

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 14th May, 1997

The House met at 9.00 a.m.

[*Mr. Deputy Speaker in the Chair*]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No. 022

PENSION FOR DEPENDANTS
OF THE LATE WANJE

Mr. Deputy Speaker: Is hon. Mumba not here? We will leave his Question until the end. Let us move on to the next Question.

Question No. 064

UPGRADING OF KANYAKINE HEALTH CENTRE

Mr. Murungi asked the Minister for Health:-

- (a) whether he is aware that there is no resident doctor working at Kanyakine Nyayo Wards;
- (b) whether he is also aware that there are no mortuary facilities there; and,
- (c) when the Government will construct a mortuary and upgrade the health centre to a sub-district hospital.

Mr. Deputy Speaker: Is anyone here from the Ministry of Health? We will leave that Question until the end.

Question No. 096

FIRE ENGINE FOR NAKURU TOWN

Dr. Lwali-Oyondi asked the Minister for Local Government:-

- (a) whether he is aware that there is no fire engine in Nakuru Town;
- (b) whether he is further aware that a house in Section 58 burnt down on 23rd February, 1996, and two other shops have also been burnt down in the town without much help from the fire brigade; and,
- (c) the steps he is taking to rectify this grave

situation.

The Minister for Local Government (Mr. F.P.L. Lotodo): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware. Nakuru Municipal Council has two bedford fire engines, two Land Rovers based rapid intervention vehicles and two fire-fighting portable pumps. The fire station also has the necessary fire-fighting equipments like fire hoses, junction pipes, foam compounds, *et cetera*.

(b) According to the Council's fire occurrence book, there was no fire reported on 23rd February, 1996. In fact, there was no report of fire between 20th February, 1996 to 24th February, 1996.

(c) From the foregoing, I am satisfied with the Council's current number of fire-fighting equipments.

Dr. Lwali-Oyondi: Mr. Deputy Speaker, Sir, the Minister is misleading this House. Even the mention of bedford fire engines alone will tell you that the lorries are well over 30 years old. Therefore, they no longer work. Nobody in Kenya uses bedford cars at the moment. If there are any, they are unserviceable. The ones in

Nakuru are in a very bad condition and in most cases, they do not work. They only make use of the Land Rovers.

Will the Minister update the fire-fighting equipment at Nakuru so that we can have something better, together with the Land Rovers?

Mr. F.P.L. Lotodo: Mr. Deputy Speaker, Sir, the two bedford lorries are in good condition. These are not lorries for carrying bags of maize! Although they are 30 years old, they are in good working condition, together with the two Land Rovers and other equipments. So, what does the hon. Member want?

Dr. Otieno-Kopiyo: Mr. Deputy Speaker, Sir, could the Minister tell this House whether there is a standard global policy in respect of the provision of fire-fighting equipment? For example in Nairobi, if we had ten lorries with engines ten years ago, would that change in view of the fact that the population has increased? In some towns in Kenya, there are no engines at all. Is there any standard policy and if so, how is it being enforced?

Mr. F.P.L. Lotodo: Mr. Deputy Speaker, Sir, it depends on the financial position of the councils in question. For example in Kitale, they do not need five lorries because of the size of the town.

Prof. Ouma: Mr. Deputy Speaker, Sir, fire can break out anytime. It is one of the hazards which are expected in any closely built-up place. Could the Minister tell us, if he knows, how many municipalities - I am not going down to townships and urban centres - do not have fire engines, and what prospects do they have of getting those engines by the year 2000? How many do not have?

Mr. F.P.L. Lotodo: Mr. Deputy Speaker, Sir, as far as I am know, most municipalities in the country have got fire engines except Kapenguria which was just created a few weeks ago.

Dr. Lwali-Oyondi: Mr. Deputy Speaker, Sir, is the Minister also aware that in Nakuru, the underground hoses which are supposed to be used in case of fires are generally dry? Like now in case of fire, the Land Rovers have to go and search for water. What is he going to do to make sure that there are lines within Nakuru which permanently have water, so that the fire extinguishers can make use of them?

Mr. F.P.L. Lotodo: Mr. Deputy Speaker, Sir, there has been a problem of water in Nakuru in the past. But from February this year, there is a lot of water and the hon. Member is asking has been taken care of.

Mr. Mwiraria: On a point of order, Mr. Deputy Speaker, Sir. Is the Minister in order to tell the House that all municipalities have fire-fighting equipments, when there is nothing at all in Meru? Could he tell the House whether there are regulations requiring municipalities to have fire-fighting equipments?

