

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 15th May, 1997

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

NOTICE OF MOTION

SETTLEMENT OF EMBAKASI SQUATTERS

Mr. Rubiu: Mr. Speaker, Sir, I beg to give notice of the following Motion:-
THAT, in view of the Government's policy of settling the landless, and considering the large numbers of squatters in Mukuru kwa Njenga, Mukuru kwa Reuben, Maili Saba and other villages in Embakasi Constituency, this House calls upon the Government to identify some suitable land for settlement of over 9,000 squatters in these villages. Alternatively, settle them on the land they currently occupy and compensate the private land owners with other land elsewhere.

ORAL ANSWERS TO QUESTIONS

Question No.153

NUMBER OF SUSPECTS SHOT BY POLICE

Mr. Speaker: Is Mr. Njehu Gatabaki not here? We will leave his Question until the end.
Next Question, Mr. Mulusya.

Question No.324

ARREST OF MURDER SUSPECTS

Mr. Speaker: Is Mr. Mulusya not here? The Question is stood over for a moment.
Next Question, Mr. Oloo Ogeka.

Question No.304

PROVISION OF A MICROWAVE TERMINAL

Mr. Speaker: Is Mr. Ogeka not here? The Question is stood over for a moment.
Next Question, Mr. Joshua Ojode.

Question No.201

ALLOCATION OF FUEL LEVY FUNDS

Mr. Ojode asked the Minister for Public Works and Housing:-
(a) how much money is allocated for gravelling of roads in 1996/97 financial year from fuel levy; and,
(b) if he could give a breakdown of the allocation per province.

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Speaker, Sir, I beg to reply.

(a) The total amount of money allocated for gravelling of roads in 1996/97 financial year from fuel levy is Kshs930,452,251.

(b) The breakdown of the allocations per province is as follows:-

<u>Province</u>	<u>Kshs</u>
Central	43,968,603
Coast	56,500,000
Eastern	187,401,719
North Eastern	102,603,820
Nyanza	33,977,109
Western	53,500,000
Rift Valley	<u>452,501,000</u>
Total	<u>930,452,251</u>

Hon. Members: How much money is allocated for Nairobi Province?

Prof. Ng'eno: Mr. Speaker, Sir, I do not see anything shown for Nairobi Province.

(Laughter)

Mr. Ojode: Mr. Speaker, Sir, could the Minister explain the criteria used in allocating this money to the various provinces?

Prof. Ng'eno: Mr. Speaker, Sir, it is the number of kilometres of classified murrum roads in each province.

Mr. Wamae: Mr. Speaker, Sir, is the Minister satisfied with that allocation that Nyanza Province would get Kshs33 million while Rift Valley Province receives over Kshs400 million?

Prof. Ng'eno: Mr. Speaker, Sir, Rift Valley Province is a very big Province. In fact, it should be divided into three provinces. But we use the same criteria and we have not used any other.

Dr. Oburu: Mr. Speaker, Sir, could the Minister give a breakdown of the number of kilometres per province so that we know that the allocation is done according to the number of those kilometres?

Prof. Ng'eno: Mr. Speaker, Sir, one reason why I kept saying that the answer was not ready was because I was trying to insist that my officers give me exactly that kind of length, but we have not been able to come up with that length. But I will do that at an appropriate time.

Mr. Rubiu: Mr. Speaker, Sir, the Minister is misleading this House. He said that there are no murrum roads in Nairobi Province, but I can testify here that in Eastlands, Kilimani and even in other areas, we have got so many murrum roads. How much money was allocated to Nairobi Province?

Prof. Ng'eno: Mr. Speaker, Sir, I said gravelled roads which are classified. There may be roads which are murramed or earth roads, but which are not classified. So, there is nothing for Nairobi.

Mr. Ojode: Mr. Speaker, Sir, going by the answer given by the Minister, we find that Central Province has been given 4.6 per cent, Eastern Province - 13.8 per cent, Coast - 5.6 per cent, North-Eastern Province - 18 per cent, Rift Valley - 47.3 per cent, Western Province - 6.8 per cent and Nyanza Province is 3.8 per cent of the total amount. This is very deliberate and that is why I asked this Question, but he did not want to answer it. Roads in Ndhiwa are currently impassable and yet there are some companies who have paid without doing any job. Kshs2.7 million has been misappropriated by the former District Commissioner, Mr. Kibera and no work is done. Can he justify why North-Eastern Province, of all the provinces, was given 18 per cent while Nyanza Province was given 3.8 per cent?

Prof. Ng'eno: Mr. Speaker, Sir, when the facts are laid on the Table, the hon. Member will be able to understand. But I have said that the criteria used is the length of classified road network in that province. North-Eastern Province may be sparsely populated, but it is a very big province and has no tarmac.

Dr. Lwali-Oyondi: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order, Dr. Lwali-Oyondi! What was burning you?

Dr. Lwali-Oyondi: Mr. Speaker, Sir, is the Minister in order to tell the House about facts being put on the Table when his Ministry has failed to even give the mileage of these roads? This means that what was done was just arbitrary! Is he in order to tell us that there are facts behind these figures?

Prof. Ng'eno: Yes, Mr. Speaker, Sir, there are facts which revolve around distances in miles or kilometres. I am telling the House that we are working on the distances.

Mr. Speaker: Order! I think it was just last week when the Chair said that it is the business of

Ministers to give answers to the House. Their first responsibility is to the House and their Ministerial positions come second. I think it does not help at all for any Minister to come here and cry to the House that civil servants have not obeyed him or her. I think the House is entitled, as of right, to an answer from the Minister. It is the business of the Minister to ensure that the civil servants concerned are doing their work.

Question No.037

REHABILITATION OF KAPENGURIA-LODWAR ROAD

Mr. Imana asked the Minister for Public Works and Housing:-

- (a) whether he is aware that the Kapenguria/Lodwar Road, meant for vehicles of a maximum capacity of 10 tonnes, is being used by UNHCR and UNICEF organisations' 20-40 tonnes capacity trucks and trailers;
- (b) whether he is further aware that as a result the road has been seriously damaged; and,
- (c) whether he could request UNICEF and UNHCR organisations to assist in rehabilitating this road.

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that some vehicles carrying relief food on behalf of the UNHCR are carrying loads which exceed 10 tonnes. However, these organisations will be addressed a letter requesting them to instruct their transporters to desist from carrying excessive tonnage. The Ministry's personnel and the police will also intensify random inspection using mobile weighbridges in order to curb the overloading.

(b) I am further aware that the overloading may have contributed to some failure on the road. Some Kshs12 million will be given during 1997/98 financial year for the repair and maintenance of all the worst sections on this road.

(c) It is not fair for the Ministry to request UNHCR and UNICEF to assist in rehabilitating the road because its failure is not squarely caused by only the transporters carrying food on their behalf, as other transporters also use the road, and may have contributed to its damage.

Mr. Imana: Mr. Speaker, Sir, the answer given by the Minister is not satisfactory simply because this road is 300 kilometres long. It is an international road because it extends into the Sudan. The Kshs12 million to be given by the Ministry for its repair will cover only 12 kilometres, and yet the whole road is damaged. During the rainy season the whole road is almost completely washed away. He has said that he cannot ask the UNHCR and UNICEF to supplement Government efforts, but I think this is not enough because--

Mr. Speaker: Mr. Imana, it is Question Time and not time for debate!

Mr. Imana: Mr. Speaker, Sir, how many kilometres of repair work will the Kshs12 million cover?

Prof. Ng'eno: Mr. Speaker, Sir, I myself have travelled on that road from Kapenguria to the Turkwell Gorge and know that it is true that it is deteriorating very badly. I have personally instructed my officers to see whether the Fuel Levy Fund money may be used to rehabilitate the whole of the 300-kilometre road. I think the hon. Member can be patient and we will do the road.

Dr. Lwali-Oyondi: Mr. Speaker, Sir, if the Nordic countries had not constructed this road hon. Imana's people might never have seen a tarmac road in their whole lives. Will the Minister do all he can - including asking the UNICEF to chip in - to rehabilitate it? He can even upgrade it so that even the 40-tonne lorries can use it.

Prof. Ng'eno: Mr. Speaker, Sir, the fact that the Nordic countries donated some money does not mean that the Government has not done much. In fact, it is the Government which requested the donors to assist. I want to give an assurance to the House that we will maintain that road and bring it up to the required standard.

Imana: Mr. Speaker, Sir, given that the Minister has agreed that this road, which was meant for vehicles with a capacity of less than ten tonnes, is now being used by trailers with a capacity of even 40 tonnes, and also that for the last three years the Ministry has been saying that it would use weighbridges to stop such heavy vehicles from using the road, but nothing has been done, is he going to assure the House that they are going to use a weighbridge to stop these vehicles from using this road?

Prof. Ng'eno: Mr. Speaker, Sir, we will try as much as possible to enforce what is called "the axle load" requirement.

Question No.321

ESTABLISHMENT OF EMPLOYMENT BUREAUS

Mr. Nthenge asked the Minister for Labour and Manpower Development what plans he has to establish employment bureaus to assist the unemployed people identify potential employment opportunities.

The Assistant Minister for Labour and Manpower Development (Mr. Komen): Mr. Speaker, Sir, I beg to reply.

The Ministry has no plans to establish employment bureaus because they are already in existence, and thousands of unemployed people are voluntarily registering them as job seekers.

Mr. Nthenge: Mr. Speaker, Sir, that reply is incomplete. I did not ask for bureaus or offices for registration of unemployed people. I asked for a specific office to help these people to know what they can do so as to be able to get a job.

Mr. Komen: Mr. Speaker, Sir, the Question was about whether there are employment bureaus. I have said that these exist and people have been registering.

Mr. Nthenge: On a point of order, Mr. Speaker, Sir. The Assistant Minister is talking of existing offices where job seekers register. I know those offices existed even in 1940 when I was unemployed. Now I am talking about offices where people can be trained in fields like agriculture. My Question is not about the answer the Assistant Minister is giving!

Mr. Komen: Mr. Speaker, Sir, the Question is:

"What plans the Minister has to establish employment bureaus to assist the unemployed people identify potential employment opportunities".

I have already answered it.

Mr. Ndicho: Mr. Speaker, Sir, the Government must know that there is a very big problem of unemployment in this country because many young people who are living schools are just tarmacking. What is the Government policy in helping the youths or creating employment opportunities so that many of them can get employment? This is the year of elections and the Assistant Minister's answer here will determine whether the youth who are the majority are going to give those on the Government side votes. So, what is he going to tell them now?

Mr. Komen: Mr. Speaker, Sir, since these bureaus were started in 1988, up to now, 141 offices have been opened and they are doing a tremendous job. Since 1988 to the present time, these offices have registered 94,043 males and 16,805 females and out of that, 19,633 people have been employed. They are continuing to look for ways and means of getting formulation of employment policies and plans, promotion of self-employment and the formal sector development and many other things that the bureau is doing.

Mr. Nthenge: Mr. Speaker, Sir, my Question has got three words which the Assistant Minister is ignoring. They are: "To identify potential employment opportunities". If the issue was that he did not understand me, he should have asked. The idea is to be able to help somebody. For example, if I went back home and planted a lot of cassava, I would be able to supply the starch-makers with raw materials and, that way I will be creating employment opportunities. If I plant a lot of bananas, I would be able to supply bananas to the market and that way I would boost employment. In other words, the bureaus I am talking about are supposed to be more advisory and helpful than simply registering or ensuring that somebody gets a job in the National Assembly as a typist. Can the Assistant Minister tell this House whether they are ready now to take the new information that I have given and consider it in conjunction with the Ministry of Planning and National Development?

Mr. Komen: Mr. Speaker, Sir, there are many other functions that the bureaus undertake apart from placing job-seekers on employment of which I have given some examples. The bureaus have been monitoring and implementing the Kenyanization policy as well as carrying out research on productivity, technology and also on employment, labour market trends, employment contracts and promotion of employment for Kenyans abroad.

Prof. Ouma: On a point of order, Mr. Speaker, Sir. Manpower development is one of the biggest things a nation can do for its people. The Question that hon. Nthenge is asking affects us all. Hon. Nthenge is asking whether there is a systematic institutionalised system through which we can identify what a person is good for and train him for that. Are we trying to identify the potential of our people and train them for that? This is what hon. Nthenge is asking. Can we be told if it exists?

Mr. Speaker: Order, Members! I understand perfectly what you are saying. I think, they are "talking at cross-purpose". The best thing they can do is to have a private audience and then maybe reframe the Question next time and then it will be answered.

Question No.372

ARREST OF MR. OMUSASHI

Mr. Shikuku asked the Attorney-General:

(a) whether he is aware that it is a criminal offence for a person to be found in possession of stolen property; and,

(b) if the answer to "a" above is in the affirmative, could he inform the House why Mr. Zablon Amukobole Omusashi, alias Masumbuko who was found in possession of two heads of cattle which had been stolen from Mrs. Agneta Eyama Ondumbu on 3rd June, 1996, has not been arrested.

The Attorney-General (Mr. Wako): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware that it is a criminal offence under Section 322 of the Penal Code for one to be found in possession of stolen or suspected stolen property, if one has knowledge or has reason to believe that the property was stolen.

(b) Mr. Zablon Amukobole Omusashi, alias Masumbuko, was found with two heads of cattle which he had lawfully purchased from a seller, Mr. Joseph Angoya for Kshs12,000 reasonably believing the seller to be the rightful owner.

Mr. Shikuku: Mr. Speaker, Sir, arising from that reply, it is obvious that the Attorney-General has been misled. However, is he aware that Mr. Angoya is the son of this lady, Mrs. Agneta Eyama Ondumbu and that her son stole the two heads of cattle? Mrs. Ondumbu had two weeks earlier warned the Assistant Chief of Manyala Sub-Location that she got information that her son intends to steal her cattle. When she went on safari, the Assistant Chief gave a letter to Mrs. Ondumbu's son who went and stole the cattle, but when the matter was reported to the police, they followed and got Mr. Masumbuko red-handed with two heads of cattle and recovered them. Mrs. Ondumbu swore an affidavit stating her case and up to now, Mr. Masumbuko is enjoying fresh air in Manyala Sub-location. What does the Attorney-General want Mrs. Ondumbu to do when she has reported the theft and the Government is sitting on its buttocks?

Mr. Wako: Mr. Speaker, Sir, of course, I am aware that Joseph Angoya is the son of the complainant. I am not aware of the previous incidents, but I am aware of the affidavit sworn by the complainant. I am also aware that the two heads of cattle were found by Mr. Masumbuko and that the Assistant Chief, a Mr. Patrick Okutoi - "Okutoi" means soil, and the other name is "Omolemachi" which means one who cuts---

Mr. Speaker: Order! Order, Attorney-General! I honestly do not understand what is going on. The Attorney-General has suddenly began "talking in tongues". Can you, please, do something?

(Loud consultations)

Mr. Wako: Mr. Speaker, Sir, at times, you can be moved by the spirit and speak in tongues. I am aware that Mr. Masumbuko appears to have been an innocent purchaser of the cattle. As we are speaking today, the two heads of cattle were actually returned to the complainant. The real culprit is the complainant's son whom the police waits to arrest for theft.

Mr. Shikuku: Mr. Speaker, Sir, that reply is absurd because the Assistant Chief was informed two weeks prior to the incident. However, he ignored that warning, went ahead and gave this boy a letter to go and sell the cows. The boy sold the cows and ran away, but the police caught Mr. Masumbuko red-handed with the stolen cows. Mr. Masumbuko's home is less than half a kilometre from the complainant's home, so he knew the boy did not own the two heads of cattle, and that they belonged to Agneta, the boy's mother. Is the Attorney-General telling this House that in future, anybody found with stolen goods, even after the owner of the goods has complained, will be left to go scot free? Is he also aware that the police are not now looking for Agneta's son because he has already been arrested and is in jail for other crimes committed elsewhere?

Mr. Wako: Mr. Speaker, Sir, I am grateful for that piece of information that the son has been arrested and is already serving a prison sentence, not in relation to this. But that goes on to confirm that in this particular situation, it is the son who is the guilty party and not Mr. Masumbuko, because according to what I have in my possession, Mr. Masumbuko acted innocently and bought the cattle and did not even bother---

Mr. Shikuku: He knew!

Mr. Wako: If he knew, and he is as close as you say he is, he would have---

Mr. P.N. Ndwiga: On a point of order, Mr. Speaker, Sir. I think we are getting lost. The

Attorney-General is a lawyer, I am not a lawyer. Is he in order to mislead this House? We know very well that a person can be guilty of theft and he can also be guilty of handling stolen goods. This question is very clear. This Masumbuko--

Mr. Speaker: Mr. Ndwiga, just save the problem, you are no longer on a point of order. You are trying to tell me what constitutes "theft" and what constitutes "handling stolen goods". I am sure the Chair is in a better position to know that.

