gatabaki!

The Assistant Minister, Office of the President (Mr. Angwenyi): On a point of order, Mr. Speaker, Sir. I think you need to give us guidance. Hon. Gatabaki should subscribe to the rules of this House. Day in day out, he insists on contradicting the rules of this House. Is Mr. Gatabaki in order to dictate to people what party they should belong to? We know which parties we belong to. Is he in order?

Mr. Speaker: Order! Order! Mr. Gatabaki, I think you are beginning to see the sentiments of the House. If you have not seen, you are likely to see. So, follow the rules.

Mr. Gatabaki: Mr. Speaker, Sir, I keep wondering why people are so disturbed by the truth. The judgement of history will say what the truth is. They are either in the Opposition or they are in the Government. There is no middle ground in between. Just as we cannot cross there, you are to tone down your sentiments.

Mr. Speaker, Sir, if you look at page 108, there is the Ministry of East African and Regional Co-operation, of my friend, hon. Biwott; the Ministry for Environmental Conservation; the Ministry for Trade under the hon. Kamotho, the Secretary General of KANU, who was recycled here. The Ministry of Education and Human Resource Development; the Ministry of Industrial Development and the Ministry of Research and Technology.

Mr. Speaker, Sir, who established these Ministries? The Constitution is clear. It says: "Parliament shall be the authority which shall establish the Ministries." I look odd, but I am asking very distinct questions. Either this House is governed by the Constitution, or it is not; unless we just come here to rubber stamp. I want to state very clearly that, I shall not rubber stamp---

Mr. Anyona: On a point of order, Mr. Speaker, Sir. By all means, hon. Members should scrutinize all aspects of the Constitution. But it is not correct for a Member to claim under the Constitution as it is now, that it is the Parliament that establishes Ministerial offices. If he wants to educate these Members who do not know and the public, then he should tell us about the provision of Section 16(1) in full. Otherwise, the House is being misled.

Mr. Gatabaki: Mr. Speaker, Sir, I hope the Government is listening to the whole purpose of asking this disturbing question. I am happy that the hon. Member for Kabete said that, the President of the Republic of the Kenya should, for the first time be given a truthful opinion. The Attorney-General must tell the President what the Constitution of the Republic of Kenya says and the implications of those constitutional provisions. This Parliament should not write a Constitution to be abused. Parliament is being asked to give the Government authority to spend Kshs56 billion. Who will guarantee that this money will be well spent? If it is not put to the proper use, this will negate the authority given to the Government by this Parliament. We have seen it in the past; we are still going to see people misusing public money without the authority of Parliament. The Constitution says that, "Parliament shall---." Now, the moment we give authority for this Kshs56 billion, there will be a "Biwott Airport", a "Kamotho Jet Airliner" and all those kinds of things. Who will save the people of Kenya from the chaotic mess of this Government? There must be people here to prick the conscience of the nation.

Mr. Speaker, Sir, I am happy that for the first time, you are not throwing me out.

(Applause)

The message we are conveying is that, the hon. Minister for Information and Broadcasting has got a responsibility of running Kenya Broadcasting Corporation, and not "Kenya Propaganda Corporation." The message I have, and I will keep saying it, is that, my duty is not just to talk on the Budget; it is to prick the conscience of the nation.

Mr. Gumo: Mr. Speaker, Sir, I did not have a chance to contribute to the Budget Speech, but I will mention a few things on these few Ministries. The Ministry of Home Affairs, National Heritage, Culture and Social services is one of the most important Ministries, yet it has not been given a lot of money. It is high time we realised that prisons is one of the most important institutions in this country. This is because prisoners are our citizens and they deserve some good life. Although imprisonment is a form of punishment, the conditions in our prisons are terrible. We need to have more money and build more prisons with better facilities. If you went to some of our prisons mainly Kamiti, Naivasha and the remand prison in Nairobi's Industrial Area, you will not be impressed. I do not know where the money that is voted for this department goes. We need to build new prisons altogether, because the facilities are not there at all. When I look at the money voted for these departments, there is no possibility of achieving much in these departments.

The state of sports in this country has deteriorated and, in fact, the Ministry of Home Affairs, National Heritage, Culture and Social Services today cannot acquire tickets for our sportsmen when they are going out because there is no money. They never pay our sportsmen. Money is voted for sports, yet sportsmen cannot travel because there is no money.

[Mr. Speaker left the Chair]

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

This has really demoralised sportsmen and that is why today when people talk about the World Cup, nobody imagines that Kenya can ever participate in the sport in the near future. In other countries, playing football is a fully paid job. Here, nobody seems to bother. I think, next time we shall look into that a bit more seriously.

Another area that we need to look into and approve its expenditure a bit faster is tourism. We used to have money for repairing roads that are used by tourists. These days that money is not there, and infrastructure in this country has really deteriorated. We need to allocate money to the Ministry of Tourism, so that the Minister can decide which roads to repair. We should let them do those roads instead of leaving all the roads under the Ministry of Public Works and Housing. The Ministry of Public Works and Housing has a lot to do. The Mombasa-Nairobi Highway is completely worn out just as much as roads in Nairobi.

On Petroleum Levy, Nairobi contributes most of the money. Nearly 40 to 50 per cent comes from Nairobi. The amount of money that is allocated to the Nairobi City Council is so little that the council cannot manage its roads. Another very important issue that we need to look into, as Members of Parliament, concerns the welfare of the Speaker. The Speaker does not have a residential house, yet he is a very important person to this House. Today, most of the Government houses have been sold out. The Speaker has to look for a house and with a house allowance of about Kshs40,000 to Kshs50,000, the nearest place he can afford a house is may be, Ngong or Ongata Rongai. I do not see the Speaker getting a house for Kshs50,000 or Kshs40,000 within Nairobi. The least amount the Speaker can pay for rent in Lavington is Kshs100,000. Where will he get the other Kshs50,000 to pay for his house? The Government must look into ways of buying a house for the Speaker so that he is comfortable. We do not like this idea of telling the Speaker to go around looking for a house.

The former Police Commissioner's house was sold and the current Police Commissioner had to look for a house. What about the day we shall get a poor Police Commissioner who cannot afford a house, where will he live? He might live in the slums of Mathare. Such things encourage corruption because that is when you get some tycoons offering the Police Commissioner a house. Let us have institutional houses in certain areas where, when the occupants are sacked, they vacate and new persons move into such houses.

I was disturbed when I read today's newspaper where an hon. Member yesterday alleged that I own some publication. We must respect each other and always find out the truth. I do not own any newspaper. I am not a journalist and I am not interested in being one. I do not know why Members of Parliament say that Gumo owns *The Sun* publication. I do not even know who owns and publishes it. I do not want to be associated with any

negative publicity in this country. Members who talk about me, please, find out the truth because I am a human being and I am bound to get disappointed, particularly when you say things that are not true. I would like hon. Kituyi to, please leave me alone.

Mr. Munyasia: On a point of order, Mr. Temporary Deputy Speaker, Sir. You have heard hon. Gumo addressing hon. Kituyi directly. Is he in order not to address the Chair, but address hon. Kituyi?

Mr. Gumo: Mr. Temporary Deputy Speaker, Sir, hon. Kituyi also addressed me directly yesterday. I am happy that I was not here because I do not own the said publication. Mr. Opanga, who is a Luhyia like me, is lucky to have worked with the *Nation Newspaper* for long. Who does not know the *Nation Newspaper* and the people who manage it? That is a tribal newspaper and no senior person from [Mr. Gumo] any community has survived there for more than two or three years. So, for the fact that Mr. Kwendo is a Luhyia, he has even overstayed in the *Nation Group* of newspapers. Wenyewe wanajulikana!

Mr. Kariuki: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for Mr. Gumo to make insinuations based on ethnic considerations? Would I be in order to ask him to concentrate on national issues rather than petty ethnic considerations?

The Assistant Minister, Office of the President (Mr. Gumo): Mr. Temporary Deputy Speaker, Sir, the *Nation Group* of newspapers has a known history. There was a time they sacked employees who are Luhyia right from Kakamega to Mombasa. At that time, Mr. Kwendo Opanga was also sacked and reinstated. So, I have nothing to withdraw or apologise. The *Daily Nation* newspaper does not even report anything about me. I have told them to keep away from me, and I do not even ask them to cover my functions. This is a company that can only employ certain people from certain areas. I am sure, Mr. Kwendo Opanga has been sacked because he does not belong to the right kingdom.

Mr. Anyona: Mr. Temporary Deputy Speaker, Sir, I would like to underscore the importance of this particular Motion. The importance of this Motion is that, this Government has legally up to 30th June, 1998 to spend the money that was voted in the last Financial Year. Thereafter, the Government without the authority of this Parliament, cannot spend any money at all. For that reason, this mechanism has been designed to enable the Government to continue to sustain services while Parliament is going through the whole Budget. The Appropriations Act, comes at the end of this whole process. As I said, the Government would have shut down if this facility was not available.

Mr. Temporary Deputy Speaker, Sir, it is therefore, important to point out that today's resolution is the first act of this Parliament that will enable the Government to spend money from the Consolidated Fund. In the past, an impression has been given that, really this is free money. That the Budget is still under discussion, the Bill is going to be passed at the end of the whole process, so people can spend money the way they like. This is a misconception. This money has to be accounted for, from the beginning. I would like to tell those officers in Government who will be handling this money, to understand that Parliament is extending its authority in allowing them to spend this money, before Parliament makes the final decision. Therefore, they will be brought to book if things are not done in the manner they are supposed to be done.