Mr. F.P.L. Lotodo: Mr. Deputy Speaker, Sir, maybe, Meru is one of those new ones like Kapenguria. But as time goes on, we will assist the Meru Municipality to get fire-fighting equipments.

Question No. 073

SUPPLY OF WATER TO GACHOKA RESIDENTS

Mr. Nyagah asked the Minister for Land Reclamation, Regional and Water Development:-

- (a) when the Government will supply piped water to residents of lower parts of Gachoka constituency; and,
- (b) whether the Government has retracted its policy to supply water to all Kenyans by the year 2,000.

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Ligale): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The Government, through my Ministry, is in the process of supplying piped water to residents of lower Gachoka alongside Siakago and Kiambere areas of the Mbeere District.

Presently, my Ministry is evaluating feasibility study reports for three proposed projects after which plans for implementation will be designed.

According to the report, my Ministry intends to expand coverage of Ena/Siakago and Gachoka Water Supplies and implement Kiambere Water Supply Project at an estimated cost of Kshs116 million.

(b) I wish to inform this House that the pronouncement that water will be provided to all by the year 2000 was not really a Government policy as such. This is a national broad objective adopted by the Third World Countries during the International Water Supply and Sanitation Decade for the years 1981 to 1990.

The objective was formulated with the understanding that the world community will be hopefully a little more generous and assist the developing countries to enhance this goal. However, this was not the case and many countries, including Kenya, have had to rely on their own local meagre resources.

Mr. Nyagah: Mr. Deputy Speaker, Sir, it is the Government responsibility to give services to its people since they pay taxes. The Ministry has refused to acknowledge that Mbeere District falls under arid and semi-arid

areas like its neighbours, Mwingi, Kitui, Machakos and so on. The Embu/Ena Water Project was allocated Kshs3 million during 1996/97 financial year, but the source of the water has had to be moved 8 kilometres from its current source at a cost of Kshs9 million, which means that water will not get to the people of Mbeere. What plans does the Assistant Minister have to ensure that this project will actually be feasible and operational?

Mr. Ligale: Mr. Deputy Speaker, Sir, the whole objective of moving the water intake further upstream was mainly to provide a big head so that this water can flow by gravity and be able to serve a much larger area than originally envisaged.

Mrs. Asiyio: Mr. Deputy Speaker, Sir, the Kenya Government has promised Kenyans that they will get good water near every home by the year 2000. The Assistant Minister is telling us this morning that, that was just an objective. They depended very much on the good will of the international community. We know what has happened since that promise was made and up to this minute. Can he tell us what new policy the Government has put in place for providing wholesome water to Kenyans by whatever years?

Mr. Ligale: Mr. Deputy Speaker, Sir, the Government still intends to achieve that objective and it is in its current plans intending to implement various water projects, as and when the resources become available to ensure that, eventually, all Kenyans can get access to the water supply.

Mr. P.N. Ndwiaga: Mr. Deputy Speaker, Sir, I wish to thank the Assistant Minister for confirming to this House and the nation that provision of water by the year 2000 was a mere propaganda like we have always suspected. The Mbeere Water Project is the subject of this Question. This area has lacked water for so many years and those people have been promised every year that there will be water. Could he tell this House where the Kshs116 million he is talking about is? Is it in the current estimates?

Mr. Ligale: Mr. Deputy Speaker, Sir, I want to make two points. Firstly, there was no propaganda. I have said this was a broad Government objective, so the question of propaganda does not arise.

Secondly, I have given an estimated cost of the total implementation of these various projects.

Dr. Otieno-Kopiyo: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Assistant Minister to refuse to answer a question put to him by Mrs. Asiyio? He was asked whether since that was just a broad objective and there were no specific funds for the plan to give Kenyans water by the year 2000, what is the date that you will achieve that objective? He has refused to answer that.

Mr. Ligale: Mr. Deputy Speaker, Sir, I need your guidance. I have already answered Mrs. Asiyio's question. I have been asked another one since that time by Mr. Ndwiaga. Am I supposed to answer the two questions? I will respond to Mr. Ndwiaga's question.

I have said that there was no propaganda, but it was a Government objective which is still very much there. I have also said that the figure I have given of Kshs116 million is an estimated cost of implementing the various projects, both in Embu and Mbeere, to meet the water requirements of the residents of that area. The Government is evaluating feasibility study reports with a view to designing and after the final design reports have been submitted, we shall then source funding to ensure that the projects are implemented.