Mr. P.N. Ndwiga: Mr. Speaker, Sir, my point of order is this; is the Attorney-General in order to continue misleading this House? It is no wonder that this Government runs the way it does, if this is the kind of advice it gets.

Mr. Wako: Mr. Speaker, Sir, I will not dignify the hon. Member's remarks by commenting on the last bit of what he said.

As far as Section 3.2.2 is concerned, it is not just enough to be in possession; you must also know or have reason to believe. That is the difficult part of it, and that is why I am saying that, as far as this transaction is concerned, it is the son who is the guilty party. No wonder, as the hon. Member has said, he is already serving another sentence because of some other offenses he has committed.

Mr. Speaker: I think that matter can be sorted out in court. Next Question!

Mr. Gatabaki: Mr. Speaker, Sir, I wish to apologise for coming late to the House. FORD(A) has been busy receiving defectors. I wish to ask Question No. 153.

(Laughter)

Mr. Speaker: Mr. Gatabaki, what did you say before you asked your Question?

Mr. Gatabaki: Mr. Speaker, Sir, I said that I apologise for being late, the reason being that FORD(A) has been very busy receiving defectors.

Mr. Speaker: Order, hon. Members! I think Mr. Gatabaki, if that is the true reason why you are late, I do not know why the Chair should even accommodate you. This House is meant for serious hon. Members. It is not meant for people who have no regard to this House. If you repeat that, I will drop that Question to the Floor. So, would you like to ask your Question without preface?

Question No. 153

NUMBER OF SUSPECTS SHOT BY POLICE

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

[**Mr. Gatabaki**]

(a) how many suspects were shot by police in 1996; and,

(b) how many policemen died in the course of duty while trying to arrest suspects during the same period.

The Assistant Minister, Office of the President (Mr. Manga): Mr. Speaker, Sir, I beg to apologise on behalf of the Minister concerned who has not arrived here. We request that the Question be re-allocated.

Mr. Speaker: Very well. I think we will postpone the Question. Next Question.

Mr. Mulusya: Mr. Speaker, Sir, I wish to apologise for coming late, but we are not receiving any defectors.

(Laughter)

Mr. Speaker: Order! Hon. Members are warned now to be serious. First of all, I have no idea what a defector is. So, can we keep that out of our vocabulary? Can we now be serious? Mr. Mulusya, on a serious note, will you ask your Question?

Question No. 324

ARREST OF MURDER SUSPECTS

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

- (a) whether he is aware that the following persons were killed in Kinyui area of Kingoti Location, Matungulu Division in Kangundo Constituency: Messrs Kaunda Ngui in December 1994; Mutiso Mbandi in December 1996 and Daniel Mutiso on 16th March, 1997;
- (b) if he is further aware that apart from the first case where somebody has been taken to court and charged, nobody has been arrested for the other two cases, inspite of the policemen in Kangundo knowing the price suspects; and,
- (c) what he is doing to ensure that the culprits in these alleged murders are arrested and charged.

The Assistant Minister, Office of the President (Mr. Manga): Mr. Speaker, Sir, once again, I want to apologise, on behalf of the Minister, because he is not here now and we do not have an answer.

Mr. Mulusya: On a point of order, Mr. Speaker, Sir. This Question involves people who are being murdered in Kangundo and the Assistant Minister has the courage to say that "his Minister" is absent. Where has the issue of collective responsibility gone? Has it ceased to exist with the Kenya Government staff in power? Where is it?

Mr. Speaker: Mr. Manga, what is your reaction?

Mr. Manga: Mr. Speaker, Sir, my reaction is that the Minister, to whose Department this Question is allocated, is not here and he has the answer. Therefore, it is only fair that I do not give an answer which is unsatisfactory.

Dr. Lwali-Oyondi: Mr. Speaker, Sir, if the Minister is not there, there must be a number of Assistant Ministers. Could they not come and answer the Question? If not, why is the Minister hoarding the answers?

Mr. Manga: Mr. Speaker, Sir, I am saying that the relevant Assistant Ministers are also not here.

Mr. Wamalwa: Mr. Speaker, Sir, this is a normal Question; it is not a Question by Private Notice; which means the Ministry had notice of this Question for a long time and had the answer written. If the Minister knew that he was not going to be here, why did he not take the necessary steps to make sure somebody comes here to answer this Question? What does the Chair propose to do against Ministers like this one?

Mr. Speaker: Order! I think courtesy also demands that if a Minister is unable to attend to a Parliamentary issue, he should get in touch with his/her colleague who was asking the Question, and the Chair should also be informed. But nevertheless, I have nothing now to--- What is it, Mr. Mulusya?

Mr. Mulusya: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister not obliged to tell us who this Assistant Minister is? Who is this Assistant Minister who has run away with answers? Has he gone with the "Government?" Can he tell us who this Assistant Minister is?

Mr. Manga: Mr. Speaker, Sir, I am not obliged to do so.

Mr. Achieng-Oneko: Mr. Speaker, Sir, the Minister should give us apologies of those who are absent and not the Assistant Minister. The Minister is sitting comfortably at the corner.

Mr. Speaker: Very well, I will defer the Question.

(Question deferred)

Mr. Ogeka's Question for the second time.

Question No.304

PROVISION OF A MICROWAVE TERMINAL

Mr. Ogeka asked the Minister for Transport and Communications:-

- (a) whether he is aware that the Microwave Terminal at Muhoroni is connected to Kericho rather than Kisumu, resulting in poor telecommunication and frequent breakdowns and,
- (b) whether he could consider providing Muhoroni residents with a direct link for efficiency.

The Assistant Minister for Transport and Communications (Mr. Morogo): Mr. Speaker, Sir, I beg to reply.

(a) I am not aware that the Microwave Terminal at Muhoroni is connected at Kericho rather than Kisumu. It is, however, connected to Kisumu using cable and radio transmission media via Kericho. The intermittent failures are mainly due to cable breakdowns because of fires that have made maintenance very difficult.

(b) Plans to provide a direct radio link are complete and work is at its implementation stage. It is

highly hoped that this will improve telephone service reliability.

Mr. Ogeka: Mr. Speaker, Sir, the same Assistant Minister had responded to my concern two years ago on irregularity of telecommunication services at Muhoroni and he showed lack of knowledge in as far as connection of Microwave Terminal between Muhoroni, Kericho and Kisumu is concerned. Having accepted the obvious today, is the Assistant Minister aware that a team of engineers from the Kenya Posts and Telecommunications Corporation had visited Muhoroni in September, 1996, and concurred that it was technically irregular to communicate with Muhoroni via Kericho and instead a direct link be installed at Muhoroni to make communication more efficient? Can the Assistant Minister confirm or deny that this delay has been militated upon by the Ministry taking less concern and not giving Muhoroni a priority in as far as telecommunication services are concerned so that they can communicate with the rest of this country and the world at large?

Mr. Morogo: Mr. Speaker, Sir, I must say that the hon. Member's question is not phrased in terminologies that would make it clear. However, the radio link is in advance stage at the moment and the telecommunication service will be improved. May I add that, the people of Muhoroni have a post office which gives them these services and they should realise that there is part of the country which has no such services at all. So, the hon. Member should, at least, appreciate that they have something although it has not been functioning well.

Dr. Otieno-Kopiyo: Mr. Speaker, Sir, could the Assistant Minister tell the House when work on this service will be complete?

Mr. Morogo: Mr. Speaker, Sir, I do not know how long it will take, but I know for sure that it should be starting in a month or two.

Mr. Ogeka: Mr. Speaker, Sir, the fact that Muhoroni gets telecommunication service, though irregular, is no excuse. Muhoroni has more business transactions. Can the Assistant Minister confirm or deny that Muhoroni is being denied the right to telecommunication services despite the resident being taxpayers? This is happening just because it is under the representation of an Opposition Member of Parliament. After four years of demand, the Ministry has done nothing so far!

Mr. Morogo: Mr. Speaker, Sir, I think, I have time and again told this House that my Ministry does not operate on party basis. We look at Kenya citizens equally and provide services accordingly. If the hon. Member feels that he does not represent his people while in the Opposition, then he has a better choice.

QUESTIONS BY PRIVATE NOTICE

PROVISION OF RELIEF FOOD TO FLOOD VICTIMS

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

Could the Minister provide relief food, as a matter of urgency, to the residents of Kisiiki Village and Gatuanyaga Location whose houses, food and property were swept away by the flood waters of Athi River last week.

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

The Government supplied 200 bags of famine relief maize to Katuanyaga Sub-location last week to be issued to the needy cases, including the residents of Kisiiki Village who had been affected by flood waters of Athi River. An additional 200 bags of maize will be released to the same sub-location during the week and it will be distributed to the affected families.

Mr. Ndicho: Mr. Speaker, Sir, I think this is the best answer I have ever received since I came here, five years ago. I wish to say that I am very happy if the Assistant Minister has given these 200 bags of maize and this week he will be sending another 200 bags. Our worry is that we do not know whether these 200 bags are received by the victims because we have evidence of chiefs, sub-chiefs and District Officers being arrested and interdicted for stealing famine relief maize. Could the Assistant Minister consider putting it, as a matter of policy, that wherever there is distribution of relief food, Members of Parliament from those respective constituencies will be present to ensure accountability?

Mr. Manga: Mr. Speaker, Sir, it is a policy that distribution of food is determined by the committee which the Member of Parliament and the local councillors are members. So, during distribution Members of Parliament are required to be there if they want to witness the distribution.

Mrs. Asiyu: Mr. Speaker, Sir, can the Assistant Minister tell us which criteria the Government uses to provide this food to Kenyans because despite Karachuonyo being a dry area, we have asked for this relief food, but

to date we have never seen a single bag of maize?

Mr. Manga: Mr. Speaker, Sir, the requirement is determined by the District Famine Relief Committee which is composed of a Member of Parliament, the councillors, the District Commissioner, the District Officer and all these people. These are the people who put forward the request.

Mrs. Asiyo: Mr. Speaker, Sir, this is precisely what we have done in Karachuonyo. The District Commissioner sat down with all of us and we decided which areas should be provided with relief food. That was way back in February and until this minute, not a bag of maize has been seen there. Is it because we are in Opposition zone?

Mr. Manga: Mr. Speaker, Sir, we supply relief food to everybody who is in need of it. That sounds strange to me and I promise to check on it.

Mr. Ndicho: Mr. Speaker, Sir, the Assistant Minister has said that Members of Parliament and councillors are supposed to sit in those meetings, but we are not because there is some plan to steal this maize. Can the Assistant Minister issue a circular stating that Members of Parliament and councillors must be included in those distribution committees? If you leave it open like that, they might refuse to invite us and more often than not, they will not invite us because they want to steal part of that maize. Make it a matter of policy.

Mr. Manga: Mr. Speaker, Sir, there is a circular to that effect that invites hon. Members to those committees whenever they meet, and if the Members know that there is a meeting and they are not invited, they should forward those cases to us.

TRIBAL SKIRMISHES IN UPPER SUNA

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

(a) Is he aware that on the night of 28th and 29th of March, 1997, there were serious tribal skirmishes between the Luo and Kuria communities at Remo Village of Upper Suna Location of Migori District?

(b) Is he further aware that as a result of "a" above, one Luo tribesman was killed and more than 17 homesteads burnt to ashes including maize granaries?

(c) In view of the above observations:

(i) What has the Government done to improve security in Upper Suna Location of Migori District?

(ii) What compensation has the Government given to the affected families?

(iii) When will the Government establish an acceptable boundary between Kuria and Migori Districts to avoid a repeat of these skirmishes in the future?

Mr. Speaker: Anybody from the Office of the President to answer this Question? Mr. Manga, would you like to answer?

The Assistant Minister, Office of the President (Mr. Manga): Mr. Speaker, Sir, the Minister concerned is not here.

Mr. Kapten: On a point of order, Mr. Speaker, Sir. A Member raised the question of collective responsibility. The gentleman answering is an Assistant Minister in that Ministry. Why can he not be able to answer the Question? Where is that Minister who is supposed to answer and when is he coming?

The Assistant Minister, Office of the President (Mr. Manga): Mr. Speaker, Sir, questions are answered after the answers are prepared. We have to prepare to answer them. This does not fall under my department and the question did not come to me, so I am not able to answer that.

Mr. Achola: Mr. Speaker, Sir, I do not know what we are going to do about this Question, because Parliament is adjourning today and this was a matter of great urgency. Now, my people have been killed by Kurias, who are this Assistant Minister's people. Even people whose granaries and homes were burnt down by the Kurias have not been compensated. Even the relief food which was promised by the DC has not been given. Now we are closing Parliament, maybe for another month and there will be no answer. I would like to know which Minister is involved and whether this is sabotage or not? I am not going to accept this any more.

The Assistant Minister, Office of the President (Mr. Manga): On a point of order, Mr. Speaker, Sir. Is the hon. Achola in order to say that Kurias have killed Luos when actually, Luos have burnt down all the houses for the Kurias who live around there?

(Several Members stood in their places)

Mr. Speaker: Order! Order! As you can see, we are almost having a tribal clash in the House. So, in the interest of good order in the House, I will defer this Question until there is a Minister who is neutral to answer it. So, the Question is deferred.

Next Question, Mr. Anyona!

(Question deferred)

Mr. Anyona: Mr. Speaker, Sir, first of all I have not received a written answer, contrary to the provisions of the Standing Orders. Secondly, I would like to make a correction in part (a) of the Question which should read as follows:-

Mr. Speaker: Order! Order, Mr. Anyona!

(Loud consultations)

Mr. Speaker: Order! Order, hon. Members! What is it today, hon. Members? Order! I would like to bring to the attention of the Members---

Mr. Koech, very soon you will be outside this House. You have just come in to interrupt the business of the House.

Now, Mr. Anyona and hon. Members, a Question does not become in possession of the House until it has been asked. So, you first ask the Question and then you can complain thereafter. Anything said prior to the asking of the Question is actually unacceptable in the House. So, will you first of all put the Question into the possession of the House and then make all the complaints you want.

Mr. Anyona: Mr. Speaker, Sir, there is a typing error in the Question and I thought it is time to correct this. Now, part(a) of the Question is supposed to read: Is the Minister aware that District Officers for Manga (Kitutu Masaba). The name "Manga" has been left out.

INVOLVEMENT OF GOVERNMENT OFFICERS
IN CRIMINAL ACTIVITIES

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

(a) Is he aware that District Officers for Manga (Kitutu Masaba), Suneka (Bonchari), Nyamarambe (South Mugirango), Kenyeny (Bomachoge) and Nyacheki (Bobasi) are allegedly involved in criminal activities of bribery and corruption?

(b) What legal measures, if any, has he taken against them?

(c) Could he institute full criminal investigations into these and similar criminal activities involving the Administration Police, Chiefs and District Officers in Kisii and Nyamira Districts?

Mr. Speaker: Anybody to answer Question No.3 by Private Notice?

Hon. Members: Koech! Koech!

Mr. Achola: On a point of Order, Mr. Speaker, Sir. I have just seen hon. Koech arrive in the House and he is a Minister of State, Office of the President. Could he be in a position to answer my Question?

Mr. Speaker: I have already deferred that Question, I am sorry!

Mr. Achola: Mr. Speaker, Sir, he could answer this one plus mine.

Mr. Speaker: Well, yours is already gone. I am worried about Mr. Anyona's Question.

Mr. Achola: Mr. Speaker, Sir, if he has the answer we could have it.

Mr. Speaker: Order! Order! Is there anybody from the Office of the President who can answer this Question?

The Minister of State, Office of the President (Mr. Koech): Mr. Speaker, Sir, I request that you defer this Question to another date.

Mr. Maundu: On a point of order, Mr. Speaker, Sir. The problem here is Assistant Ministers and Ministers who wait and listen from some place outside and after questions concerning their ministries have been passed, they then appear in Parliament. There is the tendency when Ministers and Assistant Ministers do not have an answer or it is shoddy; they make sure that they delay outside and then appear here when that question has been deferred.

Mr. Speaker, Sir, can you give a stern warning to Ministers and Assistant Ministers to study their jobs

and come here with correct answers?

(Loud Consultations)

An hon. Member: Toboa! Toboa!

The Minister of State, Office of the President (Mr Koech): Mr. Speaker, Sir, I want to correct that erroneous impression that has been given to the House. No Minister is hiding anywhere.

Mr. Speaker: Order! Order, Members! Sometimes, hon. Members ask me very difficult questions. Mr. Maundu knows very well that I sit [Mr. Speaker] here; I do not sit outside to check who is hiding and evading questions. So, at least, be reasonable to the Chair when you seek my guidance.