Mr. Temporary Deputy Speaker, Sir, secondly, this Eighth Parliament must make a departure from the past. Both under the one party system and the recent multi-party system under the Seventh Parliament. Parliament should truly scrutinise the accounts and expenditures of Government and stamp its authority on the monies that are voted by this Parliament from the taxes paid by the people. Now, how do we do that? It has become a question of governance. We are talking as if governance is a mystical air that we do not understand. But, let us bring it down to earth. What it means is, that every figure in those books must make sense to this Parliament and Kenyans, and every single cent must be accounted for. If that is not done, then this Government has not done what it was created to do.

Mr. Temporary Deputy Speaker, Sir, I now like to come back to how Parliament handles these matters. We have gone into a new committee system, where henceforth, all Bills that come to this House, will, after the First Reading, be referred to the departmental committees. Under the provisions of Standing Order No.101(a), paragraph 1, all Bills will be referred to committees, so that when the House comes to debate those Bills, we have the advantage of the committees having gone through them and we can take the word of the committees, that we can speak authoritatively on behalf of Kenyans, that these accounts truly reflect what is supposed to be done.

Mr. Temporary Deputy Speaker, Sir, paragraph 4 of that Standing Order, makes an exception that all Consolidated Fund Bills and all Supplementary Appropriations Bills will not be subjected to that committee process. This therefore, means that these matters come before this House undigested. Some of us are not trained accountants. I personally do not even do a simple kiosk business. So, I do not really know how to add two and two in dealing with these matters, and yet, I must speak for the people I represent and the country when we pass the

Budget. This makes some meaning to the people of Kenya. It is therefore, important that we look at the provisions of Standing Order No.101, paragraph 4, to see whether in fact, we should exempt these particular matters from scrutiny by the committees. I can understand the reason for not wanting to subject this particular Bill to the committee. This is because, a committee process takes time. These are matters that are required to be done so that taxes can be collected and money spent. So, there is some kind of contradiction there. What do we do?

Mr. Temporary Deputy Speaker, Sir, when I first came to this Parliament, the first committee I served on was the Estimates Committee. Of course, we never met to do any work. Down the years, this committee has been there, and it has not done any work. So much so that, in the last Parliament, in the [Mr. Anyona] wisdom of those who were in that committee, they amended the Standing Orders, and decided that it was really superfluous and it was done away with. It appears as if the responsibility that would be discharged by this committee has been shifted to various departmental committees. That each committee can deal with the estimates of that particular department. I do not think that estimates can be handled effectively in that manner. In any case, I am not even sure that a committee would be taken into the process of preparing the estimates, so that they can be part of it and bring to bear the concern of Parliament. I do not think that is proper. I think, the only way is that we bring back that committee, and as soon as the estimates are published, the committee goes through it for a period of one week when we are dealing with the Financial Statement, and all these matters, so that when we start a debate, we have the advantage of the scrutiny of this estimates by that committee.

Mr. Temporary Deputy Speaker, Sir, I do not think, that is something that should be seen in any manner that is partisan. If hon. Muite made that point, I do not think he should be seen to be making it to make political capital. I think, it is a genuine matter that should be dealt with. I know that Mr. Speaker has resolved to support the authority of this Parliament, to be able to discharge its responsibilities to the people of Kenya. I also know that he is the Chairman of the Standing Orders Committee. I happen to be a Member of the Committee, and I think, as soon as an opportunity arises, that Committee should get into business, go through these Standing Orders and realign them. This is because, at the moment, there are a lot of discrepancies that are making it very difficult for us to operate. This Budget is different from the other Budgets. This Budget is equivalent to a war Budget. When a country is at war, you will create a Budget that deals with that situation. If we manage this Budget as an ordinary Budget, it is not going to get us anywhere. This particular Budget requires discipline from Government officers who will spend this money. It also requires discipline from this Parliament, so that we do not only scrutinise it negatively, but also positively. This Budget needs goodwill from everybody, including the donors.

It is unfortunate that there is an impasse between the Government the International Monetary Fund (IMF) and the World Bank. Sometimes I really wonder what these things are all about. The World Bank and the IMF demand that the Government must trim its Budget in a particular way. When this is done, they still seem to run away. I thought that with this kind of Budget, the World Bank and the IMF's aid should be forthcoming. The two lending organisations should also support the Budget, so that we can have economic growth in this country. Unfortunately, there are no signs that the two lending organisations will resume aid to this country soon. I feel that some politics is being played around here. We cannot afford to play politics with the people of Kenya who are now suffering so much. These people do not know what to do next.

Mr. Temporary Deputy Speaker, Sir, this Budget will require leadership, particularly from Parliament and the Government; so that when you say "yes", or "no", that is exactly what you mean. I am disturbed when I hear hon. Members speak about teachers salaries to please them. If hon. Members want to please teachers, then let them please all Kenyans. If hon. Members cannot please all Kenyans, then they should not speak in this House to please teachers. If it becomes necessary that we sit down with our teachers--- Hon. Muite is very emphatic that hon. Members should also slash their salaries. Let us sit down and find out how much hon. Muite earns from this House and from elsewhere before we can do that. We must show leadership by setting a good example.

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

The Assistant Minister for Foreign Affairs (Mr. Muchilwa): Mr. Temporary Deputy Speaker, Sir, I rise to support this very important Motion because the Government must continue serving Kenyans. It cannot serve Kenyans without money. While I support the Motion, I would like to urge the Government to speed up the collection of revenue. I was very happy when I read in the newspapers today in the morning that the Kenya Revenue Authority (KRA) has managed to corner a supermarket which had not remitted revenue. The KRA should not order it to pay Kshs400 million, which is a lot of money. The Government cannot borrow money from outside at a high interest rate, when its own money is being used by businessmen. So, I salute the KRA for the action it had taken. I hope that it will even work harder to ensure that businessmen who hold Government revenue pay up. This will ensure that the Government does not spend so much money in paying interest on the money it has borrowed from outside.

Mr. Temporary Deputy Speaker, Sir, there are also some people, like auctioneers, who after selling

Government goods, keep that money for a long time. And yet, the Government needs the money. I would be grateful if the Government would take immediate action on such fellows. This will ensure that the auctioneers pay the money to the Government as soon as they auction the goods instead of keeping it. While on the same issue, I would also like to congratulate, Mr. Mwau, the Chairman of the Kenya Anti-Corruption Authority, and his squad for moving into City Hall. I am happy [**The Assistant Minister for Foreign Affairs**] that the Authority has cornered people who have been swindling the Nairobi City Council of a lot of money through overcharging. When such a situation arises, it would be proper if legal action is taken against the officers who are involved in such a malpractice.

There are also Government offices which do not collect revenue from Kenyans. When wananchi go to pay for the services rendered to them by the Government they are told to "come tomorrow". There is one particular building in this City - I do not have to name it, but it has already been nicknamed "*kuja kesho*". This is the department where money is not collected. Unless you bribe the messengers, you will be told that the file is missing. You will always be told to "come tomorrow" until you cough out something small. It is only after bribing the messengers that the file will be found and the actual transaction can take place. This is wrong because that particular money would have been collected by the Government. In this case, the Government is forced to borrow money from outside at high interest rates because some messengers and other people are frustrating the money collection effort. The Kenya Anti-Corruption Authority should move into that Department, so that this matter can be sorted out. The Government needs the money and it ought to be given it.

Mr. Temporary Deputy Speaker, Sir, the Budget has proposed the appointment of policemen to the KRA. Now that we are passing this Budget, it would be proper for the appointment of those police officers to be expedited. This is important because transit sugar, petroleum products and other things are still diverted into the local market without duty being paid. The money involved here is colossal. Now that the KRA has been given that opportunity, it should act fast and appoint reliable officers who will crack down on the sharks, who are literally killing the Kenyan economy. Once those people are found, they should be prosecuted irrespective of their social status. We want to hear that a lorry belonging to so and so, which was carrying contraband materials, has been auctioned. It is not enough to be told that, such a lorry has been impounded and then, we do not hear about it any more. This is what makes the dirty practice to continue.

Mr. Temporary Deputy Speaker, Sir, it is a good idea to appoint financial controllers. But for God's sake, let those people who will be appointed be competed in their work. We should not have people in the name of "financial controllers". We want competent people, preferably from the private sector, to be appointed to the positions. Once they are appointed, the people should not just concentrate on how money is spent, so that they join the spenders in the end. They should help devise systems that will enable the Government to collect revenue, instead of it going into individuals' pockets. If the right people are appointed, they will make sure that things are done in the right way. It is through this that the Government will have the money that it requires.

We have had situations where the Government has guaranteed businessmen loans. I can remember that the first loan guaranteed to a native enterprise, M/S Madhupaper, by the Government was in the early 1970s. This company was doing very well until things went wrong.

Mr. Speaker, Sir, if we want the country to be very rich with a lot of revenue, we must assist our citizens to access money. We should not be afraid to guarantee loans to our people. The Government should guarantee off-shore loans where projects are viable. Farmers in the outgrowers zones of sugar cane growing areas have always wanted to buy shares. But they cannot afford to buy them.

An hon. Member: Are they Luhyas?