Question No.052

EXTENSION OF RAILWAY LINE

Mr. Achola asked the Minister for Transport and Communications what plans the Government has to extend the railway line from Migori through Kisii and Kericho.

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

Kenya Railways Corporation has done investigation on the possibility of providing railway services to areas in question by a line from Kisumu Branch taking off at Kedowa area.

Such a line would traverse through Kisii Highlands which rise to over 7,000 feet above the sea level. The hilly terrain is technically hard to cross and would be of poor quality due to high gradients and sharp curvature.

The line, if done, would be very expensive to build, maintain and outside the internal resources of the Kenya Railways Corporation.

Mr. Achola: Mr. Deputy Speaker, Sir, that is actually a ridiculous answer coming from the Assistant Minister. Kericho, Kisii and Migori districts are very high potential areas in this country and I am surprised he is saying that the railway line cannot be build to traverse through those areas. Well, in fact, there is a possibility of building a railway line from Kijabe avoiding the highlands and then going through Kisii, Homa Bay and Migori

districts. Now, that notwithstanding, could he tell the House how expensive this railway line would be if it were to be built and what criteria does the Government use to determine when and where to put these railway lines?

Mr. Saina: Mr. Deputy Speaker, Sir, I cannot exactly tell the House how much in terms of finance it will cost, but a feasibility study is being carried out. At the moment, we do not have the resources.

In addition, most of the transporters have opted to transport their goods by road. In fact, we have very limited load to carry in the capacity that we have at the moment.

Mr. Nthenge: Is the Assistant Minister aware that since the colonial days this Government has never constructed a single railway line? So, which one is he talking about?

Mr. Saina: Mr. Deputy Speaker, Sir, the colonial time is past history. We are in the present Kenya.

(Mr. Ndicho stood up in his place)

Mr. Deputy Speaker, Sir I am still answering and already another Member is on his feet even before I have finished answering the question. Could the Member for Juja allow me to finish answering the question? I said that colonial time is past history. We are in the present Kenya and we are considering putting up new railway lines. Some of the areas which are on the priority list will be the North Eastern Province. We intend to construct two railway lines; one to Moyale and another to Lodwar respectively. This is because we may get some fuel in Turkana. But I said in my answer that the capacity of the railway to take the load is not in full use and we do not have the resources to do so. However, we still consider putting up more railway lines.

Mr. Nthenge: On a point of order, Mr. Deputy Speaker. Is he answering my question?

Prof. Mzee: On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: What point of order do you want to profess, Professor Mzee?

Prof. Mzee: My point of order is whether this Assistant Minister in order to mislead this House and this nation that they have plans of putting up more railway lines in this country while we know that the Kenya Railways Corporation has completely collapsed. The Professor has finished it totally! We were told only last week that it will not be able to even operate passenger lines between Mombasa and Nairobi. Now, this Assistant Minister is misleading this nation. Is he in order?

Mr. Saina: Mr. Deputy Speaker, Sir, I am not aware of any railway corporation that is being finished. For the information of Professor Rashid Mzee, we are still operating and we will continue to extend our operations.

Question No.018

TARMACKING OF SIAYA-NYADORERA ROAD

Mr. Mak'Onyango asked the Minister for Public Works and Housing when is the Government going to tarmac the Siaya-Nyadorera Road as prioritised by the Siaya District Development Committee.

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

The Government has no immediate plans to tarmac the Siaya-Nyadorera Road due to lack of funds. I am, however, not aware that this road has been prioritised by the local DDC for tarmacking but I am aware it is recommended for gravelling. In the long term, the recommendation may be considered subject to availability of funds.

Mr. Mak'Onyango: Now, Mr. Deputy Speaker, Sir, the question of tarmacking this particular road has been raised here on a number of occasions and on one occasion the Government did undertake to have this road tarmacked during the current Financial Year. Could the Assistant Minister tell the House the reason for the last minute change of heart?

Mr. Khalif: Mr. Deputy Speaker, Sir, I am not aware of any commitment by my Ministry that the road will be tarmacked. What I am aware about is that the road has not been prioritised by the Siaya District Development Committee for tarmacking but it was recommended for gravelling under the Social Dimensions of Development Programme. The road currently is motorable and grading works were completed on the 25th April 1997.