The Assistant Minister for Home Affairs and National Heritage (Mr. Mutiso): On a point of order, Mr. Speaker, Sir. In view of that allegation by hon. Maundu, could he substantiate who he has seen hiding there?

(Several Members stood up in their places)

Mr. Speaker: Order! Order, hon. Members! Is there anybody from the Office of the President who is willing to answer Question No.3 by Private Notice? Mr. Kalweo, are you ready?

The Minister of State, Office of the President (Mr. Kalweo): Yes, Mr. Speaker, Sir.

Mr. Speaker: Proceed!

An hon. Member: Where were you?

The Minister of State, Office of the President (Mr. Kalweo): Nilikuwa kwa bibi yako, kwako.

Mr. Ndicho: On a point of order, Mr. Speaker, Sir. Is the hon. Minister of State, Office of the President in order, when he is asked where he was to stare at us and say: "Kwako"?

Mr. Speaker: Mr. Ndicho, what is "kwako"?

Proceed!

The Minister of State, Office of the President (Mr. Kalweo): Mr. Speaker, Sir, I am sorry and I apologise for any inconvenience that might have arisen because I had gone to hospital.

Mr. Speaker, Sir, I beg to reply.

(a) I am not aware.

(b) No legal measures have been taken since the complaint has not been received in any police station or any Government office.

(c) Arising from answers in a and b above, (c) does not arise.

Mr. Anyona: Mr. Speaker, Sir, I do not know how many sins committed by some of these Ministers will this House and the country forgive. This Minister has come late and he does not even apologise to both the Speaker and the House and he goes on to say he is not aware. The truth of the matter is that of the five DOs mentioned here, one of them as far as I know has been charged with cattle rustling - that is the DO for Nyamarambe and the Minister says he is not aware. Secondly, can he deny or confirm that the DO for Manga has committed the following crimes: He has stolen Kshs20,000 given to him by Sportsmark Athletics Club for the improvement of Manga Stadium and there is a letter here to that effect. Can he also deny or confirm that the same DO has a case in court filed by a woman from whom he took Kshs80,000 and he failed to pay? Can he also confirm or deny that the same DO has been accused and I laid a report here, of taking people's wives. Can he also confirm or deny---

Mr. Speaker: Order! Order, Mr. Anyona. You are a very senior Member of this House and you know the rules. There are certain things which I am sure that you cannot prove. I think hon. Members must know, particularly when addressing issues about other individuals who cannot defend themselves in this House. That they have a lot of responsibility to the society and to this House, and that they do not unnecessarily damage the names of those people who cannot defend themselves in this House. I am sure that if hon. Members do have all that evidence and they know as Mr. Anyona does, then they do not need to come to this House to ask Questions. As a matter of fact, you ask a Question because you do not know the answer. The minute the Chair establishes that you know the answer, then you need not ask.

Mr. Anyona: Mr. Speaker, Sir, I appreciate what you are saying. I have tabled a report here, he has a copy of it---

Mr. Speaker: Order! Order, Mr. Anyona. In fact, what you call reports are sometimes documents not properly tabled. I have occasionally seen a situation where a Member tables a letter which the Member has

written himself. So, what I am saying is that if Members aver that a certain Kenyan, who cannot defend himself here has committed a criminal offence, I think the best thing in all fairness, is to take the matter to court, so that the rule of natural justice is followed and no person shall be condemned unheard. I think it is in the interest of this House and this country that we respect at least that rule that no person shall be charged and condemned unheard. In that sense, maybe, you can ask you question. But please, do not arrest, judge and convict anybody.

Mr. Kapten: On a point of clarification, Mr. Speaker, Sir.

Mr. Speaker: Who are you clarifying to? Is there such a thing like a point of clarification? There is no such a thing, Mr. Kapten.

Mr. Kapten: Mr. Speaker, Sir, you have said that if you know the answer, do not ask the question. Sometimes we do not ask questions for our own benefit but for the benefit of other people. I think even in Britain the common rule is: If you do not know the answer, do not ask the question.

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

Mr. Speaker: Order, Mr. Kiliku! Mr. Kapten, I think you know that you are misleading the Chair and the House. Mr. Anyona, please, can you ask your question?

Mr. Anyona: Mr. Speaker, Sir, these are very serious matters as far as we who come from those areas are concerned. Here is a case of this particular DO perpetrating all these evils and he says nothing can be done to him because he has a god-father in hon. Mudavadi. I asked hon. Mudavadi the other day and he denied. I compiled the report from the people. I gave him a copy and I tabled a copy of it here. He was supposed to make a Ministerial Statement about it but he has not made one upto now.

Mr. Speaker, Sir, I appreciate what you are saying. May I, in that spirit, since the Minister claims not to be aware, table two basic documents which I have with me here? One is a letter written about this money which the DO had taken and he has admitted it and he even said he was going to pay. But he has not paid upto now. The letter was copied to the PS, Office of the President and the DC Nyamira District in August last year. There is a report here where the DO for Suneka was involved in criminal activities - including harassing market women at Mbeka and we have compiled a report here, so that he can go and investigate.

Mr. Speaker: If I may ask, who compiled that report?

Mr. Anyona: Mr. Speaker, Sir, apart from being a Member of parliament here, I am also the Chairman of a political party and our party has gone to all these places like Suneka and has a compiled a report which is signed and has a date and name. I now table it, so that he can go and investigate and tackle that problem.

(Mr. Anyona laid the document on the Table)

Mr. Kalweo: Mr. Speaker, Sir, unless matters are reported to the police stations for me to take action, I cannot be in a position to handle it. But this kind of report compiled by wananchi should be taken to the police station.

Mr. Rotino: On a point of order, Mr. Speaker, Sir. Is the Minister in order to mislead the House that these reports are not given to the police? There is a DO in my area whom I have reported several times to the police but nothing has been done. Is he in order to mislead the House?

Mr. Kalweo: Mr. Speaker, Sir, I am not misleading the House. When an incident is reported to the police, it is always checked.

Mr. Shikuku: Mr. Speaker, Sir, I do not---

Mr. Speaker: Order! Order, hon. Members. I know that hon. Members want to participate in these questions. In order to participate, it has come to my knowledge that hon. Members would stand on a point of order, simply to ask a supplementary question. I am more inclined to give opportunities to Members who want to ask supplementary questions. I have already given the Floor to Mr. Shikuku. So, will everybody else sit down?

Mr. Shikuku: Bw. Spika, kutokana na majibu ya mhe. Waziri katika Ofisi ya Rais, je, anajua kuwa Bw. DO, kufuatana na mamlaka yake ndiye mwenyekiti wa kamati ya usalama katika tarafa yake? Kwa hivyo, hawawezi kuchukua hatua yoyote kwa sababu polisi wako chini yake. Ni bure kumpelekee polisi ripoti kumhusu Bw. DO ambaye ni mwenyekiti wake na itakuwa ni kama "kumwashia kipofu taa" ambapo ni kuharibu mafuta!

Mr. Kalweo: Bw. Spika, kulingana na swali la mhe. Shikuku, hatusemi ya kwamba Bw. DO akiwa ni mwenyekiti wa kamati ya usalama katika tarafa si mwenyekiti wa ripoti zote za kila siku katika kituo cha polisi.

Mr. Nyagah: Mr. Speaker, Sir, the question of---

Mr. Obure: On a point of order, Mr. Speaker, Sir. I come from there---

Mr. Speaker: Order! Order! Mr. Obure, whether you come from there or not, you have no business threatening the Chair. If you ever attempt, you will be excluded from here so that we can proceed peacefully

without you!

Mr. Nyagah, proceed!

(Laughter)

Mr. Nyagah: Mr. Speaker, Sir, the question of corruption by the DOs is a country-wide problem. I was talking to Special Branch officers in Embu and they are unable to arrest those DOs because they are protected.

In the old days, the DOs were properly trained. What is the Government doing today towards training the DOs to be proper DOs because what we have today as Government is a set of young men who are out to make money for themselves?

Mr. Kalweo: Mr. Speaker, Sir, in the field, we have some reckless DOs. It is proper for the hon. Questioner, when he finds that the DO is difficult to deal with, to report to other Government agencies in that locality. For example, we have Special Branch officers, DC, Provincial Police Officer, PC and so on. In any case, I do not think it can go as far as reaching the PC before any action has been taken

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

Mr. Speaker: Order! Hon. Members will notice that we have already passed Question Time. A lot of hon. Members are taking away the time unnecessarily by standing on frivolous points of order. If you want me to apply the rule that if you ask a frivolous point of order, you know the consequences. I do not intend to do that. Can the **[Mr. Speaker]**

hon. Members allow those who have problems to ask on behalf of their constituencies? We still have unanswered five Questions by Private Notice and those hon. Members are entitled to have a hearing. So, shall we all minimise the unnecessary points of order! Final question, Mr. Anyona.

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

Mr. Speaker: Order, Mr. Mulusya! "Thou shall allow Mr. Anyona to put his question."

Mr. Anyona: Mr. Speaker, Sir, the truth of the matter, and we want this Minister and this Government to take this matter seriously, is that the whole of Nyanza Province is under a "reign of terror" from the Provincial Administration. If we cannot be protected by this Government, we shall protect ourselves, we as the hon. Members of Parliament and the people. In view of what has been said and in view of the documents we have laid here, would he, first, take away all the Provincial Administration from Nyanza, give us totally a new team and investigate these criminal activities and take proper legal action?

(Applause)

Mr. Kalweo: Mr. Speaker, Sir, I will not remove them, but action will be taken against any officer found involving himself in corruption.

Mr. Speaker: Next Question, Mr. Mwangi Gichuki.

PROVISION OF AFC LOANS

Mr. Gichuki: Mr. Speaker, Sir, first, I want to complain that I do not have a written answer. However, I beg to ask the Minister for Agriculture, Livestock Development and Marketing, the following Question by Private Notice.

(a) Is the Minister aware that farmers in Nyandarua and Laikipia districts particularly in Ol Kalau, Ol Joro-Orok, Ndaragwa and Rumuruti divisions have prepared their land ready for planting during the current rainy season?

(b) Is he further aware that most of the farmers are poor with meagre resources and wholly dependent on loans that were previously provided by the Agricultural Finance Corporation?

(c) In order to prevent another famine occurrence in these divisions, could the Minister direct the management of the Agricultural Finance Corporation to immediately give loans to enable the farmers purchase farm inputs such as seeds and fertilisers?

The Assistant Minister for Agriculture, Livestock Development and Housing (Mr. Muoki): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that about 70 per cent of the land in those divisions has already been put under various food crops in the current planting season.

(b) Farmers in the said areas have previously benefited from seasonal credit loans from the AFC,

however, the AFC is experiencing financial constraints. For this reason, farmers in these areas can only be considered once funds are availed to AFC.

(c) In view of my reply to part "b", I will only direct the management of AFC to give loans once funds are availed to the Corporation.

Mr. Gichuki: Mr. Speaker, Sir, arising from that misleading answer from the hon. Assistant Minister, it is common knowledge that the farmers borrow money from AFC to plant wheat and maize, and most of the land has been prepared in these particular areas of Ol Kalau, Ol Joro-Orok, Ndaragwa and Rumuruti divisions. As we are talking now, most of the wheat farmers have not planted their crops, they have not bought their inputs and so on. Most of the farmers have repaid last year's loans. In view of that, can the Assistant Minister tell this House because it is going to be a serious issue when we pass the planting season---

Mr. Speaker: Order, Mr. Gichuki! If you really just want to be heard alone, I can allow you another two minutes, then I go to the next Question. Now, will you please ask him a question so that you can be answered? You are taking too long!

Mr. Gichuki: Mr. Speaker, Sir, in fact, he has already answered. Can the Assistant Minister tell this House, what alternative financial arrangements he is making to give loans to our farmers so that they are able to plant wheat and maize because it is going to be a serious issue in terms of food production in future?

Mr. Muoki: Mr. Speaker, Sir, I have said very clearly that the AFC has no funds at the moment. Once the funds become available, they will be availed to the farmers. As for alternative means, there are various financial institutions which the farmers can use as other options.

Mr. Maundu: Mr. Speaker, Sir, this is a very important Question, if we are going to sustain agriculture and food sufficiency in this country. We know for sure that the AFC has been experiencing serious liquidity problems and it is unlikely that it is going to come out of this particular problem. There has been a proposal to have an agricultural bank.

Mr. Speaker: Hon. Maundu, you are now making a speech!

Mr. Maundu: I am just trying to ask the question right now! I was on the verge of asking the question!

Mr. Speaker: Order! Order, hon. Maundu! I did not give you the Floor to make a speech!

Mr. Maundu: My question is this: Is the agricultural bank that was intended to be started through the Ministry of Agriculture, Livestock Development and Marketing and other bodies, and that would have gone a long way in assisting farmers in this country going to be put in place, or that programme has been abolished? He knows what I am asking!

Mr. Muoki: Mr. Speaker, Sir, as for the agricultural bank, the issue is under consideration and since it is not ready, I cannot comment on it at the moment.

Mr. Michuki: Mr. Speaker, Sir, as far as we know, the AFC has a very large loan portfolio. Apart from any monies that it might be provided with from the Treasury, the repayment of those loans should be sufficient. Is the Assistant Minister telling us that he has given priority to other areas, other than food production, in disbursement of monies available from loan repayment?

Mr. Muoki: Mr. Speaker, Sir, the AFC addresses the issue of loans to farmers. We have not given other areas priority. But the problem it has is that some farmers experience problems and the repayment also becomes a problem. As a result, we have financial constraints. So, it is not a question of having other priorities, but it is a question of poor repayment due to other conditions.

Mr. Gichuki: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to continue misleading this House by saying that the AFC has no money, whereas we are aware that some politically-correct individuals in this country are getting loans from the AFC after getting a note from the Managing Director of AFC, Mr. Toroitich?

Mr. Speaker: Well, that is not a point of order! Next Question by Private Notice!

CLOSURE OF KENYA OIL REFINERIES

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

(a) Is the Minister aware that the oil multi-national companies who are the shareholders of Kenya Oil Refineries Limited in Changamwe are planning to close it very soon?

(b) What action is the Minister taking to stop the closure of this national asset?

The Minister for Energy (Mr. M'Mukindia): Mr. Speaker, Sir, I beg to reply.

(a) I am not aware that multi-national oil companies are planning to permanently close down the refinery, but I am aware that within the next one week or so, part of the refinery will be shut down for the usual maintenance and repair programme.

(b) The Government as well as the shareholders in the refinery have been discussing ways to improve the refinery. Some money has already been spent in trying to improve the performance of the refinery. It is worthwhile for the hon. Members to note that this refinery is almost 35 years old, and we need a substantial amount of money to upgrade it to a level where it can compete with other refineries all over the world.

To this end, I want to assure the hon. Members that it is Government policy that both the refinery and Mombasa should become a major refining and oil trading and storage centre for this region, being in a very strategic location between the Middle East and South Africa.

Mr. Speaker, Sir, for the first stage to upgrade the refinery, we shall need well over US\$300 million. It is my hope that when I request this House to support me on this matter, they will actually give me the money to upgrade the refinery.

Mr. Kiliku: Mr. Speaker, Sir, the reply given by the Minister says that recently, the refinery invested Kshs860 million. But the Kshs860 million was used for the rehabilitation of a pipeline, in order to be used for the distribution of LPG. Could the Minister tell this House why, despite the fact that the Government holds 40 per cent of the shares, it has allowed the Board of Directors and the oil marketers who are shareholders of the refinery, to finance the modernisation programme of the oil refineries in South Africa and in the Middle East? The Government has even gone further and given a green light to these oil marketers to close the whole of the refinery for good, and yet it holds 40 per cent of the shares.

Mr. M'Mukindia: Mr. Speaker, Sir, the hon. Member may be referring to a discussion or some rumours two or three years ago, whereby it was said by certain parties that it was not necessary to have an oil refinery at Mombasa at that time. At that time, the refining capacity in both South Africa as well as the Middle East was huge. Indeed, product supplies were coming from South Africa and the Middle East. As we speak today, there is no extra capacity in South Africa, and if we had to depend on imports, this country and the region as a whole would have a problem.

Therefore, what the hon. Member has said is true and some money have been used to enhance LPG production in the refinery. Never-the-less, it is the intention of the Government to ensure that we have a secure supply of petroleum products based in Mombasa, not only for this country, but also for the region as a whole.

The same circumstances that existed when this refinery was set up 35 years ago, do exist today. The major supply areas are South Africa, East Africa, based in Mombasa and the Middle East. It is believed that the economies of these regions are growing and we need to spend money for upgrading. It is my hope that the private shareholders in the refinery will allow the Government to go ahead with the modernisation and upgrading of the refinery. We had a problem in the past because the agreement that was signed 35 years ago did not foresee the kind of circumstances that we are faced with today. Some of these companies have been reluctant to invest. They should not disallow other investors to invest, if they themselves are not interested. For that reason, it is my hope that our negotiations with them will succeed. But if necessary, I am prepared to bring any proposal to this House for the House to give me the mandate to ensure that Mombasa continues to be a major refining and oil distribution centre in this region.