The Assistant Minister for Foreign Affairs (Mr. Muchilwa): Yes, they are Luhyas and people have given them all sorts of names. There is a lot of poverty there. We are told to produce money to buy the shares but the farmers are very poor. The little money they have cannot buy those shares. Therefore, big companies belonging to big people and foreigners will buy the shares and take the money out of the country. Businessmen who do not belong to that area will also afford to buy shares. We are told that the local farmers cannot afford to buy shares and other people have been encouraged to buy. The outgrower company should be allowed to borrow off-shore money on behalf of the farmers, and then re-pay back. It is a well known fact that the sugar companies will be there for many years. The more the farmers supply their cane, the more they deduct their money. So, deductions will be there for as long as the mills are there. So, given time, this money will be re-paid. Instead of the farmer being left alone and told that he is too poor, and that the money is wanted immediately because the IMF has said we should privatise and somebody else should come and buy the shares, we should support our farmers because they have a regular income. We should borrow money on their behalf, because they will pay with time. If we do that, we will be helping our own citizens.

With those few remarks, I beg to support.

Ms. Karua: Thank you, Mr. Temporary Deputy Speaker, Sir. I rise in support of the Motion and like many other speakers before me, would like to stress that we are supporting the Vote on Account because we expect to see improved services to our people. We realise that the Government must operate and it cannot operate without money. We expect the money to be used for the purpose for which it is voted for.

I notice that the Vote of the Office of the President is one of the largest. We realise that under the Office of the President, there are various important departments. One of them is the Police Department--

Mr. Muite: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Assistant Minister for Finance to consult loudly with his civil servants thereby disrupting us? We want to listen to hon. Ms. Karua. He should be sitting in the House, listening to what the hon. Member is saying!

The Temporary Deputy Speaker (Mr. Musila): Hon. Keah, please pay attention to the debate. Proceed, hon. Ms. Karua.

Ms. Karua: Mr. Temporary Deputy Speaker, Sir, I was saying that under the Office of the President, there is the Police Department and the Provincial Administration. These are the two departments that sometimes give very disappointing services to the wananchi. Most of the time, the police cannot render services due to lack of fuel or even vehicles. Most of the police vehicles have broken down, despite the fact that we vote money year after year. I have learnt that the police in the districts operate their accounts through the district commissioner's offices. This means that when the police vehicles break down, or run out of petrol, instead of looking up to their boss, they report to the Officer Commanding Police Division (OCPD), who then looks for the district commissioner. It means that more often than not, they are caught without petrol and other tools of trade, when crimes are committed. This is the time when they are needed the most. It is time the Office of the President ensured that the police operate their Vote independently. I do not see why, in a District like Kirinyaga, the OCPD, who is entrusted with the management of security in the district, cannot manage the funds that come under the Police Department. It is time the police kept their own money for fuel and repair of their vehicles. If we do not de-centralise this service, then the district commissioner, if he wants to be unfair, will withhold the money when it is most needed.

This is a time for liberalisation. Why should one officer in the district hold all the money for all the other departments? We want all the departments to operate independently. Therefore, I appeal to the Minister concerned to look into this matter, and ensure that the police operate without having to persuade the district commissioners to release money to them. This year alone, several ugly incidents have occurred in my Gichugu Constituency. One of them involved burning of a suspect by the community, which is as a result of frustration. When they report cases and no action is taken by the police, they get frustrated and take the law into their hands. While one does not condone the act of taking the law into their own hands, if the police were managing their own money for fuel and repair of vehicles, they might have been in a better position to give services and prevent the frustration that the community felt, which led to the incidents of mob justice.

Currently, there were other very ugly incidents which related to farmers, as a result of their frustration by the Ministry of Co-operative Development. On 23rd of this month, which was on Tuesday this week, a meeting of farmers at Kabare Farmers Society was disrupted and chaos erupted. The police were supposed to manage the security in such a meeting with efficiency. Since there is a lot of tension in the area, the police are supposed to conduct regular patrols. The police do not have enough fuel. This has to be conveyed to the District Commissioner. The District Commissioner may not be available when he is needed. I think it is time the police operated their services independently.

Mr. Temporary Deputy Speaker, Sir, we vote money to the Ministry of Co-operative Development in the hope that it will provide services. But instead of offering the services, the Ministry is causing a lot of fighting among the farmers. In Kirinyaga District, it is not only Gichugu which is affected, although it is the worst hit, ugly fights among the farmers throughout the district have occurred. This is as a result of the officers in the Ministry, failing to do what is expected of them. They also interfere with the farmer's meetings. It appears that those in the Ministry are not aware of the provisions of the new Co-operative Act, which came into operation on the 1st of June, 1998. I hope that the Ministry of Co-operative Development will spend some of the money that we are voting to educate its officers on the provisions of the new Co-operative Act. They ought to know that the farmers have a right to decide for themselves how they would like to manage their affairs. I have in mind the case of Kabare farmers who have been trying to convene a general meeting since June this year. The District Co-operative Officer has kept on postponing the meeting. One such meeting was supposed to be on 15th of June.

It was postponed to the 19th, then to the 23rd, only again to be postponed on 23rd, and the farmers forcibly dispersed. This has led to fighting among the farmers, and we feel that this Ministry is not serving the purpose it is supposed to serve. The farmers should be left alone to hold their meetings peacefully, and the only thing the Government should provide is security for such meetings. We should not have the Provincial Administration

involved at all in the co-operative movement. The skirmishes in Kabare Farmers Co-operative Society on 23rd June, 1998, has so far left two people dead and several seriously wounded. This is a very serious matter and it is regrettable that the Ministries voted to give services to wananchi are abdicating responsibility and causing mayhem. I am, therefore, calling upon the Police Department, the Provincial Administration and the Ministry of Co-operative Development to do their duty so that we do not have a repeat of the incident that occurred at Kabare Farmers Co-operative Society. I am glad to note that the Minister for Co-operative Development has just walked in. Kabare farmers want to be able to hold a meeting to decide how they want their society to be managed. I do not know why it is so difficult for the Ministry of Co-operative Development to facilitate a meeting between the two opposing groups, so that peace can be restored within the co-operative society. This should be extended to all the other troubled societies.

Mr. Temporary Deputy Speaker, Sir, we want to see the Ministries operating efficiently and also recalling officers who no longer serve a useful purpose where they are posted. I think one such officer should be the Kirinyaga District Co-operative Officer. If during his tenure at the district, all we are having are riots and fighting within the co-operative movement, then something is wanting in the District Co-operative Office. I do hope the Ministry would take action in this regard.

Mr. Temporary Deputy Speaker, Sir, I would also want to point out that although we are voting money for the Ministry of Energy, it does not seem to have any proper plan for the Rural Electrification Programme. In many instances, we have noticed installation of power to homes of friends of those who hold key positions in the Kenya Power and Lighting Company. We would want to have a clear policy of who deserves to benefit under the Rural Electrification Programme. It is my hope that today as we vote these funds, we are going to get more efficient services from all the Ministries. As Kenyans and as taxpayers, we deserve no less.

Mr. Temporary Deputy Speaker, Sir, with those few words, I beg to support.

Mr. Sudi: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute on the Motion. First of all, I would like to take this opportunity to thank the Minister for Finance for presenting a balanced Budget which is a departure from the previous Budgets which have been known for raising prices of commodities like beer, cigarettes and so on. This Budget was well thought-out because it was based on the money which was available.

This Budget would not be complete if we do not address the plight of the farmers. As we know, Kenya is an agricultural country and the farmers are the backbone of our economy. If we cannot subsidize on the farmers' inputs such as fertilizer and lower taxes on diesel which the farmers require, then we would not have done justice to the farmers. Prices of farm implements such as tractor spares and tyres should also be lowered in order to assist the farmers. It is also absurd to note that the Minister never gave any measures on the importation of cereals like wheat and maize, which are normally imported when the farmers have harvested their crops and they have nowhere to sell them. This importation of cereals has made the prices of maize and other cereals to drop and this has been a big loss to the farmers. I would like to urge this House to stop the importation of cereals, because from the recent *El Nino* rains, areas like Ukambani, which never used to produce maize before, are now exporting maize to parts of Rift Valley and Western Kenya. We should promote that sector.

Mr. Temporary Deputy Speaker, Sir, this country has got a lot of potential to attract tourists if it is served well. For example, in some parts of Rift Valley, especially Marakwet where I come from, there is a great potential of tourism lying untapped. Along the Kerio Valley, there are so many tourist attraction points which, if exposed to the outside world, would generate revenue from tourism.

Mr. Temporary Deputy Speaker, Sir, roads in this country are impassable and from the Vote-on-Account of the Ministry of Public Works and Housing, it is evident that we have voted so much money for the maintenance of roads. Let it be utilised for the intended purpose.

Mr. Temporary Deputy Speaker, Sir, the Minister for Finance told this House that vehicles which come to this country are not serviceable or have been rejected from outside. That is not true because most of these vehicles come here when they are new. Even if you bring a vehicle which was manufactured in 1990 or 1992, it looks as new as the one that has come from the showroom. It is our impassable roads which cause accidents and make all vehicles whether from the showrooms or second-hand used vehicles to wear out very quickly. This is because the money which is voted for those roads is not properly used. This should be monitored.

Mr. Temporary Deputy Speaker, Sir, I take this opportunity to inform this House that, at this point in time, there is Chebara Dam in my constituency for which money was voted, but in the end, the money was returned to the District Treasury. This money amounted to about Kshs18 million. The contractor abandoned the project and now, the dam has submerged the local primary school, church, secondary school and all the facilities which that community was using. The water has overflowed and there is nowhere the residents can take their children: Could the Minister in charge of **[Mr. Sudi]**

that area note that problem and take the necessary action?