Mr. Muite: Mr. Deputy Speaker, Sir, there is need for this Government to come out very clearly indeed about roads. The Government should come out clear, not only about this particular issue, but about the issue of

repairing roads. This Government started recarpeting the roads in Nairobi, for example, and all of a sudden they have stopped doing so. What is the Government position? What do you do with the money allocated for roads? The hon. Member has said specifically that this road was prioritised and yet this Government is not coming out clean to say when this road is going to be recarpeted. What is the Government position about roads? Is it the Government's intention to punish Kenyans by allowing the roads to remain in a state of disrepair? When are you going to repair the roads in Nairobi and all over the country?

Mr. Khalif: Mr. Deputy Speaker, Sir, the Government is already doing its best to improve the conditions of roads all over the country. This is being done through various projects in various districts and our ability to do that is always dependent on the funds available. Having said that, I would like to repeat again that this road was never recommended for tarmacking by the DDC. It was recommended for gravelling and gravelling has been done.

Mr. Aluoch: Mr. Deputy Speaker, Sir, Siaya happens to be one of the districts of Nyanza Province. If you look at the estimates for roads allocation, you will find that the whole of Nyanza Province takes only 4.6 per cent of the entire budget while Rift Valley Province takes over 40 per cent of the entire budget. Could the Assistant Minister tell us why there is this disproportionate allocation of funds to various parts of Kenya?

Mr. Khalif: Mr. Deputy Speaker, Sir, first of all Rift Valley Province cannot be compared to Siaya District. This is because Siaya is a district and the Rift Valley is a province. So, the allocation cannot be the same. During the current Financial Year we have allocated Ksh34 million to Siaya District for repair of various roads and I can give the list of the roads. This list consists of Ngiya-Abong' Bridge, Siaya-Uludhi Stream, Ndele-Segere, Ng'er'-Urunga, Bak-K'odhiambo-Nyamila, Pap-Bolo-Segere, Umwer-Urunga, Ngiya-Ndori and Rangala-Siaya-K'ochieng roads. The total amount of money to be spent during the current spend Financial Year is Kshs34,560,000.

Mr. Aluoch: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister is evading answering my question. I asked specifically why there is this disproportionate allocation of funds to Nyanza among other provinces in the country.

Mr. Deputy Speaker: That is a question and not a point of order.

Mr. Khalif: Mr. Deputy Speaker, Sir, I am not aware that there is any disproportionate allocation of funds between Rift Valley and Nyanza Province. But in any case, that is a completely different question and if the Member of Parliament wants to pursue that question, he can ask and we shall very aptly reply him in good time.

Mr. Mak'Onyango: Now, Mr. Deputy Speaker, Sir, the Assistant Minister is not touching seriously on this matter. This is because I have said it and the very Government has said it and I have at least an answer from this very Government which said that this particular road was going to be tarmacked. Now this is the main fish road serving both Busia and Siaya districts. Could the Minister undertake to see to it that something is done on this road or that the road is tarmacked for the economic wellbeing of these two districts?

Mr. Khalif: Mr. Deputy Speaker, Sir, whereas I agree totally with the sentiments expressed by the hon. Questioner, I would like to tell him that this road is already being worked upon. We are gravelling it and in the long run, we intend to tarmac it, but that is subject to availability of funds.

Question No.034

ASSISTANCE TO NYATIKE FISHERMEN

Mr. Onyango asked the Minister for Co-operative Development:-

- (a) what assistance the Ministry is giving Nyatike fishermen in establishing a co-operative society;
- (b) how much money has been loaned to fishermen in Nyatike between 1993 and 1996, and if he could name the individuals who benefited from the loans; and,
- (c) if the Ministry could consider assisting the fishermen in Nyatike to have a modest fish processing plant at Mihuru.

Mr. Deputy Speaker: Is hon. Kamwithi Munyi or his Assistant Minister here? The Question is stood over for the moment.

Mr. P.N. Ndwiga: On a point of order, Mr. Deputy Speaker, Sir. Is it possible for this House to avoid putting Questions on the Ministry of Co-operative Development on Wednesday Morning since that embarrasses my constituents? He is incapable of waking up early in the morning because of his other habits. Could we consider not having Questions for this Ministry on Wednesday Morning?

(Laughter)

Mr. Deputy Speaker: I am afraid we cannot accede to such a request! Mr. John S. Mumba's Question for the second time?

Mr. Ndzai: Mr. Deputy Speaker, Sir, I am sorry for coming late.