Prof. Anyang'-Nyong'o: Mr. Speaker, Sir, while the answer of the Minister to both the principle and the supplementary questions do appear respectable, could the Minister explain to this House why the plan to modernise the refinery has been in the works for more than ten years, and nothing has been achieved, and the extent to which the importation of refined oil has been undermining the modernisation of the refinery in Mombasa?

Mr. M'Mukindia: Mr. Speaker, Sir, what the hon. Member has said is true. Very many proposals have been made not only within the last ten years, but actually 15 years or more. But nothing really substantial has been made. The time has come for us to really do something and go ahead. There has been some intransigence on the part of some of the oil companies, but we are determined this time, and if necessary, we will bring the matter to the House.

IRREGULAR ALLOCATION OF CITY PARK LAND

Mr. Ruhii: Mr. Speaker, Sir, I beg to ask the Minister for Local Government the following Question by Private Notice.

(a) Is the Minister aware that 50 acres of City Park in Nairobi have been irregularly allocated to some

influential persons without regard to the welfare of Nairobi dwellers?

(b) Is he further aware that more land is at risk of being hived off the 23 acre City Park as there is mounting pressure to allocate more of this land?

(c) If the answers to "a" and "b" above are in the affirmative, could the Minister give the identities of those illegal allottees and assure this House that he will protect this heritage from further alienation?

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

It is the same question that came into this House last week and it is also the same answer that I am going to give right now.

(a) My Ministry is aware of the portion of City Park which has already been allocated. When the previous Town Clerk left office, as I did say last week, he never handed over all the files to his successor. Any documents pertaining to the allocation of these particular plots are not found anywhere. As such, therefore, there are no documents within City Hall regarding these allocations. However, efforts are being made to liaise with the Ministry of Lands and Settlement to obtain these documents. Upto now, I would say that the files are yet to be found even in spite of the fact that intensive investigations have been made.

Mr. Ruhii: Mr. Speaker, Sir, I wish to save the energy of the Assistant Minister for further investigations. Last week I promised this House that if the Minister does not come out with a report, then I will let the cat out of the bag. I now want to let the cat out of the bag.

(Applause)

Mr. Speaker: Is that the cat that you are holding?

(Laughter)

Mr. Ruhii: Mr. Speaker, Sir, the original allottees of City Parks' 50 acres are as follows: The first one is hon. Musalia Mudavadi who was allocated 10 acres at a buying price of Kshs10 million per acre. The second allottee is Gideon Moi and Mr. Bett of State House who were allocated 10 acres. The third one is Mr. Hoseah Kiplagat who was allocated six acres. The fourth one is Mr. Sam Nyamweya who was allocated five acres and the fifth one, and that is why he cannot place a caveat on these pieces of prime land, is Mr. Gachanja who happens to be the Commissioner of Lands who was allocated four acres worth Kshs40 million. Lastly, with a very heavy heart, I would like to say that my friend, Mr. William ole Ntimama, was allocated nine acres.

Hon. Members: Lay it on the Table!

(Mr. Ruhii laid the document on the Table)

Mr. Speaker: Hon. Ruhii, what is it that you have laid on the Table?

Mr. Ruhii: Mr. Speaker, Sir, I have laid a list of the allottees given to me by an officer of the Council who chose to be anonymous in case he is victimised.

Mr. Speaker: Can I have a look at it?

(Mr. Ruhii gave the document to the Speaker)

(Several Members stood up in their places)

Just one moment, hon. Members!

An hon. Members: That is already moving!

Mr. Ruhii: And I am prepared to stand by that list.

Mr. Speaker: Order! Well it does appear to me that the "cat" that the hon. Member is referring to has no head or tail. The paper that he purported to table is not a document within the meaning of any written law. It is a typed piece of paper with a little handwriting at the side added by pen and not signed by anybody and there is no letterhead. I, therefore, declare that this piece of paper is not a document and further order that it cannot be Tabled and it consequently means that this paper is no better than a piece of paper collected from a waste basket. So, let it be returned to the owner.

Prof. Anyang'-Nyong'o: On a point of order, Mr. Speaker, Sir. Arising from the "cat" being let out of the bag and the answer given by the Assistant Minister that he has tried to get the document but has failed, is the

Assistant Minister aware that on 8th January 1997, the General Purposes Committee of the Nairobi City Council met and requested that a caveat be put on the allocation of these plots and that the Commissioner of Lands failed to do so?

Mr. Kamuren: I am not aware.

Mr. Shikuku: Bw. Spika, kutokana na jibu la Waziri Msaidizi kwamba hajui, na ameelezwa, na kutokana na uamuzi wako kwamba hii ni karatasi tu lakini waswahili husema panapo na moshi ni lazima kuwe na moto; mhe. Waziri Msaidizi anaweza kukana kwamba huyu commissioner ambaye pia ametajwa kuhusiana na ardhi hii aliulizwa, na tunaweza kumletea miniti za mkutano wa council ambapo yeye aliulizwa aweke caveat na hakufanya hivyo--- Waziri Msaidizi atafanya nini? Hii ni kwa sababu kuna miniti ambazo zinaonyesha kwamba ardhi hii imenyakuliwa.

Mr. Kamuren: Bw. Spika, kwa sababu Wizara yangu bado inatafuta file ambayo itaonyesha wale waliopewa ploti katika City Park---

Mr. Maore: On a point of order, Mr. Speaker, Sir. The Assistant Minister is being indiscreet. Is he not out of order not to respond to a specific question that the Commissioner of Lands has been asked to put a caveat on this land? If he is looking for the missing files, meanwhile, as a public custodian of that land, what is he doing about it? Are you waiting for those big "cats" to go for the land?

Mr. Kamuren: Mr. Speaker, Sir, since the "cat" turned out to be a piece of paper from my hon. friend's coat, could I suggest to the House that until the file is found, we are unable to provide a proper answer to this question?

Mr. Kibaki: Mr. Speaker, Sir, could you help us so that the Assistant Minister takes the nation seriously? The Assistant Minister must take the nation seriously. Is the Assistant Minister aware - and I am sure he is aware although he is trying to hide it - that development plans for these stolen plots have been submitted to the Council and in regard to those documents, the title numbers and the allottees and the people to whom the things were sold are recorded? You are aware of it. Are you going to deny it and die with that sin?

(Laughter)

Mr. Kamuren: Mr. Speaker, I cannot say that I am aware of what I have not received. I have not seen the file containing the information that has been given by the hon. Member for Othaya.

The Minister for Home Affairs and National Heritage (Mr. ole Ntimama): On a point of order, Mr. Speaker, Sir. My point of order is that I think the hon. Member who asked this Question has seriously misled this House and, I think, his information has just been plucked up from the trees. This is because I do not have any title deed or any ownership at all of the land in City Park. I think the hon. Member is part of the malicious system that is trying to malign other people.

Mr. Falana: On a point of information Mr. Speaker, Sir. I have a copy of this document. With all due respect to your ruling, there are LR numbers of all these plots. Unfortunately the hon. Ruhii fell short of telling us the current owners of these plots. The hon. Members and the prominent people that he mentioned are people according to the document, who were the original allottees of the plots. Now, could the Assistant Minister confirm or deny now that following what the hon. Ruhii read the first plot is now owned by the Trustees of East African Satsang' Mandal Limited of Nairobi? The second plot is owned by Kenmount Investments Limited of Nairobi. The third plot is now owned by Shree Wanza Union of Nairobi. The fourth plot is owned by Jammadas Kalidas Gohil Trust. The fifth plot is owned by Airways Holdings of Nairobi and finally the sixth plot is owned by Brightways Properties Limited. If this is true, and these are the current owners, then now we are in problems. Let the Assistant Minister come out clearly on this issue.

Mr. Kamuren: Mr. Speaker, Sir, you saw what was laid on the Table by hon. Ruhii---

Mr. Speaker: Order! Order! Can we get it right? The only thing I ruled is that the document was not signed and, therefore, it is not authentic. Mr. Falana has put to you certain facts which he would like you to answer. That is all you have to answer.

Mr. Kamuren: Mr. Speaker, Sir, I have to start from somewhere and I want to start from where hon. Ruhii had laid the paper on the Table which had certain names. Now, new names with different companies have come from hon. Falana. This is the reason why we are trying to check and get the file so that we can tell the House which are true, out of these ones and the other names mentioned by hon. Ruhii.

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

Mr. Speaker: Order! Order, Falana! We must make progress. Already we are almost 45 minutes out of time. The two of you, if you make any more interruptions, you will see the outside of this House!

(Laughter)

Mr. Falana: On a point of order, Mr. Speaker, Sir. This file may never resurface. There is no file and it will never be found. My question to the Assistant Minister was very precise. I have LR.Nos here, for example, LR. No.209/13072 IR.69033 now owned by the Trustees of East African Satsang' Mandal Ltd, Nairobi. Is the hon. Assistant Minister in order to evade answering that question and mislead us that he is waiting for the file which will never be found? The file could have been burned, lost or stolen---

Mr. Speaker: Order! Order! Emotions or no emotions, serious or not serious, Mr. Falana, you are now on a supplementary argument.

Mr. Ruhii: Mr. Speaker, Sir, the original allottees passed on these plots to Indians and those names have been read by hon. Falana. On 8th January, 1997, the General Purposes Committee of the Council which is a policy making body, passed another resolution further to that resolution. The Council again lodged caveats against those title deeds on 17th February, 1997, but to date, the Commissioner of Lands, who is a beneficiary, has refused to register them. Can the Assistant Minister ensure that those title deeds are cancelled and caveats placed on them and that there is no further alienation of this land belonging to residents of Nairobi and posterity?

(Applause)

Mr. Kamuren: Mr. Speaker, Sir, I insist that we get the files so that we can know the strength of the caveat.

Dr. Otieno-Kopiyo: On a point of order, Mr. Speaker, Sir. I understand from the Assistant Minister that the files are missing, but the caveats are not missing. All the House is requesting is that, while he is looking for the files which he may never find, the caveats should be put in place. The legal owner of the plots has already put a caveat in place. His job is to ensure that the caveat is in force.

Mr. Kamuren: Mr. Speaker, Sir, without further argument on this issue, I would want to see the strength of the caveat, the person who put it in place, and if that caveat is in the file.

Mr. Ruhii: On a point of order, Mr. Speaker, Sir. The reason why "I let the cat out of the bag" is because on Tuesday afternoon this week, I received a telephone call in this National Assembly threatening me that if I disclose this information, I will be eliminated. I have reported that matter to that police and should I disappear like the late Dr. Ouko, then you should know who is responsible.

(Applause)

Mr. Speaker: Next Question, Mr. Ruhii.

FLOODING IN CITY ESTATES

Mr. Ruhii: Mr. Speaker, Sir, I beg to ask the Minister for Local Government the following Question by Private Notice.

(a) Is the Minister aware that due to the current long rains, Dandora and Umoja Estates have become so flooded that sewage, drainage and water systems have broken down, posing an extremely precarious health hazard?

(b) Is he further aware that many residents, especially in Umoja Estates, are unable to flush their toilets as doing so results in human waste overflowing all over their houses?

(c) If the answers to "a" and "b" above are in the affirmative, what urgent measures is the Minister intending to take to rectify this appalling situation?

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

(a) I am aware that there are frequent blockages within Dandora and Umoja Estates sewerage system, but the system has not completely broken down.

(b) A number of houses have been affected by the estate sewerage, especially during the long rains. The Council has heeded to the situation when reported.

(c) My Ministry has directed the Council to take the following necessary remedial action:-

(i) To replace stolen/vandalised manhole covers to stop dumping of solids into sewer lines.

(ii) To give approval for upgrading of old and narrow sewer lines to bigger sized ones to cope with

increased flow.

(iii) To demolish illegal structures on sewer way leaves which makes access for maintenance purposes difficult.

In this respect, the public and those concerned are requested to co-operate.

Mr. Ruhiu: Mr. Speaker, Sir, I am most satisfied with that answer. I would like to ask the Assistant Minister to make sure that what he has said is implemented immediately for the welfare of Dandora and Umoja Estates residents.

Mr. Kamuren: Mr. Speaker, Sir, I will make sure that what I have said is implemented immediately.

Mr. Speaker: Next Question, Mr. Ndilinge.

REPAIR OF DRIFTS

Mr. Ndilinge: Mr. Speaker, Sir, I beg to ask the Minister for Public Works and Housing the following Question by Private Notice.

(a) Is the Minister aware that all drifts between Kasikeu and Kilome markets have been washed away by the rains?

(b) What steps is the Ministry taking to replace these drifts, particularly those of Kayata, Wathini and Mikuyu rivers?

The Assistant Minister for Public Works and Housing (Mr. Khalif): Mr. Speaker, Sir, I beg to reply.

(a) I am not aware that any of the drifts have been washed away between Kasikeu and Kilome markets.

(b) Consequently, the question of replacing them does not arise.

Mr. Ndilinge: Mr. Speaker, Sir, arising from what the Assistant Minister has told the House, can he simply tell the House how many drifts there are between Kasikeu and Kilome markets?

Mr. Khalif: Mr. Speaker, Sir, that question has not been addressed to me before. What the Questioner had asked is whether the drifts have been washed away by the rains. I have investigated the matter and I am satisfied that no drifts have been washed away.

Mr. Ndilinge: Mr. Speaker, Sir, if he does not know how many drifts there are between Kasikeu and Kilome markets, how can he come here to mislead the House that all the drifts are intact?

Mr. Khalif: Mr. Speaker, Sir, the Question was never about the number of drifts: It was about whether drifts were washed away by rains. I have investigated that matter thoroughly and established beyond any reasonable doubt that no drifts were washed away.

Mr. Maundu: Mr. Speaker, Sir, the Question is very specific, but the Assistant Minister is trying to beat about the bush. The distance between Kasikeu and Kilome is 35 kilometres. This Assistant Minister, who has not been to Ukambani, should go there and see the distance for himself. Does he have any money allocated for the drifts in Kayata, Ngwasini and Mikuyuni Rivers? Those drifts have been washed away. If the Assistant Minister has not been informed of that, he should go there and see it for himself. The problem we have is that Ministers just sit here and wait for notes, which they sometimes do not verify!

Mr. Khalif: Mr. Speaker, Sir, I think the hon. Member can appreciate that Ministers cannot physically go and inspect all those drifts about which hon. Members ask Questions. What we do is to mobilise the officers on the ground to find out the truth about Questions which are raised in this House. Therefore, I have done that within the very limited time that I had, because this Question was asked by Private Notice. I have satisfied myself that no drifts were washed away. If the hon. Member can convince me that my information is not correct I will undertake to replace those drifts.

Mr. Ndilinge: Mr. Speaker, Sir.

Mr. Speaker: Order, Mr. Ndilinge! You are taking this House for granted. You do not just stand up there and give yourself the Floor! You must behave as an hon. Member! I had not given you the Floor.

Now we have come to the end of Question Time, but there was a Question by Private Notice by hon. Achola. In ordinary circumstances when I defer a Question I never think that it is right for me to bring it back. But this being a Question by Private Notice, and taking into account its nature, I think I am inclined to reinstate it and have it answered, because I understand that the Minister is here. Mr. Kalweo, the Question is so reinstated and I order you to answer it.

TRIBAL SKIRMISHES IN UPPER SUNA

Mr. Achola: 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 on the night of 28th and 29th March, 1997 there were serious tribal skirmishes between the Luo and Kuria communities at Remo Village of Upper Suna Location of Migori District?

(b) Is he further aware that as a result of (a) above, one Luo tribesman was killed and more than 17 homesteads burnt to ashes, including maize granaries?

(c) In view of the above observations:-

(i) What has the Government done to improve security in Upper Suna Location of Migori District?

(ii) What compensation has the Government given to the affected families?

(iii) When will the Government establish an acceptable boundary between Kuria and Migori Districts to avoid a repeat of these skirmishes in future?

The Minister of State, Office of the President (Mr. Kalweo): Mr. Speaker, Sir, first of all I wish to apologise for having come here late.

Mr. Speaker, Sir, I beg to reply.

(a) I am aware that there were some skirmishes between the Luo and the Kuria on 28.3.97.

(b) Eleven huts, and not 17, were burnt.

(c) (i) Security personnel have been instructed to intensify security patrols along that area.

(ii) The skirmishes are criminal activities, which are punishable. Therefore, we cannot compensate anybody. What we are doing is to try to track down the wrongdoers.