Mr. Temporary Deputy Speaker, Sir, there is a lot of gutter press which has been maligning or misleading this nation. Some of these papers are owned by Members of this House. I know that during this time of economic difficulties, I do not think it is good to malign the names of other people by publishing damaging reports in the papers, so that your paper can be bought. It amounts to misleading the whole nation. If there is anyone who is corrupt, then he should be arrested, taken to court and charged. While maintaining law and order, I call upon peace loving Kenyans, whether in the Opposition or KANU to come out vocally and condemn corruption. It should be known that some of us are not corrupt but clean and we are prepared to protect our country, regardless of which party we belong to. We should make the economy of this country grow by preaching peace and reconciliation. Let us not open old wounds because that will not assist us to prosper.

Mr. Temporary Deputy Speaker, Sir, on an ending note, I say thank you very much.

Dr. Kituyi: Asante sana, Bw. Naibu Spika wa Muda, kwa kunipatia fursa nami niseme machache kuhusu makadirio ya mahitaji ya Serikali mwaka huu, hadi mwaka ujao.

Bw. Naibu Spika wa Muda, tumeelezwa hapa kwamba tunajitahidi sana kuisaidia Serikali na kazi yangu ya kwanza ambayo inaonekana imekuwa kubwa sana na ngumu sana kwa Serikali kutekeleza yenyewe ni kuisaidia kwa njia moja kwa kupunguza shida za kuhitaji pesa nyingi katika makadirio ya Serikali. Hii ni shida ambayo inatokana na size ya Baraza la Mawaziri. Ningependa kuisaidia Serikali hii ya Mtukufu Rais kwa kuwaeleza hivi: Naona Mawaziri wengine wanatoroka. Ningependekeza Wizara zifuatazo ziwekwe pamoja na ziwe Wizara moja moja. Wizara ya Kazi na Wizara ya Mawasiliano zinaweza zikawa Wizara moja na zikatumia limousine moja na gari la four-wheel-drive, moja ya Waziri. Wizara ya Utalii, Wizara ya Mazingara na Wizara ya Mali ya Kiasili zinawezekana zikawa Wizara moja. Wizara ya Biashara na Wizara ya Maendeleo ya Viwanda zinaweza kurudishwa tena pamoja kama zilivyokuwa hapo mwanzo na zikawa Wizara moja. Wizara ya nguvu za ardhi na Wizara ya Utafiti na Teknologia zinaweza kuwa Wizara moja. Tutakuwa tumetoa bendera tano yaani F320 tano, Pajero tano na hatimaye kupunguza shida.

Bw. Naibu Spika wa Muda, napendelea sana wakati wa uchaguzi nikisia sana hii Serikali ikijigamba eti ni Serikali ya maendeleo au eti inapenda maendeleo na inaletea wananchi maendeleo. Nimeona makisio ya pesa za Serikali, lakini katika Bajeti hii, asilimia nane---

The Minister for Local Authorities (Prof. Onger): Jambo la nidhamu Bw. Naibu Spika wa Muda. Ni kweli kwa Mhe. Dr. Kituyi kusema kwamba Serikali yajigamba ama vipi?

Dr. Kituyi: Bw. Naibu Spika wa Muda, unajua mhe. Prof. Onger ambaye ni Mkisii ana shida ya kutofautisha kati ya kujigamba na kujikamba.

(Laughter)

Dr. Kituyi: Bw. Naibu Spika wa Muda, katika haya makisio ya Serikali, asilimia nane yaani 0.0857 ya pesa zote zinazoagizwa katika Bajeti yaani Kshs7,20,183,764 ndizo pesa Serikali inataka kutoa kwa Exchequer kuendesha maendeleo. Serikali inayopenda maendeleo inatumia asilimia nane ya Bajeti kuendesha maendeleo. Ukitizama makisio ya maendeleo utapata kwamba asilimia 29.5 ya Bajeti ndiyo inatoka kwa Serikali ya Kenya. Asilimia 70.5 ya pesa ndizo zinazotarajiwa kutoka nje. Hii Serikali hupenda kusema: "Nyinyi watu eti nyinyi watu wa Upinzani mnapenda Wazungu; mnapenda kuomba mpaka mmekuwa watumwa". Nani mtumwa kuliko mwingine kama asilimia 70 ya makisio yote yako ya maendeleo unaomba kutoka hawa wafadhili Wazungu?

Bw. Naibu Spika wa Muda, wengine hawajui kusoma. Tungetaka waende wakaelezwe ili wajue kwamba kutoka kwa K£1,913,321,604 katika Development Estimates, Appropriations-in-Aid inachukua K£1,347,640,174 ambayo ni asilimia 70.5. Wale ambao hawajui hesabu ni heri wanyamaze.

Bw. Naibu Spika wa Muda, kuna shida zingine hapa. Baadaye tutawapatia fursa watu wa Serikali watazame vizuri kwa nini Serikali imefanya Bajeti kwa njia ya kuonyesha kama hii Bajeti ni ya uchaguzi?

Kuna miradi miwili ambayo inakuja katika Budget ya Serikali. Kisii-Chemosit Road na Kibabii Teachers' Training College. Tangu mwaka wa 1988, wakati tulikaribia kura za mwaka huo, tuliona maagizio ya serikali kuhusu Kisii-Chemosit Road na Kibabii Teachers' Training College. Wakati kura inaisha, unaona katika Supplementary Estimates, wametoa hizo pesa. Kwa miaka mitano sasa, wakati nimekuwa katika hii Bunge, kila mwaka maagizio ya pesa yakija, unaona K£5 million imetengwa iwe ya Kibabii Teachers' Training College. Na ukisuburi hadi Machi mwaka ufuatao katika Supplementary Estimates, unaona ya kwamba wameondoa K£4,500 million. Mwaka huu, serikali inasema kwamba, there is an over-establishment katika colleges za walimu. Inasema kwamba inajaribu kupunguza walimu. Yaani sasa, kutakuwa na fursa ya kutumia hizo colleges zingine kwa kazi zingine sizizo za kufundisha walimu. Katika haya maagizio, tunaona kawaida, Kibabii Teachers' Training College, imepewa K£4 million. Hizo K£4 million na mnataka kufunga Teachers Training Colleges, mnazifanyia nini huko

Kibabii Teachers' Training College? Kama mna vyuo kupita kiasi, mko na shida ya pesa na hakuna campaign itakayofanywa Kisii-Chemosit Road na Kibabi Teachers' Training College, mnaandika hapa ya nini maagizio kwamba mtatumia KshsK£4 milioni halafu tukija Machi mwaka ujao, as sure as sunset, kutakuwa na Supplementary Estimates Kasoro the K£4 million?

An hon. Member: Huo ni uongo mtupu!

Dr. Kituyi: Bwana Naibu Spika wa Muda, kuna mambo mengine mawili hapa ambayo niliyaona. Kuna institutes za utafiti za serikali kwa mfano, The Kenya Trypanosomiasis Research Institute (KETRI), Kenya Medical Research Institute (KEMRI), Kenya Industrial and Research Development Institute (KIRDI), Kenya Forestry Research Institute (KEFRI), Kenya Marines and Fisheries Research Institute (KEMFRI). Zote katika maagizio ya mwaka huu, details of personnel emolument, hakuna pesa zozote. Ukitazama kutoka ukurasa wa 1,669 hadi 1,673, hakuna maagizio ya mishahara kwa wafanyi kazi katika hivyo vyuo vya utafiti. Hawa watu, mishahara yao itatoka wapi? Au mmewasahau? Au maagizio yamebadilika? Nitaomba kwamba wakati wanajaribu kutueleza vizuri, watatueleza yamekuaje.

Nikimaliza, ningetaka kusema ya kwamba, kuna wilaya zingine ambazo, kulingana na hii Budget, serikali inatueleza kwamba zinahitaji kuwa na watu kiasi fulani katika kazi. Katika wilaya nyingi, hawa watu hawako; nusu ya wale wanahitajika kuweco ndio wako. Na katika wilaya zingine, wameajiri watu wengi kuliko vile wanakubaliwa. Kwa mfano, ukitazama ukurasa wa 1859 ya Recurrent Expenditure Volume III, utaona, ukianza na Wilaya ya Baringo, mwaka uliopita, walihitajika wawe na wafanyi kazi wa wilaya katika Wizara ya Kilimo, 80; lakini walikuwa na watu 158. Mwaka huu, pia wanahitaji 80, lakini wale wameajiriwa ni 175. Ukienda kwa Bwana Total Man, ni vile vile.

An hon. Member: Total Man ni nani?

Dr. Kituyi: If you do not know the Total Man and you are in Government, you are about to loose your job.

(Laughter)

Kule Wilaya ya Keiyo, Walitakikana Wawaajiri watu 96. Wale wameajiriwa ni 118. Mwaka huu pia wanatakikana wawe watu 96, lakini wameongezeka tena wakafika watu 121. Ukiona Wilaya zingine kama Suba, Wanahitajika wawe na watu 16 lakini hawajaajiri hata mmoja. Je, kama hamwezi kujuziwa kuwapatia watu kazi ambazo hazijaagizwa katika mahitaji ya pesa, mtatuulizaje sisi tuwape heshima?