Question No.022

PENSION FOR DEPENDANTS OF THE LATE WANJE

Mr. Ndzai, on behalf of **Mr. Mumba,** asked the Minister for Finance:-

- (a) if he is aware that Mr. Masha Iha Wanje, pensioner No.APN/PC8551, passed away on 16th April, 1992;
- (b) if he further aware that the four surviving widows of the late Wanje have not received any dependant's pension, despite all the relevant documents having been submitted to the Principal Pensions Officer; and,
- (c) if he could confirm when the four widows will be paid their dependant's pension.

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

(a) Mr. Masha Iha died on 16th April, 1992. Pension in respect of his four widows has been processed and was paid on 15th April, 1997, through the District Commissioner, Kilifi as follows:-

<u>Payee Name</u>	<u>Chq. No.</u>	<u>Date</u>	<u>Kshs. cts</u>
1. Jumwa Kazono Muramba	054189	15-4-97	7,780.80
2. Nyevu Masha Iha 054188	15-4-97	7,780.80	
3. Sidi Masha Iha	054186	15-4-97	7,780.80
4. Jumwa Masha Iha 054187	15-4-97	7,780.80.	

Mr. Deputy Speaker, Sir, the balance of Kshs2,041 owing to the widows represents some cheques that were paid in the name of the deceased and we are waiting for those cheques to be returned to the DC Kilifi, so they can be paid in the name of the widows. Once this is done, the matter will have been cleared.

Mr. Sifuna: Mr. Deputy Speaker, Sir, this pension was supposed to have been paid in 1992 and today is April, 1997, almost five years later. Could the Assistant Minister tell us why the Government delayed paying these widows their dues? Until the hon. Member brought a Question to this House, that is the time the Ministry woke up and started preparing those cheques!

Mr. Keah: Mr. Deputy Speaker, Sir, I will gladly do that. When the late pensioner died on 16th April, 1992, the Pensions Department of the Treasury, was informed about the death in February, 1993. We immediately sent the declaration forms to be signed by the widows as is required by law. There were two sets of forms, one set was returned six months later, but the other one was not returned. We also sent them another set of forms and I am afraid this delayed until early this year, 1997 upon which we acted immediately as stated.

Mr. Deputy Speaker: Mr. Murungi's Question for the second time.

Question No.064

UPGRADING OF KANYAKINE HEALTH CENTRE

Mr. Murungi: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Health:-

- (a) if he is aware that there is now a resident doctor working at Kanyakine Nyayo Wards;
- (b) if he is also aware that there is no mortuary facilities there; and,
- (c) when the Government will construct a mortuary and upgrade the health centre into a sub-district hospital.

The Assistant Minister for Health (Mr. Criticos): Mr. Deputy Speaker, I would like to apologise to the House for coming late, although I was within the precincts of Parliament.

Mr. Deputy Speaker, Sir, I beg to reply.

- (a) Yes, I am aware.
- (b) Yes, I am also aware.
- (c) My Ministry is seeking for funds in 1997/98 financial year to carry out the works at Kanyakine Health Centre. The facility would also be considered for upgrading to a sub-district hospital when the projected

works are satisfactorily completed.

Mr. Murungi: Mr. Deputy Speaker, Sir, I wish to thank the Assistant Minister for the answer. But I would like to seek further clarification with regard to part "c". How much money is the Ministry considering spending on completion of the remaining Nyayo Wards, construction of the mortuary, the kitchen and the laundry?

Mr. Criticos: Mr. Deputy Speaker, Sir, unfortunately, I do not have the Printed Estimates currently, but I have talked to my Permanent Secretary on the subject. He has told me that he is working on the figures and they will be put into the budget for 1997/98 financial year. But I can furnish the House with the correct figures by next week, if the hon. Questioner would accept my suggestion.

Mr. Murungi: Mr. Deputy Speaker, Sir, by "next week", I think he means July. I would appreciate if--

Mr. Deputy Speaker: Order! Order, Mr. Murungi! The Assistant Minister never meant to "lie".

Mr. Murungi: Mr. Deputy Speaker, Sir, the House will not meet next week because we are going on recess tomorrow, Thursday.

Mr. Deputy Speaker: Still it is out of order to say that the Assistant Minister meant to "lie". There is no clarification, just withdraw the use of the word "lie".

Mr. Murungi: Mr. Deputy Speaker, Sir, I did not say "lie", but I said "July".