(iii) The skirmishes were sparked by a land dispute and not by the location of the Kuria/Migori Districts boundary. If I may give more information, a certain Luo lady was in her farm when two men went and started pushing her away. She raised the alarm and other Luos and also Kuria men arrived, and that is how the skirmishes started. About six people were injured. They were Barrack Odongo, a Luo, Jared Otieno, a Luo, Daniel Ouma, a Luo, William Nyangi, a Kuria, Ngati Korosi, a Kuria and Titus Mwita, a Kuria.

Mr. Achola: Mr. Speaker, Sir, I thank you for having allowed me to ask this Question again. Could the Minister give a proper answer to part (b) of the Question? I visited the affected area, physically counted and established that 17 homesteads, which included granaries, were burnt down. The District Commissioner and his security team agreed that the affected families were to be provided with famine relief maize, which we had provided for in our famine relief committee. Later the DC refused to do that. Could the Minister inform the House why our decision was not effected?

Mr. Kalweo: Mr. Speaker, Sir, if the decision was not effected, that was wrong. I am going to look into the matter and take action.

Mr. Aluoch: Mr. Speaker, Sir, this area is constantly coming under problems created by the tribes on both sides. Will the Minister put a permanent boundary between the two tribes so that we do not get more problems at this border? Problems are coming up year in year out and when we ask Questions we get answers similar to the one the Minister has given, but no proper action has been taken to get a permanent solution to this problem.

Mr. Kalweo: Mr. Speaker, Sir, we have requested elders from both sides to meet under the chairmanship of the Provincial Administration and discuss this problem.

POINTS OF ORDER

Mr. Speaker: Now, I have three minutes to be shared between the three hon. Members who want to raise points or order. I will order all of you to share the three minutes, and be very generous to each other. I will begin with the lady, Mrs. Asiyu.

MINISTERIAL STATEMENT: SALE OF COTTON STORES

Mr. Asiyu: On a point of order, Mr. Speaker, Sir. Three weeks ago I put a Question to the Ministry of Cooperative Development. I asked the Minister to tell the House why the Cotton Board was selling cotton stores that belong to Rachuonyo Cooperative Union, but the Minister did not give us a satisfactory answer. Instead he said he would bring a proper answer to the House one week later. Ever since that time, the Minister has been evading me each time he sees me in the House. Can you order him to give this answer as soon as possible and before these stores are sold to individuals?

WITHDRAWAL OF FUNDING BY WORLD BANK

Mr. Mak'Oyango: On a point of order, Mr. Speaker, Sir. I rise to request a Ministerial Statement from the Minister for Health. My point of order arises out of a story appearing in the *Daily Nation* of today to the effect that the World Bank has with immediate effect withdrawn its funding of the health sector in this country. A colossal sum of Kshs5.8 billion is involved. This matter affects people's lives. This side of the House has been demanding that reforms be put in place. The World Bank is backing out just because the Government has not been able to implement these reforms. Can the Minister tell this House whether he is going to implement these reforms to make sure that Kenyans do not die?

DAMAGE CAUSED BY POWER FLUCTUATIONS

Mr. Nthenge: On a point of order, Mr. Speaker, Sir. On 8.5.97, at about 10 o'clock, excessive power was applied along Katulo Road in Buru Buru Estate, and all electrical equipment was blown up by the excessive power. Can the Minister for Energy order the Kenya Power and Lighting Company to repair people's equipment which was [Mr. Nthenge] blown up due to no fault on the part of the individuals concerned?

Mr. Speaker: Very well. Next Order.

BILL

First Reading

THE CO-OPERATIVE SOCIETIES BILL

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

Mr. Speaker: Very well. I now call upon the Vice-President and Minister for Planning and National Development to move the Motion for Adjournment.

MOTION FOR THE ADJOURNMENT

ADJOURNMENT OF THE HOUSE TO A DAY OTHER THAN THE NEXT NORMAL SITTING DAY

The Vice-President and Minister for Planning and National Development (Prof. Saitoti):
Mr. Speaker, Sir, I beg to move the following Motion:-

THAT, this House do now adjourn until Tuesday, 10 June, 1997, at 2.30 p.m.

Mr. Speaker, Sir, I think, in moving the Motion of adjournment, I only want to draw the attention of hon. Members that it has been the tradition of this House that at about this time, the House does adjourn for a few weeks, only to resume a few days just before the Budget Time as I have just stated. In recognition of this tradition, the Sessional Committee has met and agreed on this date and for that reason, I have brought this Motion.

Mr. Speaker, Sir, I think, I am also convinced that since it has already been announced that the registration of voters will begin on Monday, 19th, May, 1997, this particular recess, I am sure, will offer a very good opportunity for the hon. Members of this House to go in their constituencies, talk to the people and, of course, urge them to register in readiness for voting when the elections are held. I am saying this because all of us in this House are, indeed, aware that this is an election year and that the elections will have to be called this year, 1997, in accordance with our Constitution. It is, therefore, in order that we, as leaders representing our constituents, go out there at this very crucial period and once again assert to our people or lecture them on how important it is for them to have the registration cards so as to be able to participate in this important exercise, as provided in the Constitution when the time comes to elect the leaders of their choice. I think, that is important. I do want to say here that we are aware that there could be quite a number of people who may not be having identity cards. I want to say here that the position of the Government is that extra effort is being mounted to ensure that those who do not have the identity cards will be provided for and facilities will be made available to ensure that

not a single Kenyan shall be denied his or her constitutional right to be able to participate in the elections. We do recognize fundamentally that it is the right of every Kenyan of the right age to be able to participate in an election and we shall ensure that Kenyans of the right age participate in this important aspect of the Constitution. So, for those who registered and are having certain forms and who have not been provided with the particular card we will have that situation rectified. Those who may have lost their identity cards, will be issued with new ones. We do not wish any Kenyan who is constitutionally eligible to be denied the right of participating in this election. It is absolutely important.

Mr. Speaker, Sir, the second point that I would like to say here is that we want to make it fundamentally clear to everybody that it is the court of the people that will judge who the leaders are going to be. In that respect, I want to emphasise here that ours is to ensure that the elections will be conducted in a most transparent way. We want to ensure that the elections will be held within an atmosphere that is free and fair. We want to make it quite clear that there will be no lip-service. We want to be judged here by our own actions.

Dr. Otieno-Kopiyo: On a point of order, Mr. Speaker, Sir. With due respect to my friend, the Vice-President and Minister for Planning and National Development, how will he himself, who is competing for a seat be, in a position to ensure that the elections are free and fair when he is not the Electoral Commission?

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Speaker, Sir, I speak here on behalf of the Government and I want to ensure that where the Government is concerned, we will not in any way interfere with the electoral process. As far as the Electoral Commission is concerned, that will be the role of the Government. Let me put it this way; those of us who are here, when the time comes, we will have to stand there and it is the court of the people that will decide who is going to represent such and such a constituency.

Mr. Speaker, Sir, with these few remarks, I beg to move this Motion. As I had said, we want to make sure that the elections will be free and fair.

The Minister for Labour and Manpower Development (Mr. Masinde): Mr. Speaker, Sir, I rise to second this Motion and take the opportunity to thank the hon. Members who have worked extremely hard. The debates have been very exciting up to the last minute. After all, even today while we are anticipating to adjourn, the debates have been quite exciting. I am grateful, I am sure we are all tired and we can go back to our constituencies and get together with the people we are representing and, at the same time, help them solve problems as far as development is concerned.

Mr. Speaker, Sir, I would like to add that, besides helping and advising our people to register so that they can have the right to vote for the person they would like to bring to Parliament and to the councils, we should also assist the youth because the Harambee money for the youth groups has already been sent to the districts and down to the divisions. I think, it is important that we, together with the administration, ensure that the youths get the money and put it into a proper use, whereby, they will generate some income to help themselves and, at the same time, create some extra employment for themselves and probably for immediate members of the family.

Mr. Speaker, Sir, I would also like to take this opportunity to thank the Government on behalf of my Nambale Constituency, for giving us the money to pay the people who are evacuated from Nasewa area where the sugar factory is planned to be built. The payments were made last Monday and few are still to be made, but the majority have been paid. I only appeal that when the factory is constructed, and even before it is constructed, since we still have some sugar factories, we at least help everybody that is concerned. I also appeal to the Kenya Revenue Authority (KRA) to make sure that cheap sugar is not dumped into this country to interfere with the current production of sugar by the factories which are already existing. By so doing, we will be helping ourselves.

But those unscrupulous business people who are interfering by dumping a lot of sugar in this country are interfering with the planning of the Government. They are also interfering with the possible creation of job opportunities for our people and the possible improvement of the lives of our people. I am sure if we all work together and come to this end, we shall have done quite a bit to eliminate poverty and improve the quality of the life of our people.

With those few remarks, I beg to second.

(Question proposed)

Mr. Wamalwa: Thank you, Mr. Speaker, Sir, for giving me the opportunity to support this Motion on the adjournment, especially, coming at this time when it is necessary for us to go back and be with our people as they register as voters, and prepare themselves to fulfil, perhaps, one of the most important duties of any citizen of any country, and that is, to exercise his right of voting to determine what kind of Government will be in charge of affairs in their country. For us in Africa today, the trend is for the voters to get ready to remove all dictators from

the face of this continent.

(Applause)

As far as we are concerned, the process of elections is a grievous process, which should be taken seriously, even more seriously by those in power, to make sure that the citizens of this country, have a free and fair chance of expressing their likes and dislikes, their tastes and preferences.

Mr. Speaker, Sir, it has now become a well established fact in this country that when an election comes, candidates do not just worry about how many votes they will get against their immediate opponent, but they have to fight to make sure they survive the rigging dragnet. We must make sure that we remove the dirty word 'rigging' from our electoral politics. It is the duty of the Government of the day to make sure that election rigging is a dirty word that does not need to be heard in a civilised country like ours.

Mr. Speaker, Sir, I am a little perturbed by statements from the party opposite, from the highest quarters, that KANU youth-wingers should prepare themselves to fight Opposition people whenever they are perceived to be breaking the law in the eyes of KANU. I think it is highly reckless and irresponsible for anybody to urge one group of people to fight another group. The police are there to be umpires and defenders of the law. But to say that KANU youths should attack Opposition people like what happened at the Machakos Airport on the day of Kamukunji meeting; I think it is irresponsible and reckless. I have not mentioned anybody.

The Minister of State, Office of the President (Mr. Koech): On a point of order, Mr. Speaker, Sir. I hope you heard from the hon. Member that some youth-wingers have been trained to attack members of certain parties. Can he substantiate that?

Mr. Speaker: That was just an allegation and he cannot substantiate an allegation.

Proceed, Mr. Wamalwa.

Mr. Wamalwa: Mr. Speaker, Sir, there is obviously more wrong with the Minister that his olfactory functions.

(Laughter)

Let me just say this, that to ask one group of people to attack another is the courting of chaos and anarchy. We know that an hon. Member for one of the city constituencies has been asked to recruit a group of people to be attacking Opposition people when they go to Kamukunji. If it comes to numbers, I think the party opposite would be treading on very dangerous grounds to try and take on the Opposition because, in terms of numbers, the Opposition has more.

(Applause)

Mr. Speaker, Sir, this is all I said in an interview in Samia, condemning what had been said. Yet the *East African Standard* took it upon itself to say I had congratulated the President for giving certain orders that I never even heard of. Of late, the President has done very little that I can congratulate him upon and I would like to tell the *East African Standard* that if they do not want to write anything positive about me, not to write anything at all.

(Prof. Saitoti stood up in his place)

There is no need for the Vice-President and Minister for Planning and National Development to get hot under the collar. We go by this little light here and it has not been lit yet.

Mr. Speaker, Sir, I would, therefore like to urge Members of the Opposition to go back to their constituencies, make sure that people register as voters and prepare themselves to vote out the last dictatorial regime on the African Continent.

Thank you.

(Applause)

The Minister for Home Affairs and National Heritage (Mr. ole Ntimama): Thank you very much, Mr. Speaker, Sir, for giving me this short opportunity to support this Motion on adjournment. I have just heard what the Vice-President and the Leader of Government Business has said and I want to absolutely support him,

that this Government is committed to a fair and free electoral process in this country. I want to say that definitely, we must take care of many things that could happen just because of individuals, be they officials of the Electoral Commission, Government officials or anybody else. I am sure the Government is going to take care of that from this time to make sure that nobody interferes with the normal democratic process when it comes to electing the leaders that they want.

I think we have to guard against certain situations and these situations are normally what individuals tend to do and not what the Government really is up to doing. Rigging is one of these things that we must never allow in this country at all. We must give the people of this country the right and freedom to choose the people they want. I think this is important. We have heard accusations of rigging from all corners. We have had cases of people intimidating others in places like Nyanza Province so that they do not vote in the polling stations. This is a very serious affair, and I think we should also extend this fairness and democratic principles even to where we do party nominations, including FORD(K) nominations. I say this to KANU as well because there are many people who are complaining now and I have got my own opponent going to address meetings in Narok and saying: "We will rig hon. Ntimama out; I have been promised that."

(Loud consultations)

I do not know whether that is day or night dreaming. But these are the things that we must guard against because the people of this country are mature enough and they will make sure that the only system that will survive is the fair and democratic electoral system in this country. It is important that we follow the rules of the game in that form. I support this Motion of Adjournment, so that we will go back home and make sure that our people register in large numbers. In that form, there is also the qualification that you must be a resident, own property there and so on and so forth. These are some of the things that must be followed.

Mr. Speaker, Sir, there is talk in this country that some people are planning some very stupid and malicious exercises of "exporting" and "importing" voters. That also, must be prevented, to allow people to do their job. Anyway, as a matter of fact, I emphasize the democratic system. We must, even if we have faltered before, establish and strengthen the democratic system in this country, so that people are allowed to elect leaders of their choice.

With those few remarks, I beg to support.

Mr. Kibaki: Mr. Speaker, Sir, I support the Motion. I want to say that if the Leader of Government Business is serious that truly they want to ensure free and fair elections, the starting point is to abolish the Public Order Act, because it is totally contradictory to any concept of free and fair elections. If a KANU District Commissioner has to recommend my getting of a licence, then we are talking nonsense. Nobody will take us seriously if we do not abolish the Public Order Act and we are pretending that we are going to have free and fair elections. This is not true. You better come out in your true colours, so that we know you. The Public Order Act should be abolished. Equally, on the issue of registration, in North Eastern Province and in areas like Marsabit and Moyale, only 30 per cent of the population have got identity cards. We need to have mobile registration units in those areas. It is the only thing that can be fair. So, we appeal that mobile units be established in those parts.

We have heard time and again some zones being declared KANU zones. During this Recess, we want to be free to move wherever we want to move. There are no such zones and if, indeed, KANU believes, as the Vice-President has just been saying, that they want free and fair elections, then let there be free movement and organization of party rallies in every part of the country.

Recently, the President announced that Harambees have been stopped except the one he is organizing for women. We support the women Harambee, but he should stop suspending Harambees. Harambee is our way of life. People in hospitals who cannot pay hospital bills, admitted to colleges and so forth, need these Harambees. He should revoke that directive, so that we can have Harambees freely everywhere without any interference.

There is a very serious issue and this is going to happen while we are in Recess. There are 30,000 tonnes of sugar being imported into this nation and it is in the high seas. The Ministers here have been pretending that because those people filed papers showing that they were going to sell that sugar in Rwanda, nobody would be bothered about the issue. You cannot sell 30,000 tonnes of sugar in Rwanda. It is obvious that the sugar is meant for Kenya. And the importers are friends of KANU. They are partners in business in KANU. They are only waiting for the tempers to cool down and then they will allow that sugar to be off-loaded in Mombasa or in any part of Kenya.

So, we are appealing that this sugar is not off-loaded. Already, in our sugar growing areas, the farmers are suffering.

With those few remarks, I beg to support.

Mr. Boy: Ahsante sana, Bw. Spika, kwa kunipatia nafasi hii ili niunge mkono Hoja hii muhimu sana.

Dalili ya mvua ni mawingu na wakulima wakiona mawingu, wanaanza kulima mashamba yao. Ukiona watu wakiwa na hasira, basi hiyo ni dalili ya Uchaguzi. Wanasisia wameanza kufanya siasa kwa sababu dalili ya Uchaguzi inaonekana. Ukweli usemwe. Jambo la kwanza, ni tabia ya watu wengine kuwachukulia Wakenya wote kwa dhihaka. Hii tabia iondoke. Mwaka huu wa 1997 utakuwa na vituko ambavyo havijawahi kuonekana. Tabia ya watu wengine kufikiria kwamba wana watu wao inafaa ikome. Je, uliwaweka hapo? Hii tabia ibadilike. Sisi sote ni Wakenya na kila Mkenya ana kura na ataipiga jinsi anavyotaka.