Bwana Naibu Spika wa Muda, katika kumaliza, ningependa kutaja mambo mawili. Kumekuwa na utafiti wa raia kuuliza ni kwa nini kampuni za Kenol na Kobil, namwona mwenyekiti wa Kobil yuko hapa, zinaweza kuuza mafuta kwa bei nafuu? Ni kwa sababu hizi ndizo kampuni ambazo zinaendelea kuchukua mafuta kutoka kwa depot bila kulipa kodi. Na wao watueleze kama watahitaji heshima yetu. Mwisho kabisa, ningemuomba Waziri mzaidizi wa Fedha ahakikishe Bunge---

The Minister for Local Authorities (Prof. Ongeri): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity and I wish the hon. Dr. Kituyi will also listen. First and foremost, it is an erroneous conclusion which is statistically drawn out, that the Government is going about borrowing lavishly from the so-called donors. If you look at the Budget in its totality, what we are saying is that the Government of Kenya is, in fact, if you calculate carefully, funding 95 per cent of its recurrent and development expenditure. It is only the 5 per cent which is being sought in the way, either of grants in aid, loans or in any other form, to supplement the recurrent and development expenditures.

Mr. Temporary Deputy Speaker, Sir, this Budget has been conceived and framed in a manner that is aimed at containing the expenditure pattern in order to reduce the domestic debt. It is an important point that we should not lose sight of. It is not the type of Budget that has been framed based on the situations, as we would like to see them, in a progressive pattern. It is, therefore, important to note that it is a Budget which has been reduced, in order to meet basic needs of various Ministries in the form of emoluments, goods and services. Therefore, it beats any logic to argue that the Government cannot be given the authority to incur this expenditure, simply on the basis that there were some allegations of excessive spending. I think it is also important to note that one of the objectives of the Budget, hence the need to request this Kshs56 billion from the Consolidated Fund for use by the Government is on the basis that, unless we have this authorization, the kind of numerous requests that are being made by both sides of the House, would not be achieved and, therefore, would have defeated the same objective we, as Members of Parliament when we sought mandate from various constituencies, that we will be delivering services to our people. You cannot be delivering services to the people in a vacuum. Therefore, you need that authorization to be able to effect and deliver services to our people. These services take many forms, in the

agricultural, transport, local authorities and health sectors and in many other areas that are crucial and important for the life of this nation. What we should be saying is that, those who are charged with the responsibility of over-seeing this Vote on Account must be extremely careful and they must be strict in the management of this fund. There, we concur with those who make this point. It is only fair that public funds are carefully looked after and that, we must contain expenditure in order to tame any threats of inflation. It is only fair that, we contain expenditure in order to have an indirect influence on the question of employment opportunities. This is because, by containing expenditure, there is an element of confidence which must be created.

Mr. Temporary Deputy Speaker, Sir, it is very disturbing that in order for us to create new incentives and opportunities for the investors, we have spent a bit of time arguing on issues which are extremely inflammatory and unnecessary, and which will not be able to assist us to create the critical part of confidence for this nation. Therefore, it is incumbent upon every hon. Member to talk in a language that is persuasive and can create confidence, if we are all patriotic, nationalistic and mindful of this nation. That is a necessary step that we must take as hon. Members of this House.

The other point, Mr. Temporary Deputy Speaker, Sir, I would like to say is that, unemployment is a feature for everybody. It is not a discriminator against either the Government in power or the Opposition. One of the first things that we notice when we arrive at our constituencies are multitudes of unemployed youths. One way in which we can address this issue is to create an enabling environment and spar off economic activities which will attract more investors and create employment opportunities for our people. I think this is the responsibility of all hon. Members in this House. We have all talked emotionally about the state of the economy of this nation. We have spent long hours in seminars discussing ways of revamping the economy. When it comes to providing the necessary instruments to be able to address that very critical issue of the economy, I get distressed to hear that we should not vote for this money from the Consolidated Fund. Where is our loyalty? Is our loyalty a lip service? Is our loyalty in a pragmatic sense of dealing with situations at hand? I submit that the situation at hand is addressing actively the issue of the economy.

Mr. Temporary Deputy Speaker, Sir, I have seen on many occasions, hon. Members querying certain events in our calendar of development. They are within their rights. Although infrastructure development has not been catered for fully, we would have liked to see plans for its development, particularly, as it relates to the local authorities, the road network, the supply of water, the management of liquid and solid waste and services to the people. Although, as the Minister for Local Authorities, I would have liked to see a generous Budget, enabling us to address these issues I am fully aware of the bottlenecks and constraints that will not allow us to have that generous Budget. However, we will do with whatever we have.

For now, hon. Members will be pleased to note some useful work that is being done to clean up the City.

It is a labour intensive exercise, with little cost. We must maintain this tempo. For us to maintain this tempo, we need the authority of Parliament to take money from the Consolidated Fund to enable these activities to continue. Otherwise, we will be paying lip service to what we are supposed to do. Indeed, it is our moral responsibility as Parliament to enable the labour force to deliver services that are required of them.

Mr. Temporary Deputy Speaker, Sir, civic leaders at various municipalities and towns have immense responsibility. They are the grassroots leaders. We should show them an example of a good leadership. There is need for total co-operation between the civic leaders and the chief officers, particularly, as it relates to the administration of the various services and maintaining of equipment and plants in good order in order to deliver services.

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

Dr. Leakey: Mr. Temporary Deputy Speaker, Sir, I would like to be cognisant of time. Therefore, without intending to indicate lack of interest in the proceedings, I will take less time than I am allocated, so that other hon. Members can contribute.

I would like to begin by saying that what I find most discouraging is that there is a degree of self-righteousness being expressed on occasion by some of the speakers on the Government side of this House. I believe that at this stage in time, there are some very important issues that we should address. I would like to raise, perhaps, three issues. First, I would like to reiterate that to a greater degree, it is an insult to one's intelligence to be expected to participate on a debate involving over Kshs70 billion of public funds in a matter of a few hours. It is more serious than that. I hope that in future, with efforts to change the Standing Orders of this House, we will be able to discuss the Estimates before they become a *fate accompli*. I believe that in that way, we can gain some of the trust that is necessary if we have to move forward.

Mr. Temporary Deputy Speaker, Sir, I would further like to suggest that if the hon. Minister for Finance receives the support and the discipline from the Government side, and the support [**Dr. Leakey**] of others in the country, he will not only achieve a balanced Budget through the year, but will also actually come

up with a surplus. I believe that we would all hope that this should be the case. In addition to putting surplus funds at the end of the year towards debt repayment, some consideration could be given to areas that are remarkable by having been inadequately addressed in the Budget. In particular, I would like to draw attention and appeal to the Government side to recognise that in this country we have more than three million disabled people. The resources that are allocated to the various Ministries for the needs of the disabled people are totally inadequate. I know that it is a tight Budget, but I must, on the behalf of the disabled, draw your attention to a plea and a cry for something to be done for these young and old men and women. If there is an opportunity in the Supplementary Estimates, on a balanced Budget basis, to allocate a little additional resources to these needy people, I would urge that it be considered.

Mr. Temporary Deputy Speaker, Sir, the second point that I would like to make is that - with due respect to the Government side - it seems to me strange that the National Aids Control Programme, an illness that is affecting over a million people in our country and which is blocking the few hospital beds and clinics that we have, has been allocated less than K£1 million in the Budget. Yet, we have allocated substantially large sums to projects that are not even of prestige let alone development, significance. For example, in the Budget of the Office of the President there is a secretariat, or an institute, that deals with social impact of development. There is no development in this country. So, we do not need to worry about its social impact. Let us allocate that money to the National Aids Control Programme or to the handicapped. Alternatively, we should use it in better ways. I would urge, without trying to score some political points, that it would be helpful if in a future occasion, when Estimates are to be considered, there is a debate before it is too late for them to have an impact on the priorities that have been set. This is particularly so in a country where there is desperate need for both sides of the political divide, to work together for the good of everybody.

Mr. Temporary Deputy Speaker, Sir, given that I cannot, in any way, influence the outcome of this Vote and, recognising, having been employed in the Government for many years; voting against it will not make a difference, I will vote in support of it despite my reservations.

Thank you.

Mr. Mutani: Thank you Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. We are being asked to approve this Budget so that money can be used to finance Government services. It is our duty to advise the Minister for Finance on how the money should be used.

Mr. Temporary Deputy Speaker, Sir, the Office of the President has "Paramount Chiefs", who are over 80 years old, but they earn higher salaries than young District Officers (DOs) who completed university education recently. These chiefs retired, but were recalled to work as Paramount Chiefs. Why should such chiefs not retire and rest at home since they have attained over 80 years of age? Other chiefs who have attained retirement age have come to Nairobi to see their godfathers so that they can remain in the payroll for a number of years. These are being paid under Vote DO1. Why should these people not resign? We have many unemployed young and, qualified people.

Mr. Temporary Deputy Speaker, Sir, I have seen a number of Government vehicles carrying timber belonging to individuals, who are employed in the Ministries. This timber is transported from forests in Government vehicles fuelled with Government money. And, this is the money we are being told to approve today. After following up the issue carefully, I established that the timber is not meant for the construction of a chief's office or a DO's office but rather, it was being ferried to an individual's home. We have been told that there are inspectors. These inspectors will not help us. We should instead hire inspectors from other organisations rather than pick up a DO or an Inspector of Police from here. These people will never help this country. Let us get people from other organisations and employ them as inspectors.

Mr. Temporary Deputy Speaker, Sir, I hope this money will be used to buy drugs for public hospitals because people are dying there. This is a Government of the people, for the people and by the people. It should buy drugs for the people in all public hospitals. Public hospitals have doctors, clinical officers and all other required personnel. But if you go there, they examine you and give you a prescription card and refer you to pharmacists to buy the drugs. A close follow up will reveal that the drugs being sold in some pharmacies have come from pharmacies in public hospitals. If, really, we have got inspectors, why do they not follow up these things?

I hope that this money will be used for the intended purposes. There are people who have applied for telephone services and are ready to pay once the services are installed. But these people stay for up to three years without being given the service. When you ask the people concerned, they claim that they have no money and that the services would be availed after the Budget has been read. Now, we are going to approve this Budget. I hope that we will give these people the services they need and, for which they will pay.

Mr. Temporary Deputy Speaker, Sir, in all towns, particularly Chuka, where I hail from, frequent electric power failures have caused a lot of inconveniences in factories, schools, and even petrol stations. Business firms

which use electricity in the area have resorted to buying electric generators while schools have bought pressure lamps. Why is all this happening? It is the Government's responsibility to provide electricity in these areas. I hope that after we have passed this Bill, the Government will be able to repair and maintain whatever has broken down, including the roads that link farmers to markets, coffee factories and tea collection centres. These are some of the areas where Government revenue comes from. Without tea, the Government will not get the money.

Mr. Temporary Deputy Speaker, Sir, there are places in my constituency where DOs cannot use their vehicles because the roads are impassable. I hope that after approving the expenditure of this money, the Government will be able to grade roads leading to DOs' offices, schools, hospitals and the markets.

With these few remarks, I support.

The Assistant Minister for Foreign Affairs (Mr. Morogo): Thank you Mr. Temporary Deputy Speaker, Sir. I rise to support the Motion to enable the Government to continue providing necessary services to *wananchi* in the country.

Mr. Temporary Deputy Speaker, Sir, I am aware that funds available to the Government for services and necessary development in the various parts of the country is very limited. I would, therefore, like to urge the various Ministries and departments to exercise great financial discipline as they expend public funds. We would like to do as much as possible with the little available funds.

I have been listening to some arguments by some hon. Members; that the little available funds should be directed to productive areas. I do support this argument. However, over the years the same argument has been put forward and, as a result, some parts of the country have remained underdeveloped. Some parts of the country have not yet been opened up to rest of the country in terms of transport, communication, etcetera. These areas have remained as they were before. While we consider productive areas, we should also consider opening up other areas. This is because the country has to develop as a whole, without leaving any part of it underdeveloped. I would like to, particularly, urge the Office of the President, because they have the funds now, to consider areas that have been hit by famine. Despite the assistance we are getting from outside, still the country has some areas which are facing great famine. Many of our people are still suffering from hunger and, I would like to urge the Office of the President to be very particular about this situation so that the *mwananchi* is taken care of in terms of food. This is because we cannot talk of any development when people are hungry in the country.

Mr. Temporary Deputy Speaker, Sir, I would like to, particularly, urge the various Ministries to give preference to some parts of my constituency which have not been reached by development.

Mr. Temporary Deputy Speaker, Sir, I would like to urge the Ministry of Public Works and Housing to repair the roads in my constituency. People in my constituency cannot have access to health facilities because the roads have not been opened up. Now that the Ministry will have the funds to repair existing roads, enough drugs should reach our health centres.

Mr. Speaker, Sir, the Ministry of Water Resources should provide adequate water because parts of my constituency have no water and life is very difficult because of lack of water. We depend on livestock mainly for our livelihood and so, we need water both for our animals and for the people.

Mr. Temporary Deputy Speaker, Sir, we have set a goal of becoming an industrialised country by the year 2020. I would like to urge the Ministry of Industrial Development to now consider directing industries towards the rural areas. If we did that, we would curb the influx of people from the rural areas into the cities and towns. Those industries would also create employment for our people in the rural areas and retain them there. If that is done, money will be circulating in the rural areas and living standards in those areas will be high. I know that in the past, there has been a tendency to concentrate industries in certain areas, particularly in the City of Nairobi and its environs. I hope during this period, those other parts of the country where industries do not exist, will be considered. By so doing, there will be equitable distribution in the industrialisation of the country.

Mr. Temporary Deputy Speaker, Sir, I would also like to urge hon. Members to be serious in assisting the Government to put the economy back on course. We know the situation of the economy of this country at the moment and, this Budget attempts to bring the economy back on course within a year or two. To achieve this, we need a strong sense of discipline from all of us, in terms of our activities and utterances. We can support this Budget by selling the good image of our country, by promoting tourism and other good things in this country. It is incumbent upon all of us to do that. I urge all hon. Members that we should appreciate [**The Assistant Minister for Foreign Affairs**]

our country the way it is. Let us not look at it from the point of view of our political affiliations. Many a times, we have tended to spend our time discussing our political differences although we are all aiming at creating a better Kenya for later generations. So, the question of which party is in power should not arise but what should matter is the discipline of the people and its leaders. It is the love of the country and patriotism which is required from the leaders of this country so that we can make Kenya a beautiful country. If we do that, we will achieve the

desired economic growth that can sustain our people. By so doing, we shall live in this country happily.

With those few remarks, I beg to support.

Mr. Kaindi: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to participate in the debate.

Mr. Temporary Deputy Speaker, Sir, we are being called upon to approve money to be withdrawn from the Consolidated Fund to be used for Government Expenditure. While it is our duty and responsibility to do so, it is important for hon. Members to point out that any expenditure must be accompanied by prudent measures and sound policy.

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

[Mr. Speaker resumed the Chair]

Mr. Speaker, Sir, we do not want see this ending as a mere public relations exercise where we come here to debate, discuss, approve expenditure only for a Treasury Circular to be issued out requiring the Accounting Officers to return the same money to the Treasury. If my participation in this debate will ensure that the Ministry of Health eradicates cholera which has broken out in the Athi River area of my constituency, then I will participate in this discussion and endorse this expenditure. But we must take it upon ourselves to ensure that the money voted to the Ministries is spend in the right manner.

Mr. Speaker, Sir, the level of poverty in this country is appalling. We have evolved a culture of helplessness that cannot sustain our people and which reduces our citizens to a state of hopelessness. But it is the duty of those Accounting Officers in the Ministries and the officers below them to ensure that prudent measures are put in place to make sure that the money voted for the respective Ministries is utilised in the right manner.

Mr. Speaker, Sir, this country is going through a very difficult time and it has become our duty to inform members of the public about the difficulties that this economy is facing. When we look at the various sectors of our economy, for instance the industrial sector, it is high time--- I will move a Motion in this House to recommend that the whole of the corridor from Mombasa Road, from the Jomo Kenyatta International Airport to the junction of Machakos Road be declared an industrial corridor. Industrial development in this country is essential but we do not seem to have planned properly for the expansion of that sector. It is important, therefore, to plan because we are seeing irrelevancies and uncoordinated planning activities taking place along the section I have just indicated. Very soon, we will not have a clear policy on land with respect to that area. We are going run into a situation where we will have investors coming to this country and there will be no place to build industries.

Mr. Speaker, Sir, as we appropriate money and talk about industrial development in this country, it is also important for me to point out that in Athi River, we have the Export Processing Zone. It was starting by this Government, money was voted for that sector but that area is not as vibrant as we all thought it would be. I am urging the Government to ensure that the policies that were set before we started the EPZ are put in place so that, that important sector will become very active.

Mr. Speaker, Sir, I do not want to take a lot of time. I stand here to support the appropriation of funds for Government expenditure. I just want to reiterate my earlier stand that I hope this money will be utilised for the purposes set in the Estimates.

With those few remarks, I beg to support.

Mr. Kamolleh: Asante sana, Bwana Spika. Mimi ninaitwa Kamolleh, ninatoka Matuga. Wale wasiojua mahali Matuga iko wana mwona mwenye kutoka Matuga.

Mr. Githiomi: Bw. Spika, inaonekana kuwa Wabunge wengi wanaopatiwa nafasi ya kuongea ni wale wanaovaa miwani. Je, itanibidi mimi ninunue miwani ili niyavae siku ya Jumanne, ndipo nipewe nafasi ya kuongea?

Mr. Speaker: Yavae yako wewe!

Mr. Kamolleh: Mimi nataka kuyasema mambo mawili au matatu ili tuweze kuelewa ni kwa nini Serikali imeleta Hoja hii ili tuweze kutoa kibali na kuipatia uwezo wa kujiendeleza, kuanzia hivi sasa mpaka siku fulani. Kuna wengi wanaosema: "Kwa nini Serikali inataka pesa hizi?" Tumesema hapa kwamba hizi ni pesa ambazo tunataka kwa wakati huu ili Serikali iweze kutoa huduma mbali mbali ambazo nyinyi wenyewe mmekuwa mkiomba. Mlikuwa mkiomba huduma katika kilimo, nyanja za elimu na katika nyanja mbali mbali. Lakini tukiulizwa tutowe kibali ili Serikali iweze kuzitoa huduma hizo hizo, wengine wenu mnauliza: Serikali [**Mr.**

Kamolleh]

ikipewa pesa hizo itazitumia kwa namna gani? Nyinyi mmesema kwamba mnataka huduma na Serikali isipopewa kibali cha kutumia pesa hizo itawezaje kuzitoa huduma hizo? Hapo ni lazima sisi tukae pamoja ili tuweze kuona kwamba Serikali inapewa uwezo wa kutoa huduma hizo.