Nikitoka hapo, nataka kuzungumzia swala la vitambulisho. Hivi sasa Wakenya wengi hawana vitambulisho na ukweli wa mambo ni kwamba hatujaeleza wazi kama vitambulisho vya zamani na vipya vitatumika katika shughuli za uandikishaji wa wapiga kura. Tunataka kuwe na msimamo wakueleweka. Watu wengi bado wanasubiri vitambulisho vipya na hali uandikishaji wa wapiga kura ni Jumatatu. Sasa tueleze: Je, yule ambaye anangoja kitambulisho chake ataandikishwa kama mpiga kura au la? Hayo ni mambo ya kuzungumziwa kinaga ubaga. Hizi ni shida ambazo zinatarajiwa kutokea kuanzia Jumatatu na hili ni jambo ambalo linahitaji kutatuliwa haraka iwezekanavyo.

Tayari Tume ya Uchaguzi imeandika majina ya Returning Officers na wasaidizi wao. Kuna dalili ya kuwa na njama fulani. Kuna dalili kwamba hawa watu wana nia ya kuwasumbua wapiga kura. Hii dalili ipo na ndio sababu tunasema kwamba hawa watu waangaliwe sana. Hatutaki wananchi wasumbuliwe. Kila mtu aandikwe bila hawa makarani kusema ni nani anastahili kuandikwa na ni nani hastahili kuandikwa. Hilo ni jambo ambalo linatutia shaka sana. Wengi wa hawa watu walioandikwa na Tume ya Uchaguzi, tunashuku kwamba wana njama fulani. Hili ni jambo ambalo ni lazima lichunguzwe kwa makini.

Kuna jambo lingine la vyama. Kabla ya kuingia katika nomination ya kiti cha Bunge ni lazima kwanza mtu apite kwa nomination ya party. Hapa katika nomination ya KANU kuna maneno. Tunachotaka ni haki na usawa kila mahali. Kama ni Juma Boy anasimama, mwaache akataliwe na watu wa Matuga sio wewe useme kwamba humtaki. Siyo wewe, ukae ofisini mwako na kusema hutaki mtu fulani. Huo wakati wa kuwachagua watu Mjumbe umepita na lazima ukweli usemwe. Tumeanza kuona wengine wakisema ya kwamba wameungwa mkono na watu fulani kuja katika constituencies. Ningependa kusema kwamba, kila mtu atapingwa. Tunataka uhuru na uchaguzi uwe wazi. Kama mtu anataka kupingana na Juma Boy, mwache aje aone kilichomtoa punda pembe.

Kwa hayo, machache, Bw. Spika, naunga mkono.

Mr. Shikuku: Bw. Spika, nashukuru. Tumeambiwa tuende nyumbani. Mheshimiwa mmoja amesema kwamba tumechoka na hali sisi wengine hatujachoka. Ikiwa tunaenda nyumbani, ni lazima - na mimi nilimsikiza sana Kiongozi wa Shughuli za Serikali. Hakusema tuende nyumbani tuwapashe habari wale watu waliotuchagua ili wapige kura. Ukifika nyumbani, sub-chiefs na APs wako tayari ili ukisalimiana na watu waseme ni mkutano na ufukuzwe. Je, tutawaeleza watu wachukue kura kwa njia gani? Tuende nyumbani mwao moja baada ya nyingine? Tunataka Serikali ikubali kila Mjumbe anapoenda kwake, awe na uhuru wa kusema na watu wake na kuwaeleza vile watakwavyochukua kura bila kufuatwafuatwa na polisi, APs na sub-chiefs ambao wengi wao ni wezi.

Bw. Spika, pili, habari ya kujiandikisha ni jambo muhimu. Na tunajua kwamba, sheria inasema ni Tume ya Uchaguzi ndio wanaendeleza shughuli hiyo. Tunataka Serikali isihusike. Hata wale maofisa wanaweza kufanyia kazi zao katika maduka ili wasiwe wakifanya kazi katika ofisi za DO ama Administration. Tunataka wawe huru kutoka kwa Administration. Sub-chiefs, chiefs, DOs, DCs na PCs, waondoke kabisa. Wao waje tu kujiandikisha na wakimaliza waende zao. Hatutaki hawa watu kuendelea kutisha wananchi kule wanapochukua kura zao.

Tatu, Bw. Spika, na inafaa ijulikane, ninashukuru hotuba zinazotoka upande wa Serikali. Kweli dalili ya mvua ni mawingu. Ninashukuru kwa hotuba ambazo nimesikia kutoka upande wa Serikali. Kumbe wao walikuwa na maneno. Hayaaa! Mungu asifiwe. Tumenyimwa uhuru wa kufanya mikutano na hata wananchi wanajua kwamba, tumenyimwa uhuru wa kufanya mikutano. Tunataka hii sheria ya kupata leseni iondolewe kabisa. Sisi bado tutaenda Kamukunji tena tarehe 21 mwezi huu bila leseni. Tungependa hii leseni iondolewe kwa sababu inahitajika tu kwa wale walioko katika Upinzani.

Bw. Spika, unakumbuka siku moja mhe. Ntimama, mambo yalipomwendea kombo kidogo. Alikuwa anataka ale na Maasai wenzake nyama kidogo nyumbani kwake, alipoulizwa leseni, aligutuka. Eti, kwa nini anaulizwa leseni na hapo mbeleni hakuwa anaulizwa. Na kutoka siku hiyo, akajua kwamba, sisi tulioko katika Upinzani tuna taabu gani. Kwa sababu yakikuaribikia huko, utakuwa katika hali yetu hii. Basi, mhe. Ntimama alionja kidogo. Ukweli ni kwamba, watu wa Upinzani ndio wanaohitajika kuwa na leseni na watu wa KANU hawahitajiki kuwa nayo. Kwa hivyo, sisi tunataka haki hiyo, ili watu wazungumze na watu wao bila kufuatwafuatwa na polisi na hali kuna kazi nyingi ambazo polisi wangepanya. Kama kulinda watu wetu wa Mkoa wa Kaskazini Mashariki ambako watu wanauwawa. Hata chifu ameua huko, na Serikali hii haifanyi lolote. Leo

watu wamefanya maandamano, na ni ripoti ambayo nimepata sasa hivi, kuna watu 22 wametiwa nguvuni ha hivi sasa wako ndani kwa kuuliza kwa nini chifu wao ameuawa. Na hawakuwa wanapiga mtu, lakini wao wameshikwa. Lakini wakati ambao wale watu wa kutoka Ethiopia wanaua watu wetu, Serikali haifanyi chochote.

Bw. Spika, kwa sababu ya matokeo kama haya, KANU mtagutuka. Wananchi wamechoka. Na ikiwa mnafikiri watakaa hivyo hivyo, na Mungu awabariki, wao wameshagundua siri ya kukaa hivyo hivyo. Hata ukikalia msumari unaambiwa: Kaa hivyo hivyo, ilhali msumari unazidi kuingia. Hatutakubali taabu hii. Inafaa tukubaliwe tuende katika area hizo na watu wa KANU waingie katika area za Upinzani ili tueleze wananchi wakate shauri ni chama gani wanachotaka. Siyo mnaingia kwetu na tukitaka kuingia Rift-Valley, inakuwa haramu. Tunataka hiyo hali ikome. Pia watu wa Rift-Valley wamechoka. Wamarakwet wangu wanauawa, na hakuna mtu anayewasaidia. Nitapitia huko nichemshe maneno na nitaleta hapa Bunge, ili Wamarakwet waishi kama binadamu wowote katika Kenya hii.

The Assistant Minister for Education (Mrs. Ndeti): Thank you, Mr. Speaker, Sir. I had to run because I thought hon. Nassir was coming to the microphone before me.

Mr. Speaker, Sir, I support the Motion of Adjournment this afternoon. It is important that now, we are adjourning and it would be proper for each one of us in our own constituencies to ensure the registration of voters is done. Sentiments have been expressed by the other speakers about the availability of the new generation identity cards. The truth of the matter is that, there are some cards which have come into the constituencies, but the ordinary mwananchi does not have the information that the cards are actually in the DOs offices. Many cards have also not been sent to the various centres.

Mr. Speaker, Sir, the registration exercise has been declared for only one month and as far as we know, very many registered people have had their details rejected by the computer but there is no information coming back to wananchi, to inform him or her that they have been rejected and they should go back and register afresh. This information is not available. I am asking the registration bureau now to wake up and move fast to inform wananchi of the position with regard to their identity cards.

Mr. Speaker, Sir, recently we had a Motion here about affirmative action on women and I was very disappointed. Two things happened: One, this Motion was painted to look like an Opposition Motion and yet, it was not. It was a national Motion. Secondly, it was reported so and thirdly, the Government side made it look like the Government is blocking it. All these things happened and they were dismissing the women of this country.

Mr. Speaker, Sir, I know there are Members from the Government side who were or are supporting this Motion. I know there were Members of the Opposition who were opposing this Motion. I was very disappointed because there is an average of 52 per cent of women voters in this country and yet, there are still people in this Parliament who can stand up and say they do not want women to be assisted to come to Parliament. The women of Kenya are disappointed.

Mr. Speaker: Order! You know the rules, you cannot revisit an issue that has been resolved by this House within six months.

Proceed!

The Assistant Minister for Education (Mrs. Ndeti): Mr. Speaker, I am aware of that, but that is the reality all these hon. Members will have to face in the next few months when the elections are called. I am appealing to these Members to put the welfare of women in their minds. It is women who make them to be voted into this Parliament. It should not look like it is an Opposition or Government affair. Anyone on the KANU side who opposed this Motion was actually indirectly telling the women of Kenya not to vote Moi back to power. This was an indirect language and it is very disappointing.

Mr. Shikuku: On a point of order, Mr. Speaker, Sir. Is it in order for the hon. gracious lady to go against your ruling? This matter had been resolved; if there are women, we are always with women and we will meet them as usual.

Mr. Speaker: Order! Order! I can assure the hon. Member that the Chair is actually neutral as it were, neither male nor female. Therefore, you must respect the rulings of the Chair in that sense.

The Assistant Minister for Education (Mrs. Ndeti): Mr. Speaker, Sir, we have witnessed a lot of problems with the Provincial Administration in some areas.

Mr. Murungi: On a point of order, Mr. Speaker, Sir. If the Chair can neither be female nor male, then I think the Chair is an amaphrodite.

Mr. Speaker: Order! I must correct the hon. Murungi. The Chair is the Chair. By definition, it is sexless.

The Assistant Minister for Education (Mrs. Ndeti): Mr. Speaker, Sir, what I am saying is that we have witnessed cases where Members of Parliament complain about the administration in their own areas. Many

times, these Members had to be disappointed and they had to go back to the Minister to inform him that this has to be looked into. Whether we like or not, when mwananchi complains, he does not complain for nothing.

We have also witnessed cases of cover-ups. If a chief does something, the DO, the sub-chief and the DC will come up and assist and the Members of Parliament will look like the ones who are wrong. These hon. Members have to be protected because they have to look after the welfare of their electorate and I think it is important that the Government becomes sensitive. We complain because there is a problem and the Government has to look into that.

Mr. Speaker, Sir, the Police Force should change their attitude towards work just like the local authority workers. Nothing is happening and yet, Nairobi has fallen into pieces because councillors are using more time fighting than doing any reasonable work. We need to change the total attitude of Kenyans towards work because this is where most of the problems lie.

Mr. Speaker, Sir, with regard to Kibwezi Constituency, I know that the Government has given a lot of relief food and other things but we need more development. When the Kamba people will continue to say that they have been sidelined with regard to development, they have a point. We need good roads and water because we walk for 20 kilometres to fetch a jerrican of water when other people are enjoying airports which cannot be used by any aircrafts at the moment. We need proper development in Ukambani. By this I am not saying I am fighting KANU. I am in KANU but Kamba people need development.

With those few remarks, I support the Motion.

Mr. Murungi: Mr. Speaker, Sir, I beg to oppose this Motion.

Mr. Speaker, Sir, all Members of Parliament know that, very unusually, this sitting began on Fools' Day, April 1. I do not know whether there is somebody somewhere who is fooling with Members of Parliament. Parliament is a noble House because it is the greatest institution that this country can have. It is a great shame that Members of Parliament do not know when the sittings of the House should begin and when they should end. What I am asking for is a Parliamentary calendar, so that we can plan our own businesses. By so doing, we shall know that the House will sit in January and go on recess in March, come back in April, go back in June and so on.

Some of us have important assignments that we would like to attend to but we cannot plan for them. By last week, many Members, especially from this side did not know that this House will adjourn today. I understand that this decision was taken at the Sessional Committee meeting on Tuesday this week. Two days notice is not enough for Members of Parliament. We also produce a mass of paper every time. We have the Order Papers and a lot of other papers being laid on the Table. Why can we not have a circular posted on the notice board informing Members of Parliament that the House will be adjourning on Thursday. We should be treated with a little bit of courtesy. We are also people who need some bit of planning and we need prior knowledge. I have said in this House before that Parliament is not a nursery school. It is an important institution and Members should be able to plan. I hope that by the next sitting, we shall have a calendar even showing what kind of business Parliament will be engaged in for the rest of this year.

Mr. Speaker, Sir, having said that, I want to touch on a very sensitive issue of which this Government does not seem to be aware. When I meet KANU Members of Parliament and we have tea with them and we laugh, it appears as if everything in the country is fine. Always, as I go home, I always wonder whether my colleagues with whom we were having tea together know the time bomb on which they are sitting. We have been calling for constitutional reforms since 1993 when we first came to this House. The first speech which His Excellency the President, and later supported by the Attorney-General made in this House was that, during the Seventh Parliament, we would see comprehensive constitutional reforms to put multi-party system on a proper footing in this country. We are now on our fifth year and nothing has happened. We have had unfulfilled promises. We were told that 1995 would be the year for constitutional reforms, and that we would get foreign experts to assist and so on. Time is running out.

Mr. Speaker, Sir, President Mobutu has been an expert in dodging political reforms in his country. The people of Zaire were asking for free and fair elections in 1990 and through various strategies, President Mobutu was able to postpone those elections and they have not taken place to date. Ironically, it is President Mobutu today who is on his knees asking for elections. One day, our friends in KANU are going to be on their knees begging for free and fair elections in this country - when things will have gone beyond a point where we cannot control them. There is Opposition in Zaire but it has become irrelevant. Our friends in KANU should take this issue seriously because we do not want a third force like that of Kabila to come to this country.

With those few remarks, I beg to oppose.

Dr. Godana: Thank you, Mr. Speaker, Sir, for giving me this opportunity to make a very brief contribution to this adjournment Motion.

Mr. Speaker, Sir, I naturally stand to support the Motion. An adjournment about this time every year,

before the busy budget session has now become a tradition for this House and I suppose the assumption is that, we need to rest and refresh our minds before coming to begin the very busy Session. This adjournment has added significance because it is coinciding with the imminent voter registration which is about to begin and I believe that Members of Parliament whom I believe everyone in this House intends to run again - definitely have vested interests in successful conduct of that exercise. Hopefully, we will all cherish the opportunity to go and see that the exercise is properly done. In this connection, I wish to appeal to the Electoral Commission to ensure that every Kenyan, who by law is entitled to get a voters card, gets one before the end of this exercise. I say this because I know that, we did have a problem with the Registrar of Persons with regard to identification cards. That exercise did not go well. I believe that in my constituency, there are several persons who are old identity card holders and new persons who have attained the age of 18 who have not yet acquired new identity cards. I only hope that if that cannot be done in the meantime, those who have the old identity cards will be allowed to use them to register themselves for the purpose of voting.

Mr. Speaker, Sir, there is a second problem which I think is common all-over but this is particularly serious for pastoral areas. Most of the persons who have been registered have not yet received their actual identity cards. I believe that in my constituency and the whole of the nomadic north, only about 25 per cent of those people have received identity cards. I believe it is possible, and I have requested in the past, that the Office of the President direct immediately that, the registration officers leave those cards with the chiefs and sub-chiefs in various locations, so that people can travel to those centres and collect them. I think that is the only way in which we can ensure that those cards are in the hands of the citizens before the voter registration exercise is over.

Lastly, Mr. Speaker, Sir, I wish to dwell on the incident of insecurity where a lot of people lost their lives. I know the Government has done some negotiations with the Ethiopian Government, but I do not want to jump to the gun, neither am I linked to any confidential information. But I want to make an appeal and tell the Minister in charge of Internal Security that our people hope that the Government will not be satisfied by just receiving back its property in form of guns and uniforms. If the guns and uniforms are returned, then the animals which were taken should also be returned. I hope the Minister understands why we are making these repeated appeals. There are certain fears that, perhaps, the Government properties have already been found and we are not sure that our properties have also been found.