Jambo la pili, sisi wahe. Wabunge hapa husimama kuilaumu Serikali eti hapa hospitali iko vile, madaktari hawapo kule, magari hayajapatikana, lakini tukiulizwa tuzitoe pesa hizo hizo ili tutowe huduma hizo, tunaanza kulia tena kwamba haiwezekani. Mambo yaliopita yameshapita, tuangalie mbele. Wenzetu wale walio katika upande wa Upinzani wanafikiri kwamba Serikali haisikilizi. Kwani sisi ni miti? Sisi ni binadamu kama wengine. Kwa hivyo, Serikali iko tayari kusikiliza na imesikiliza, ndiyo maana sasa inasema: "Tupeni uwezo wa kutumia fedha kidogo, si zote; ili tuweze kuzitekeleza huduma zile zile ambazo nyinyi mnauliiza." Mimi ninafikiri wakati umefika wa kuelewa kwa nini Serikali inaitisha pesa hizi ili tuweze kuipa kibali hiki.

Ingawa mimi ninasema hivyo, kuna chumi mbali mbali ambazo zimeteseka; kama vile uchumi wa pwani ya kusini, ninakotoka. Chumi ile inatokana na utalii, ukuzaji wa bixa, korosho na nazi. Lakini uchumi huo umeteseka kwa siku nyingi kwa sababu ukiangalia soko la bixa, limeharibika kabisa.

Wakulima wetu sasa wameanza kuvunjika moyo katika hali ya kuweza kukuza bixa. uchumi ule unaotegemea korosho ndio umedidimia kabisa na hali wakazi wengi wa Pwani wana utegemea sana. Mimi ninaonelea kwamba ni kweli tutaipa uwezo Serikali kutumia pesa hizi inazoziuliza. Lakini basi, ikiwa tutatoa uwezo huo, nafikiri itakuwa jambo la maana ni kwamba tuziimarisha chumi zile ndogo ndogo ambazo zikiharibika zitaleta vurugu. Hivi majuzi kulikuwa na vurugu ndogo kule Kusini mwa Pwani na mmeona utalii umeharibika. Wengi wanasema kuwa watu wa Pwani wameaharibu uchumi wao. Ule ni uchumi wetu sisi zote. Kwa hivyo katika kuuliza kibali cha pesa hizi, ningependelea kutolewe fedha za kuweza kutangaza mambo mema na kutayarisha wageni waweze kuja, ili tuweze kuona kwamba uchumi ule hasa unaotegemea utalii, unaanza tena kufufuka.

Bw. Spika, barabara kule hazipitiki na watalii wakija, wanataka kupitia kwenye barabara nzuri. Barabara ambazo zimetengenezwa ni zile tu za lami, na watalii wanakwenda mpaka kwenye mbuga za wanyama. Wakienda kwenye mbuga za wanyama, ni lazima, wapitie kwa barabara ambazo hazina lami, nyingine zimeharibika kabisa kutokana na mvua. Ningeomba kwamba, tutakapotoa kibali hiki cha pesa, basi tuweze kupewa kibali fulani kiende kule sehemu za Pwani, ili barabara ziweza kutengenezwa na watalii waanze kuja. Tunaomba Mungu waanze kuja mwezi wa Kumi, ili sisi sote tuweze kufaidhika katika hali ya uchumi wa utalii.

Bw. Spika, pia ningependa kuomba kitu kimoja kuhusu mashamba ya Shirika la Ustawi wa Kilimo (ADC). Naona kwamba ni dhambi kubwa kama mashamba hayo yataanza kugawanywa huku na kule. Tukiangalia mbele, siku moja tutapotaka kuweka viwanda hapa na pale, nafasi itapatikana wapi? Ikiwa leo zile sehemu zilizowazi, hasa mashamba haya, tukiwa tunayagawanya, kesho tukitaka kuweka mtambo wa kitu fulani, tutauweka wapi? Halafu wengine wanasema: "Tugawanye, kwa sababu yako wazi." Na kesho, ikiwa mtambo fulani, au kiwanda fulani kimeondolewa pale, wengine wanapiga kelele! Mimi ningeomba mashamba haya, yasigawanywe, yaachwe vile vile, bila kulimwa, ili vizazi vyetu vya siku za mbele, viweze kuja kupanga vile watafanya na hizo sehemu ambazo ziko wazi.

Bw. Spika, jambo la mwisho ni kwamba, inaonekana wazi kuwa huko nyuma, tulisahau mambo mawili au matatu. Hakuna kitu muhimu katika uchumi wowote, isipokuwa tuangalie mambo kuhusu afya ya binadamu kwanza. Ikiwa mtu hana afya njema, hawezi kuja hapa Bunge; hawezi kwenda shambani; na hawezi kuenda popote kuangalia maslahi yake. Kwa hivyo, ni bora tuangalie afya ya wananchi wetu wa Kenya sawa sawa, ili tujue kwamba, tumetayarisha watu kufanya kazi, ili tujenge taifa.

Pili, ni lazima tujue kwamba binadamu akiwa na afya, anataka chakula. Tumeanza kugawanya mashamba ya miwa huko pahali pengine. Tumeanza kuangalia kwamba, hata mbolea inayouziwa wakulima wa mahindi, nasikia siku hizi imevurugwa mpaka sasa imekuwa si mbolea ya maana. Hatutaweza kukuza chakula cha kutoza, ili kuweza kutayarisha watu wetu kuenda kufanya kazi na kulijenga taifa sawa sawa.

Bw. Spika, jambo la tatu ni kwamba, mtu mwenye afya nzuri na aliyekula vizuri, anahitaji kusafiri vizuri, ili aweze kuenda kujenga taifa. Kwa hivyo, ninasema kwamba tuangalie njia za mawasiliano, hasa barabara, meli, reli na hata simu. Mambo haya yote yamezorota kidogo na ninaona kwamba hatuwezi kwenda mbele sawa sawa, ikiwa hatutaangalia mambo hayo.

Bw. Spika, yangu ni machache tu kwa leo, lakini ninaunga mkono, tuipe kibali Serikali ili iweze kutumia fedha hizo.

Asante.

Mr. Speaker: I will now call upon the Minister for Finance to reply.

The Assistant Minister for Finance (Mr. Keah): Thank you, Mr. Speaker, Sir, for giving this opportunity to reply to hon. Members' comments on this very important Motion. I take this opportunity to thank

hon. Members for the wisdom and the constructiveness of their contributions on this Motion. I want to assure them that the concerns they have expressed have been duly noted and this will be effectively communicated to the respective Ministries, so that, in the implementation and the provision of the services for which these funds seek to provide, we will ensure that those concerns have been taken care of.

Mr. Speaker, Sir, in thanking hon. Members for those very important contributions, I want to avail this opportunity to remind all the officers of the Government, or those who have the authority to incur expenditure, to ensure that what Parliament is voting here is part of the funds of the total Budget, and they should take care that the funds are utilized for the purposes for which they are intended. This is not, as hon. Anyona had said "free" money; I do entirely concur that, it is not free money. This money is departmentalised and sectionalised. This money is voted on an item by item basis and, indeed, utilisation of the same, must be done strictly in accordance with what Parliament passes.

Mr. Speaker, Sir, we will, indeed, have plenty of time during the Committee of Supply, to debate, Ministry after Ministry. That is when we will have more time to criticize or to make suggestions as the case arises, or as considered appropriate. Indeed, hon. Muite did raise the issue of the Estimate Committee, but in our wisdom, as a House, we decided that, perhaps, the best way is to utilize the departmental committees, so that each Ministry's Vote comes under greater scrutiny by a departmental committee. I trust that after this, the departmental committees will begin their work of scrutinizing the various Ministries' votes before they come for debate in this House.

Mr. Speaker, Sir, I take this opportunity to say further that, the fact that, we are having only this afternoon to approve this Vote on Account, does not stop us, or does not mean that we are being mean on the time factor. We will have the Committee of Supply where the Ministries will come under scrutiny and we will also have the Finance Bill itself. In those two situations, we will be able to bring out as much information and as much criticism, or as much contribution as we really want to. So, there is plenty of time in that respect.

Mr. Speaker, Sir, an hon. Member did raise concern as to how sure can we be, that the funds will be well spent. All I can say, is that, there are adequate controls within all the Ministries and, I can only urge that those controls be utilized or be observed by those who are the implementing agents for the entire Republic. That is the officers of the Government.

Mr. Speaker, Sir, the issue of pending bills was raised and, of course, the Treasury is very much concerned about them. Pending bills are really a cancer and, we are equally concerned because when you have pending bills, it means that we have to pay for services of the previous years, rather than for services of this year. We have recognised this problem and the issue of pending bills is being taken care of, as a separate item, or as a separate financial management issue within the Treasury and we will appropriately come up with some solution in due course.

Mr. Speaker, Sir, Members have observed that there is nothing in this Budget that shows that we are on the road map for industrialization in the year 2020. All I can say is, since our policy is to divorce ourselves from direct participation in industry, we are leaving the initiative to the private sector. It is the private sector, which is the engine of growth that will propel us forward towards industrialization in the year 2020.

Mr. Speaker, Sir, the issue of Accounting Officers and Financial Controllers has been mentioned. All I can say here for now, is that, Accounting Officers, be they Financial Controllers or even junior officers in the Ministry are reminded by this House - I concur with hon. Members for this timely reminder - that they must effectively control the usage of these funds. The funds must be utilised for purposes and for the services for which we are voting this amount, through this Vote On Account.

Mr. Speaker, Sir, revenue collection will be enhanced. But I would like to sound caution that although we are approving over K£2 billion today under the Vote On Account, all these funds will not be available on 1st July, 1998. In other words, the revenue will be flowing in on a monthly basis. Therefore, I would like hon. Members and the country at large to bear with us. They will come in gradually.

Mr. Speaker, Sir, finally I would like to urge hon. Members through their participation in the DDCs to ensure that the funds that have been transferred to the districts are utilised effectively. Please, ask for expenditure reports. It is upon hon. Members who are all Members of the DDCs to call for expenditure reports and scrutinise how the funds have been utilised. It is their entitlement although many of us shy away from this responsibility. This will certainly assist in the accountability and governance process.

Mr. Speaker, Sir, I think I have responded sufficiently to Members' concerns. With these remarks, I beg to move.

(Question put and agreed to)

PERSONAL STATEMENT

Mr. Speaker: That concludes the business of the House. However, we now proceed to the zero-hour and I would like to appraise hon. Members on the procedures that should be followed if one wishes to make a personal statement. The first thing to do is to make a little written statement on what you want to talk about. Hand it over to your party Whip, who should hand it over to Mr. Speaker before 1 0'clock. If Mr. Speaker then indicates to the Whip that it is a proper matter to be raised in the zero-hour, the Whip is obligated, under Standing Order No.20 A, to inform the Minister concerned about the statement to be made at the zero-hour. The rationale is to enable the Minister to prepare himself or herself and come to the House and, if necessary, respond to any issues that the hon. Member may wish to raise. It may be fair if it is responded there and then. This is a matter that the Whips should take very seriously. I specifically appeal to the Whips to discharge their obligations under Standing Order No. 20 A, by making sure that when a Member has submitted an application for zero-hour, the Minister concerned is informed before 4 0'clock on Thursday. Proceed, hon. Galgalo.

ARMY OPERATION IN BANGALE TRADING CENTRE

Mr. M.A. Galgalo: Mr. Speaker, Sir, my statement concerns an Army operation which took place at Bangale Trading Centre on the 13th of June, 1998. This is an area which falls under Bura Constituency in Tana River District. There have been some banditry activities in Waldena and Kitui South boundaries, which is completely outside Bangale area. There have been some activities in Taza Location, also outside Bangale area.

But on the 13th of June, 1998, an Army Platoon decided to carry out a raid on innocent people at Bangale Trading Centre. In the raid, one man by the name of Mustataman Yahya was killed by the Army personnel. Several other people were injured. The elders of that area, including a former chief were arrested and tortured for nine days. All this was conducted at the pretext of recovering guns.

But we know that there is a presidential amnesty which is still in force. So, the army officers deliberately contravened the amnesty and went out of their way to harm, kill and injure innocent people. I foresee that this was deliberately calculated to cause insecurity, suspicion and hate between the communities living in Bangale area. Therefore, I seek a Ministerial Statement plus compensation for those who were killed and injured by the rowdyish, unbecoming army officers.

Mr. Speaker: I have several requests from Ministers who want to respond to issues raised during zero-hour last Thursday, and I think the House will be pleased to hear them. I have the Ministry of Tourism and Wildlife, Office of the President and the Ministry of Labour. Any Minister who would like to respond during the zero-hour can do so.

Dr. Kituyi: On a point of order, Mr. Speaker, Sir. While we appreciate the very rare occurrence that Ministers are willing to answer questions, since we have very limited time during zero hour, one wishes that we can make an exception today and allow them to answer, otherwise, the Ministers should use the time allocated for Points of Order after Question Time on normal days, to answer in order to allow us time during zero hour properly.

Mr. Speaker: Very well! I completely agree with you, Dr. Kituyi, but today, I have only one. So, I think it is in the interest of Members who zeroed last time to have themselves de-zeroed. So, can we have somebody dezero Mr. Wamae?

MINISTERIAL STATEMENTS

CORRUPT TRAFFIC POLICEMEN IN MERU

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Speaker, Sir, on Thursday 18th June, 1998, hon. Mwiraria rose on a point of order and requested for a Ministerial Statement regarding the above matter, that the traffic policemen have mounted six road blocks along the Maua-Meru Road and are charging Kshs50 for every matatu or bus plying the route. Secondly, on 15th June, 1998, matatu touts staged a demonstration in Maua Town to protest against the corrupt police officers. In connection with this, I would like to state as follows: First, that there are three road blocks and not six as alleged on the road between Meru and Maua. These were mounted on 8th June, 1998, to check cases of traffic offenses. These road blocks are manned

by officers from Meru and Nyambene Divisions. A total of 1,018 traffic cases have been detected and the offenders have appeared in court. They have been fined between Kshs2,000 and Kshs6,500. Four offenders have been sentenced without the option of a fine, and two cases of corruption have also been detected and a matatu tout and a driver have been charged for trying to bribe police officers on duty.

Secondly, it is true that the matatu operators staged a demonstration in Maua, but they were protesting against Maua Municipal Council for charging them Kshs10 per vehicle per day and yet, no bus stage had been erected as agreed. They did not complain against the police as alleged. In fact, the demonstrators burned down the council's levy

office to drive their point home. Thirdly, the figure available on cases detected on the concerned road are quite high, and whereas one cannot say that corruption is non-existent on this road, it is evidently minimal. The high numbers of people charged with traffic offenses since the operation commenced on 8th June, 1998, have occasioned bad blood among some matatu operators who are suspected to be behind hon. Mwiraria's allegation.

Fourthly, the Government is doing everything possible to eliminate corruption, but all Kenyans must co-operate to assist the Government in realising this ideal. The Government would not hesitate to take action on any police or Government employee who indulges in corrupt practices.

Mr. Munyao: On a point of order, Mr. Speaker, Sir. A statement of this kind made by an Assistant Minister must give leeway to challenge, because when it is given during the zero hour, it means that matters end there. This would look like a church where the pastor preaches without being questioned. We must be given time to challenge the information given by the Assistant Minister, otherwise, we will make this House look like a church.

Mr. Speaker: Order! It was the House's decision in its collective wisdom to have a zero hour. However, may I also say this: The hon. Ministers can make Ministerial Statements. Any Minister who feels---

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

Mr. Speaker: Order, Mr. Munyao! Even if it is zero hour, I am still in the Chair. So, any Minister who wishes to make a Ministerial Statement can do so on any day. The Chair will facilitate that. Indeed, I do encourage Ministers to make Ministerial Statements during the normal sitting to allow hon. Members who want to seek clarification to do so. So, you should not necessarily wait until Thursday when certain issues of such importance and magnitude are raised during zero hour. I think, it is only proper if a Minister is not ready to respond there and then during the zero hour to come with a Ministerial Statement and consult the Chair on any normal sitting day and the Chair will facilitate that. Everybody understands that. However, for now, as I said last week, we are still finding out our way during this zero hour. So, can we still find out and listen to what the other Ministers have to say. So, from now on, hon. Ministers, I will facilitate any Minister who wants to make a Ministerial Statement during the course of ordinary sitting to do so. So, please take note of that. Proceed.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Speaker, Sir, I was saying that in the spirit of what you were saying, I had another statement, and in the spirit of what the hon Member said, I wonder whether I could make this statement on Tuesday because there is another statement, not the same one, that I would have liked to make in connection with what hon. Karisa Maitha said. I am prepared to make it now.

Mr. Speaker: I think it is good to make it when the Member is there so that he hears what you have to say.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Speaker, Sir, I will make it next week on Tuesday.

Mr. Speaker: Are we through with the zero hour?

Mr. Oloo-Aringo: On a point of order, Mr. Speaker, Sir. Now that we are finding our way on the implementation of the zero hour, I want to request the Office of the President to say something regarding the Truth and Reconciliation Commission. I thought the Assistant Minister would make a Ministerial Statement today. I have heard very encouraging remarks from him elsewhere, but I thought that this is the right place to make those remarks.

Mr. Speaker: Mr. Sunkuli, would you like to make those remarks?

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Speaker, Sir, I am not quite ready with the statement now, but I will make one on Tuesday.

Mr. Speaker: Very well. I will facilitate you to make it any time that you want. Mr. Kirui.

The Assistant Minister for Finance (Mr. Arap-Kirui): On a point of order, Mr. Speaker, Sir. I wish to make a Ministerial Statement in response to a question raised by hon. Wamae last Thursday.

Mr. Speaker: Is it related to issues raised during the zero hour?

The Assistant Minister, Office of the President (Mr. Arap-Kirui): Mr. Speaker, Sir, it is related to

issues raised during the zero hour.

Mr. Speaker: Okay, go ahead!

STATUS OF AFRICAN TOURS AND HOTELS

The Assistant Minister for Finance (Mr. Arap-Kirui): Mr. Speaker, Sir, Mr. Wamae sought to know the current position regarding the placement of African Tours and Hotels under controlled receivership. I now want to make the following statement.

The Government decided to place the Africa Tours and Hotels Limited under controlled receivership through Kenya Commercial Bank who are the debenture holders. The formalities for the appointment of receivers are being discussed between the Kenya Commercial Bank Limited and the Government. It is common practice to hold

discussions among different financiers of a company before the receiver is appointed. The Government cannot act unilaterally in this matter. If, however, the privatised Kenya Commercial Bank Limited eventually has a different opinion, the Government may pursue or may have to pursue different options on the appointment of receivers.

Mr. Speaker, Sir, the difficulties that are facing the company arise from its liquidity and other problems, such as lack of title deeds for its assets and unwillingness of owners of properties managed by it to renew the management agreement. These problems caused the Government to consider the option of putting it under receivership.

ADJOURNMENT

Mr. Speaker: Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until Tuesday, 30th June, 1998, at 2.30 p.m.

The House rose at 6.45 p.m.