Mr. Speaker, Sir, I wish also to address my mind to the Ministry of Agriculture, Livestock Development and Marketing in this country. I know as we come close to the election, it is perhaps futile to make an appeal on certain subjects. We have just come through one of the worst droughts in the living memory. In the North-Eastern Province, our economy is based on livestock and it is really sad that every new drought becomes much more biting on our people than the previous one. Our people have lost the capacity to withstand droughts or to depend on themselves whenever a new drought comes. I think, the happenings in the Ministry of Agriculture, Livestock Development and Marketing, particularly the Department of Livestock which I think for all purposes has collapsed to function as a department, has aggravated our fate. We do not understand why Kenya Meat Commission (KMC) for so long still remains closed. If KMC had been operational, many of our people who lost their livestock, perhaps, would have salvaged something in the cause of the last drought. People just had nowhere to turn to. They have places where to sell their dying livestock which, otherwise, would have been bought as commercial meat. We also know that veterinary care did develop very well down to the sub-locations in 1970s and 1980s, but of late, it is seems that there is a folding back. I know in my own constituency, despite repeated appeals in writing in person right up to the Director, it is looks like they have closed down the veterinary offices. Local people, therefore, are resulting to becoming their own veterinary doctors. They are handling drugs which strictly are under the Poisons and Chemical Substances Act which they are not supposed to handle.

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

Mr. Aluoch: Thank you very much, Mr. Speaker, Sir.

(Loud consultations)

Mr. Speaker: Order, hon. Members! When I have already said Mr. Aluoch, I mean exactly Mr. Aluoch, no less.

Proceed!

Mr. Ndicho: On a point order, Mr. Speaker, Sir. I am the Chief Whip of FORD(A) and what we are appealing on this side is that, at least, the parties should be balanced.

Mr. Speaker: Order, Mr. Ndicho! Order! I think I am getting increasingly being upset by the constant mumbling of certain hon. Members who think they should have been Speaker rather than the current Speaker. It is not your business to see the hon. Member who has to speak, it is for the hon. Member to catch the

Speaker's eye, not a political party to catch the Speaker's eye.

Nevertheless, the Chair, of course, does recognise various political interest in the House and will try to accommodate them, but I think it is most disrespectful of any party member to arrogate unto himself the business of the Chair. That shall be the sole discretion of the Chair, and I hope Mr. Ndicho will not equate the job of being a Whip to that of being Speaker; one is superior and the other is subordinate. So, can we get that right?

Proceed, Mr. Aluoch.

Mr. Aluoch: Mr. Speaker, Sir, thank you for giving me this opportunity to air my views on this Motion of Adjournment.

Mr. Speaker, Sir, we are now going on adjournment after sitting in this Parliament for a very short time. It is now time to go and ask our people to register as voters.

Always when we adjourn this House, that is the time that the Government goes for the Opposition leaders. They do not allow them to address people; it is the time they are arrested; it is the time when they are stopped from speaking to their constituents. We would not like this thing to happen, because we are entering a period that is important for the future of this country. The period of election. Elections are coming and we want everybody to be allowed to register.

We are going to our constituencies and we know how to handle ourselves. We do not want a situation where people are going to import voters to register in our areas. It has been happening everywhere and I am warning people who expect to import people to register in Rongo. This is not the time for importation of voters into Rongo. Rongo people want to be left alone to elect their leaders without any problem.

The people of Rongo are sugar growers in Kenya. The sugar growers in this country are marginalised. They are not even given the right prices for their sugarcanes from the farms and they cannot sell their sugar because the factories and stores are full of sugar. This is because the "politically-connected people" are importing sugar into this country. This has been going on for a long time and I think that this Government is trying to marginalise the people of western Kenya to be in the same situation like the people of Ukambani, so that they can be "dished something" in order to vote for KANU. This is not going to happen. We will not be coerced into voting KANU if the Government continues to treat us like second-class citizens.

Mr. Speaker, Sir, we are going for a general election without a lot of constitutional amendments. The chiefs are still there with their Chiefs Act, the Provincial Administration is doing everything possible to frustrate the elected leaders of this country, especially those from Nyanza. We have lived with this type of frustration for a long time and we are not going to accept it. If the Government thinks that we must have certain people in the Provincial Administration so that they can constantly frustrate us in order to get votes from the western Kenya, especially Nyanza, the Government as well may say goodbye to Nyanza. It is not going to be like the other time when somebody got 15 per cent of the votes. This time, it may be less than 5 per cent because Kenyans are tired, they do not want to be cheated and they do not want a Government which does not care about their future.

Mr. Speaker, Sir, this afternoon, hon. Mak'Onyango was raising this question of help. I do not see the Government that is worth its salt allowing Kshs5.8 billion to be returned to the World Bank or to be suspended when AIDS is finishing people; a lot of people are dying, medicines are not in the hospitals and dispensaries and this Government is telling us: "Okay, we are going to have free and fair elections." You may have free and fair elections, but how many people are going to vote for you when they are dead?

Mr. Speaker, Sir, we want a Government which cares for its own people when they are alive and also when they are dead.

An hon. Member: When they are dead.

Mr. Aluoch: It will care for you when you are dead, my friend! You are laughing now, but the government you are in is dead!

The Assistant Minister for Lands and Settlement (Mr. Sumbeiywo): Thank you, Mr. Speaker, Sir, for allowing me to say a few words on this Motion of Adjournment.

I stand here to support the Motion because as leaders, we are required to go home to our own constituencies and assist our fellow countrymen to register themselves as voters. What I would like to point out here is that Kenyans today are more intelligent and they know who their genuine leaders are. I request and appeal to anybody who would like to interfere with the registration of our voters to refrain from doing so. This is because Kenyans know who their leaders are.

In the past, we have witnessed importation of voters from one constituency to another. I would like this behaviour to be stopped completely. In remote areas like my constituency, that is Kerio Valley, the registration officers cannot move because of bad terrain and roads that are impassable. I would like to request the Ministry concerned to ensure that these roads are made passable, especially this time when the registration of voters is going on. If those people are not registered, they will be denied their right of registering as voters and they will

eventually fail to elect their rightful leaders.

I would also like to add that the work of hon. Members of Parliament is not just to go home and help in the registration of persons. There are other duties like helping farmers to prepare their land and plant staple crops like maize, since we have the rainy season with us. I am grateful to the Government for giving out Kshs100 million, but that amount is like a drop in the ocean. This is because what the farmers need in order to produce enough food for their own consumption and also for selling today, is for the AFC, which is the institution responsible for advancing loans to farmers to plant their crops, to avail Kshs1 billion for the farmers. In this way, we will avoid the questionable importation of cereals like maize and other staple foods.

In addition to that, the Ministry of Agriculture, Livestock Development and Marketing should avail what they used to give to the farmers in the past; that is tractors for hire services. This is an opportunity for hon. Members from both sides of the House to go and educate our people of their right to elect their leaders. They should elect anybody they deem fit to represent them. The question of people coming from other areas, who do not own property or reside in those areas should not be registered as voters in such areas.

With those few remarks, I support.

Mr. Mathenge: Mr. Speaker, Sir, it is right and proper that we should go to our constituencies to participate in the voter registration exercise, in readiness for the forthcoming General Elections.

When the Vice-President and Minister for Planning and National Development, who is also the Leader of Government Business was speaking, he told us to expect free and fair elections. I hope he was not talking with a tongue in cheek when he said so. This is because we do expect justice to be done during the voter registration exercise and also during the actual voting.

Mr. Speaker, Sir, if elections are to be free and fair, we must start with correct boundaries of the electoral areas. In my constituency, we have some overlapping civic areas. We have Unjiru and Giakanja which are within the Nyeri Municipal area, and people living there should be allowed to register and vote there. We have a ward called Gonde and people in Gonde should be allowed to register and vote in Kyeni Division of Nyeri and not in Mathira Division, unless somebody already has the idea of rigging the elections. We will resist any camouflaged attempt to rig the elections.

I have lost breath in this House ever since I came here four years ago, trying to express the wishes of the Nyeri people, to a Government that does not listen or take action from the advice given in good faith, by the Member for Nyeri Town Constituency. The roads in Nyeri district are in shambles. The water system has completely failed, and the Government does not seem to care, although KANU thinks it will come to cheat the Nyeri people when the elections come. The Nyeri people consider themselves to have been punished by being denied what is rightfully theirs. That is the development of the district. The Government collects not less than Kshs5 million from Income Tax, VAT, licences and court fines from Nyeri every day. That money is brought to the Government here, and the Government does not realise that when you are given a mbuzi to go and chinja, you have to give mkono wa mbuzi in appreciation of the mbuzi you had been given.

Dr. Lwali-Oyondi: Mr. Speaker, Sir, is the hon. Mathenge in order to speak in "English" and say that he is given "a mbuzi to chinja?"

Mr. Speaker: I think he was talking his own tongue. Can you now speak in English?

Mr. Mathenge: Mr. Speaker, Sir, he is wasting my time because he likes talking too much. This afternoon I was shocked to hear Minister Kalweo say that the Government realises that there are reckless District Officers in the system and that the Government is incapable of getting rid of those reckless DOs. By keeping reckless officers in Government, the poor wananchi continue to suffer and the Government itself also damages its good image by keeping officers who have no respect for the Government itself. It is high time that this Government restored discipline in the Civil Service and elsewhere so that we can feel proud that we have a Government that is effective, competent and that can lead us ahead in our way of life. The Minister should not feel that instead of giving us good information here by admitting Government's incompetence---

Mr. Speaker: Your time is up. Mr. Angwenyi!

Mr. Angwenyi: Thank you Mr. Speaker, Sir, for giving me a chance to comment on our adjournment. This is a proper occasion for us to go out there and request our people to register so that they can exercise their right to elect appropriate people to these organs of Government especially the Parliament. As you know, previously, our people have not been franchise enough to elect people of their choice. There have been cases of rigging. We believe that this time round there will be no rigging whether; on this side of the House or the other side of the House. As we go out there to request people to register, some of us may not be able to reach all the corners of our constituencies. In Gusiland particularly, there are no roads for us to reach all the corners of our constituencies.

Mr. Speaker, Sir, I happen to have seen a document today which indicates that some fuel levy funds were allocated to all districts in this country except the Gusii districts. Kshs1 billion has been shared among the districts of this country and yet the producers, farmers and businessmen of Kisii could not get a penny of that Kshs1 billion. We are told that we are a KANU zone and yet we cannot get a share of the Kshs1 billion. I want to say that the people of Kisii; from Nyamira, Kisii and Gucha districts are fed up with being denied their right to the national cake.

Mr. Speaker, Sir, we have experienced famine in this country. We did not have rain on time and we are going to be late in harvesting our maize in order to obtain food. The Government has not given the Kisii people even a single bag of relief maize. We are asking for subsidised maize. We do not want free maize. We want maize at subsidised prices so that our fathers and mothers can afford to have at least one meal a day. There has not been any development project in Kisii District nor has there been one in Nyamira and Gucha Districts and yet we vote a lot of funds for development in this country every year. I want to ask those Ministers in the Government to state how much money has been allocated for development in Kisii. They should tell us how much money has been allocated to Kisii in the last four years.

Mr. Speaker, Sir, I am concerned about my party because if I am in KANU and I cannot deliver a single thing to Kisii people, they might run away from KANU. So, as we go for this recess, I am asking the Minister for Finance to allocate, appropriately, to the Kisii people their rightful share of the national cake.

We wanted to have a factory in Marani which is the cradle of the Kisii people and we have been promised that factory over the years and yet no factory has been built there. Are we not part of this country? Are we not producers? The Kisii mother carries 100 kilogrammes on her back simply because she does not have a road and a factory where she can deliver her tea and yet we are in KANU. I want to give notice to those Ministers in the Government including Kisii Ministers that they must deliver to our people if they want their votes.

Mr. Speaker, Sir, this country is moving on a difficult keel. This country needs to gain its full senses such that we are concerned about what happens in the North Eastern Province, Turkana, Maasailand, in the streets of Nairobi and also in Marani in Kisii. If we do that, then we will be an august House; a House that thinks about the nation of Kenya; a House that does not think about the Opposition or KANU but thinks about what is of interest to this country. We have had problems of unemployment which we have never addressed in this House. We have had problems of inadequate electrification of this country to enable us to industrialise---

Mr. Speaker, Sir, I support the Motion.

Mr. Gatabaki: Thank you, Mr. Speaker, Sir, for the opportunity you have extended to me. I want to oppose this Motion very, very strongly. I want to do that because it was just the other day that we opened the House and the business of this nation is so enormous that this House cannot devote so little time to debate the issues that are so enormous. I am grateful that the Minister for Agriculture, Livestock Development and Marketing is here. If there is one sector that is neglected in this country then it is the agricultural sector. Time has come for this country to treat coffee, tea, milk, and sugar cane farmers with the seriousness they deserve. Over 90 per cent of us are here because of the farmer. Time has come for us to consider what the farmer deserves. The Minister for Agriculture, Livestock Development and Marketing talked about liberalisation yet the coffee farmer today only realises that about 61 per cent of his coffee---

Mr. Speaker, Sir, the other day I was thrown out of the House for defending the sugarcane farmers in Western Kenya and the entire economy of Western Kenya. I was thrown out by mentioning crooks in the high levels of Government. I was thrown out for defending the economy of Western Kenya. I am grateful for this opportunity to mention what has happened recently. Kamlesh Pattni has acquired the Grand Regency Hotel. If there is a crook who should be tried in the Public Special court then it is Kamlesh Pattni. Imagine Kshs30 billion has been stolen by this character in league with well-known criminals in the highest level of the Government; at State House and other similar places and yet those crooks have been---

Mr. Speaker, Sir, Kshs30 billion has been stolen by this character with well-known criminals in the highest level of Government and similar other places, yet this crook has been protected to own Grand Regency Hotel. This House must tell this crook that Grand Regency Hotel belongs to the people of Kenya.

Mr. Speaker: Order! Order, Mr. Gatabaki! Yesterday, the Chair warned you against using insulting or abusive language on either Members or people who are not present. Apparently, you do not seem to take heed. Would you now be warned that you will obey the rules of debate in this House? "Thou shall use civil language!" Proceed.

Mr. Gatabaki: Mr. Speaker, Sir, in fact, I am affected by people who seem to cripple our nation and, if this House cannot mention them in this House, where else shall we mention them when we know that this House has got a responsibility of mentioning these people because they have done so much damage to this nation? They have done so much damage because they are protected by these KANU characters here---

Mr. Speaker: Order, Mr. Gatabaki! What the Chair is telling you is that debate as best as you can, but follow the rules of the game.

Proceed!

Mr. Gatabaki: Mr. Speaker, Sir, I would like to salute His Excellency President, Daniel arap Moi, for accepting the reality of the Great Lakes Region and accepting that Kabila is a potential President of Zaire!

(Applause)

I understand that the Minister for Foreign Affairs and International Co-operation has a problem. I must thank the President for realising that he has been misled in his foreign policy pronouncements. The reality in this region is that the President has been supporting the wrong side or the wrong people in this country and the surrounding countries. Today, Zaire stands at the crossroads of history. They are seeing the forces of liberation in that country. I am begging that the President also realises that no force is capable of denying freedom to so many people and, hopefully, what is going on in Zaire, would force our President to realise what we, the majority of people, are asking for, that he himself, suspends the forthcoming general elections until a convention is held and then this country can go for free and fair elections. Why is KANU winning? Because it is protected. We speak for the majority of the people of Kenya.

The Assistant Minister for Information and Broadcasting (Mr. Nassir): Mungu akubariki sana, Bw. Spika, kwa kuniona pamoja na ufupi wangu. Lakini yangu ni machache. Kwanza, ninamshukuru Mwenyezi Mungu kwa miaka 40 ambayo nimekuwa katika siasa. Wakenya wameonyesha ulimwengu kwamba wanapendana na wanapenda kudumisha amani katika nchi yao.

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

Bw. Naibu Spika, wakati viongozi wengi wanapotafuta kura, huwatafuta jamaa zao kwanza na kuwaambia waje karibu kwa visingizio kuwa wanaonewa. Kwa hivyo, ninawaomba wakati huu tunapofunga Bunge, tuwaambie Wakenya kwamba sote ni kitu kimoja na tupendane. Swala la uchaguzi ni uamuzi wao kuchaguana. Tukifanya hivyo, hatutakuwa tumejifanyia sisi peke yetu, lakini tutakuwa tumewaandalia watoto wetu maisha mema yajayo ili wasiwe na fujo.

Wabunge na Marais watakuja na kuondoka, lakini amani ikichezwa, haiwezi kupatikana kwa urahisi. Tumeona shida ambazo zimewakabili majirani zetu. Ninawashukuru ndugu zangu Wakenya, hasa viongozi, kwa kuwapenda Wakenya wenzao. Mungu ametujalia amani. Tunaishi kila pahali kama ndugu huku tukioana na kuzaana. Pia, tunasoma katika skuli moja. Hatuna haja ya kutengana kikabila.

Bw. Naibu Spika, Wakenya ambao wana pesa, hasa wakiwa wanachama wa KANU, inafaa wajaribu kwenda kuomba kura kwa niaba yao na ya Rais wa chama chao. Haifai kwa mtu kumwinda Nassir badala ya kutafuta kura. Mimi sitaki Uwaziri, lakini mimi ni Waziri Msaidizi wa maisha chini ya Rais Moi. Kwa hivyo, inafaa wale wanaoipenda Serikali ya KANU na Rais Moi waache kuwagawanya wanachama wa KANU. Hii ni kwa sababu wanachama wa KANU wana mambo mengi wanayotaka kufanya.

Mimi nawapenda ndugu zangu walio katika Upinzani: Siwachukii hata kidogo. Wako katika chama chao na mimi niko katika chama changu. Lakini tukikutana pamoja tutakula, tunywe na kucheza pamoja. Nikikutana na mhe Kibaki tutakuwa marafiki kama ambavyo tumekuwa tangu zamani. Hii ni kwa sababu kitu cha muhimu ni amani.

Ningependa tuende nje na kuwahimiza watu wetu kuchukua kura. Inafaa tuwaambie wachukue kura ili wawachague viongozi wawapendao watakaoleta ufanisi humu nchini. Inafaa tuhakikishe kwamba kila Mkenya amechukua kura.

Ho. Members: That is rigging now!

The Assistant Minister for Information and Broadcasting (Mr. Nassir): Bw. Naibu Spika, ndugu zangu wanahofia kuwa watashindwa. Lakini nawaambia kwamba watashindwa hata wakisema nini. Ningependa wayasahau yale yaliyofanyika katika mwaka 1992. Kila mtu atapigiwa kura kwa sababu ya kazi yake. Yule ambaye hajafanya kazi hataliona Bunge hili. Sisi ni watumishi wa wananchi. Tulichaguliwa ili kuwatumikia wananchi na si kuja hapa kusema ni nani ambaye ana ardhi kubwa or ndogo. Jambo la watu kupewa ardhi halikuanza juzi juzi.

Kwa hayo machache, naungo mkono.

Mr. Mwiraria: Mr. Deputy Speaker, Sir, I rise to support this Motion of adjournment. In doing so, I want to touch on an issue of great importance to the people of Kenya in general, and the people of Meru District in particular.

Mr. Deputy Speaker, Sir, yesterday I demanded a Ministerial Statement from the Minister of State, Office of the President on the security situation in Isiolo District. I was expecting a statement today and since I have not received that statement, I will make a few comments because what is happening is really frightening. During the last three weeks, ten Meru people including women and children, have been killed in Isiolo District by members of the Boran community; houses belonging to Meru people have been destroyed or set ablaze. Crops growing in shambas in and around Isiolo Town have all been cut down and for two weeks, the Government does not appear to be heeding the cry of those who have been hurt and injured.

As result, on Monday, the 12th, May, 1997, the Meru people decided to take action to show the Government that they were afflicted and they were suffering and on that day, they stopped all the economic activities in Isiolo Town; there were no matatus allowed to move in or out; no transport was moving in or out including *miraa* and everything and as a result, five councillors of Meru origin in Isiolo were arrested and accused and of inciting people. Up to the last point, nobody was arrested, but when the Meru people wanted to demonstrate to show that they were suffering, five councillors were arrested and put in cells.

Mr. Deputy Speaker, Sir, since then, the PC and DC have moved in and attempted to solve the problem. The issue is really that this problem has been caused by an hon. Member of this House; the hon. Mokku, who is the Member of Parliament for Isiolo North.

Hon. Mokku is notorious---

Mr. Deputy Speaker: Order, hon. Mwiraria! I can fully understand your emotions on a matter of this nature, but emotions aside, I think, you are a senior Member of this House in many ways, you know that you are not a very old Member, but I think, you are a very senior member of the society and you definitely know the value of respecting the rules of the House. Whatever the feelings you may be having about an hon. Member, you know very well that it is against the rules of this House to discuss adversely the character or conduct of the Member of this House except on a substantive Motion. Therefore, will you desist from that?

Mr. Mwiraria: Mr. Deputy Speaker, Sir, the issue really is that the hon. Member may not be mentioned again, but something similar happened last year to the Samburus. What I want to say is that nobody should go out during this recess to look for votes using the blood of other people. Nobody is going to get votes for spilling the blood of the Meru people. To add on to that, when an hon. Member does something like that with the support of the District Commissioner, it is even more appalling.

Mr. Deputy Speaker, Sir, lastly, the Meru people should not be victimised by people who are looking for votes. The Meru people will stand on their own and they will defend themselves, and if need be, we are going to take votes in Isiolo to make sure that things happen the right way.

Thank you.

Mr. Falana: Thank you, Mr. Deputy Speaker. I stand to support the Motion. Starting from next Monday, I think it is proper for the hon. Members to go back to their constituencies and supervise what is happening in terms of voter registration.

I have a few points to put across to the Government. The first one concerns the security of this country.

An hon. Member: Correct!

Mr. Falana: Mr. Speaker, Sir, Kenyan security is deteriorating very fast in every portion of this country. If it does deteriorate now, when we feel the system has the time, the personnel and the ability to contain the insecurity, I am scared even to imagine what will happen when we come to the campaign period, the election time when we need more security, more seriousness and more attention from the Government. If the government cannot contain the situation now, when there is no high concentration of people anywhere, I doubt whether it will be able to contain it when it comes to campaign and election time. With all seriousness, I would like the Minister in charge of internal security, and the officers charged with the security of this country, to take this issue very seriously because I fear, and I foresee a very dark future in terms of security very soon for this country.

Secondly, I am happy the Secretary-General of KANU is here because I want to say something about KANU, the party we are in.

An hon. Member: Say it loud and clear!

Mr. Falana: Mr. Deputy Speaker, Sir, KANU has defected to Central Province.

(Applause)

Mr. Deputy Speaker, Sir, you might have missed that point, I will repeat it. I said nothing offensive, but you might have missed it. All I said is that KANU has defected to Central Province. This is what is happening and it is for the good of the party.

(Several hon. Members stood up in their places)

Mr. Deputy Speaker: Order, Hon. Mathenge, I recognise hon. Rotino.

Mr. Rotino: On a point of order, Mr. Deputy Speaker, Sir. A serious allegation has been made in this House, that KANU has moved to Central Province. Can he substantiate?

An hon. Member: It is the obvious.

Mr. Falana: Mr. Deputy Speaker, Sir, if hon. Rotino was patient, I was coming to that. As it is now, all the so-called KANU zones, and that includes the part I represent, feel they have been sidelined, neglected, abandoned and marginalized. All the resources of this Government, be it manpower, money, development and everything, have all been channelled to Central Province.

(Applause)

I love and respect KANU and I do not even intend to defect from KANU. But, let me warn KANU, if it makes the mistake it made in 1992, it will find itself in a big fire.

An hon. Member: What mistake?

Mr. Falana: As it is now, I know a lot of hon. Members here who are threatened because KANU is already planting some candidates against the sitting candidates.

With those few remarks, I beg to support.

Mr. J.N. Mungai: Mr. Deputy Speaker, Sir, let me take this chance to say something before the Recess begins.

This Recess has a significance of some kind because I tend to think that it might be the last Recess we are going to have before this House is dissolved. With this kind of atmosphere, where the General Elections are round the corner, the appeal I would like to make, as a person who comes from Rift Valley, is that this time round we need greater friendship in this country than ever before. We need this friendship from both sides because of the experiences that some of us have had. We would not like to see a recurrence of the 1992 tribal clashes. I am saying so because it was during the 1992 General Election that some people incited others to fight.

What we are now seeing in Keiyo-Marakwet is a very disturbing situation and we do not know whether it will spill over to the rest of the Rift Valley Province. We are not going to keep quiet and watch the blood of our brothers being spilled. We would like to appeal to each and every one of us not to let any of our Kenyan blood be spilled. Whether it is a Kalenjin, Luo, Luhya, KANU or Opposition blood it is Kenyan blood. This kind of thing must stop immediately.

The Government has got to take it upon itself to see to it that it does not popularise itself by getting Kenyans to kill each other. This is very wrong. We want to see security of every Kenyan.

The other thing is that KANU people are making a lot of noise about insecurity in their areas. We are calling upon you, gentlemen on the other side, not to zone any area. We want to make sure that everybody is treated fairly. Your moving to Rift Valley, Central, Coast and so on should not be determined by your political affiliation. It is a right of every Kenyan to go wherever he wants to go. It is a right of every Kenyan to live wherever he wants to live, after all, if a "Kabala" comes to rescue this country from bad management, will he spare the Opposition or KANU? It is our responsibility to make sure that we give our people the right political leadership. We must allow our people to interact. Without doing that, we are cheating ourselves. There is no point of scrambling for power when we are holding our people as hostages. Kenyans have been held hostage for too long. They have been held hostage in the sense that those who support Opposition are never helped by the Government. That is what we call hostages and even in the Opposition, there are hostages. We must not hold our people hostage such that they cannot co-operate amongst themselves. Because, co-operating with KANU or with people of another party, is viewed as abandoning your own party. We must allow our people to intermingle and develop in this Government. Because, even in the future Government, we shall not want them to be static, but progressive.

Mr. Temporary Deputy Speaker, Sir, I must point out this time round that, we have problems in some districts of the Rift-Valley. Up to this time, there are some people who cannot talk to one another.

With those few remarks, I beg to support.

Mr. Kones: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to support---

An hon. Member: Toboa!

Mr. Kones: Give me a chance, please.

Mr. Deputy Speaker, Sir, on the onset I would like to say that this recess will be a busy one for us as Members of Parliament because of the registration exercise that is going on now. I would like to caution the Electoral Commission, that sometimes they do funny things. For example, the last exercise they did on review of boundaries of Molo and Njoro, we were shocked to find out that they went out there and came out with suggestions of their own, with no regard to the opinions of the public and then they gazetted the area as Kureisoi and Molo and yet, this is not Njoro. They did not regard anybody's decision. This is funny! We hope this is not the beginning of rigging. When things are done like this, we get worried.

Mr. Deputy Speaker, Sir, we are now going out to do the registration of voters and we hope it is a serious registration, which will see this country go through a free and fair election.

Mr. Deputy Speaker, Sir, there have been rumours going around my district that there is going to be a review of municipal boundaries; that they are going to increase wards. Nothing has been done on the ground; local leaders have not been consulted, but I know this could happen.

Dr. Lwali-Oyondi: KANU style!

Mr. Kones: Mr. Deputy Speaker, Sir, things just happen like that. One day, I heard about a de-gazettment of councillors and I thought this was a joke, only to find that really, it happened. Sometimes you cannot believe why some things happen the way they do.

Mr. Deputy Speaker, Sir, I am a believer, and I am in KANU. I have no intention of defecting.

Hon. Members: For now!

Mr. Kones: Mr. Deputy Speaker, Sir, certain Members within KANU are pushing others to the wall and if we are pushed to the wall, we must react. We are not going to die on the wall, we must bounce back somehow. It is pathetic that, Members among ourselves are using the administration to muzzle us up.

Mr. Deputy Speaker, Sir, you will be surprised to know that this Saturday, I was supposed to hold a KANU rally in my own constituency as the KANU Chairman of that sub-branch, legally elected. Though somebody tried rigging me out, it was impossible because I was too tough for him. I got a phone call yesterday afternoon from the DC saying that, that licence was not sanctioned. The reasons are flimsy.

Mr. Cheserek: We can do without their rallies!

Mr. Deputy Speaker, Sir, I cannot understand how any sane on earth would imagine that I will meet my constituents without being given a licence to meet them. I am legally elected, I am the legitimate Member of my Constituency and yet I am denied the right to meet my own people. I am denied to talk about my own party which is KANU. I am denied to do harambees in my own constituency.

Hon. Members: Shame!

Mr. Kones: I am denied the right to talk to my people on the registration exercise. What is all this? What is causing the panic? Fellows are scared of their own shadows. Why can we not go into the election exercise fairly? Why can we not face each other fairly, squarely? The men will come out and the boys will stay back home.

Mr. Deputy Speaker, Sir, we want to have a strong KANU. For us to have a strong KANU, we must be just to ourselves. The Provincial Administration, which you are using today, will not deliver the goods to KANU.

Mr. Cheserek: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for hon. Kones to say KANU is going to come out strongly when Marakwets are being killed by KANU?

Mr. Kones: Mr. Deputy Speaker, Sir, I am not an expert on the Marakwet-Pokot issue and so, I am not going to address that one.

With those few remarks, I beg to support.

Mr. Achieng-Oneko: Thank you very much, Mr. Deputy Speaker, Sir, for giving me this opportunity to say a few words before the House goes on recess.

(Loud consultations)

Mr. Deputy Speaker: Order! Order, hon. Members!

Mr. Achieng-Oneko: Mr. Deputy Speaker, Sir, I would like to tell Kenyans one thing from this august House. I would like to warn them that we must remain united, even at the point of death because the peace which we have seen in Kenya did not come on a platter but it was fought for. Therefore, I am appealing to Kenyans not to even draw our attention to people like Kabila. I would like to caution Kenyans not to refer to people like Kabila who escalate some of the wars that are taking place in parts of Africa. Kabila is a man of violence and he

is not doing what he is doing on his own. He is being pushed by foreigners, just the same way Amin was pushed to take over an elected Government in Uganda. This is one thing that must be a warning to Kenyans, because they are not so stupid that, some people have to warn us and draw our attention to what Kabila is doing. I appeal to people to register as voters and to organise and run our elections smoothly, calmly and peacefully. I would also like to inform those who are being bullied in KANU and are being pushed to the wall that, it is not a new political tactic. It happened to us in 1965 when my deputy Minister was put against me. Once you see the authorities that be, putting somebody against you in the same Ministry in the same party, it is a warning that you must take seriously and quit. I am appealing to those mistreated in KANU to quit and fight from outside and not within, because you will have no time and chance to fight within your own party because the country is now a multi-party democracy.

Mr. Deputy Speaker, Sir, it is not a question of crying over what others are doing to you in KANU. Quit and join us in the Opposition so that we can have a strong Opposition and replace the present Government. The Government today has made a mess of itself. Some of our leaders in the Government have been accused of being given plots by the City Council, they are being bribed, misused and so on. Therefore, the Government has outlived its usefulness and it is high time that the Government gave the leadership of this country to FORD(K). I am appealing to all KANU hon. Members to come to this side of the House so that we can make a strong Opposition to remove the present "rotten" KANU Government.

(Applause)

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Kirima): Bw. Naibu Spika, asante sana kwa kunipa nafasi hii.

Jambo la kwanza ni kutoa shukrani nyingi sana kwa Mtukufu Rais kwa kuyajali maslahi ya wananchi katika Jiji la Nairobi na kwa kufanya Harambee ya vijana hapa nchini.

(Loud consultations)

Mr. Deputy Speaker: Order, hon. Members! The hon. Kirima like, everyone of you, is hon. Member of this House, and is entitled to be heard. Will you proceed, Mr. Kirima?

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Kirima): Bw. Naibu Spika, kwa niaba ya watu wa Starehe, natoa shukrani kwa Mtukufu Rais kwa kutusaidia kwa kila njia. Juzi, tulikuwa na shida katika Grogan Road kwa sababu ya Wahindi kunyonya watu walipokuwa wakinunua karatasi kutoka kwa wananchi kwa bei ya chini lakini Mtukufu Rais aliingilia kati na kusaidia wananchi wasidhulimiwe kibeji.

Ningeomba maofisa wote wanaohusika na usimamizi wa Jiji la Nairobi washughulikie taabu za Jiji hili. Baadhi ya nyumba katika Jiji hili, kama vile za mtaa wa Ziwani, Bahati, Kang'ethe na kadhalika, zilijengwa wakati wa ukoloni. Nyumba hizi zote zinalipiwa ushuru. Kuna pia ushuru wa huduma unaotozwa wafanyakazi na wafanyabiashara katika Jiji hili. Lakini barabara zetu ni mbaya sana. Hali hii mbaya ya barabara imefanya kampuni la mabas hapa mjini kuondoa mabas yake katika barabara mbovu na wananchi wetu ndio wanaoumia. Je, hizi pesa zote za ushuru wa huduma zinatumiwa kivipi? Ni heri maofisa wanaohusika na ukusanyaji wa ushuru huu wajaribu kurekebisha barabara zetu hapa mjini.

(Loud consultations)

Mr. Deputy Speaker: Order, hon. Members!

(Question put and agreed to)

ADJOURNMENT

Mr. Deputy Speaker: Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until Tuesday, 10th June, 1997, at 2.30. p.m.

The House arose at 6.30 p.m.