Mr. Deputy Speaker: I beg your pardon, I apologise.

Mr. Murungi: Mr. Deputy Speaker, Sir, I would appreciate if the Assistant Minister could give us the figures at the earliest possible time, probably tomorrow.

Mr. Criticos: Mr. Deputy Speaker, Sir, if the Estimates would be ready, I would bring the figures by tomorrow afternoon.

Mr. Deputy Speaker: Tom Onyango's Question for the second time.

Question No.034

ASSISTANCE TO NYATIKE FISHERMEN

Mr. Onyango asked the Minister for Co-operative Development:-

(a) what assistance the Ministry is giving Nyatike fishermen in establishing a co-operative society;

(b) how much money has been loaned to fishermen in Nyatike between 1993 and 1996, and if he could name the individuals who benefited from the loans; and,

(c) if the Ministry could consider assisting the fishermen in Nyatike to have a modest fish processing plant at Mihuru.

The Minister for Co-operative Development (Mr. Munyi): Mr. Deputy Speaker, Sir, I apologise for coming late. I was not sleeping, but I was doing some work in my office.

Mr. Deputy Speaker, Sir, I beg to reply.

Mr. Ndicho: On a point of order, Mr. Deputy Speaker, Sir. Is the Minister in order to say that he failed to come to answer the Question because he was busy in his office? It was part of his business to come and answer the Question.

Mr. Deputy Speaker: Mr. Ndicho, he is perfectly in order!

The Minister for Co-operative Development (Mr. Munyi): Mr. Deputy Speaker, Sir, I am perfectly in order.

(Laughter)

My Ministry has done everything possible in Nyanza Province. The officer has visited very many fishermen's co-operative societies and the hon. Member should be thankful.

Mr. Onyango: Mr. Deputy Speaker, Sir, it is very unfortunate that we are getting a misleading answer from the Minister. It is a known fact that the few existing co-operative societies in Nyatike are falling apart because of the problem created by the officer from the Ministry.

Mr. Munyi: Mr. Deputy Speaker, Sir, the hon. Member is aware that my officer has been very active. He is the one who brought out all these requests, as a result of which we have given assistance to the societies.

Mr. Onyango: Mr. Deputy Speaker, Sir, I said it is misleading for the Minister to cheat us that assistance has been given to North Kadem Fishermen Co-operative Society. In the actual sense we do not have

anything like this society in Nyatike. Can he tell the House in which particular place the office of the co-operative society called "North Kadem" is situated?

Mr. Munyi: Mr. Deputy Speaker, Sir, all that I know is that there are South Kadem and North Kadem Fishermen's Co-operative Societies. The hon. Member is aware of them.

Mr. Achola: Mr. Deputy Speaker, Sir, I would like the Minister to attempt to answer part (c) of the Question. The main problem in Nyatike is that Asian middlemen are exploiting fishermen there because of lack of processing and cooling plants for the fishermen. Could the Minister say whether in future they are going to help the fishermen to install cooling and processing plants for the fish industry there?

Mr. Munyi: Mr. Deputy Speaker, Sir, the hon. Member is aware that in Bondo, and in several other places, we did assist. Since he has made the request we will consider it.

QUESTIONS BY PRIVATE NOTICE

POOR HOSPITAL ADMINISTRATION

Mr. P.N. Ndwiga: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Health the following Question by Private Notice.

(a) Is the Minister aware that patients have been left unattended and several of them have lost their lives in Embu Provincial Hospital as a result of this negligence?

(b) Is he further aware that due to poor administration, the hospital is in a pathetic state?

(c) What urgent measures is the Minister taking to remedy the situation?

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

(a) It is not true to say that patients in Embu Provincial Hospital have had at any time been left unattended to, and no patient has ever died because of negligence.

(b) Embu Provincial Hospital is in a very good state, and it is manned by professionally qualified, experienced and competent personnel in their respective disciplines. That is our professional opinion.

(c) The hospital is functioning normally and my Ministry is satisfied with its performance in terms of patients care.

Mr. P.N. Ndwiga: Mr. Deputy Speaker, Sir, arising from that most ridiculous answer, barely two months ago we asked for a Ministerial Statement in this House regarding the management of Embu Provincial Hospital. We did this because there is a big outcry against medical staff in this. The *Daily Nation* wrote a feature story on that hospital and brought out the fact that in this year we have lost more than 40 women in the maternity ward. Recently, there was food poisoning one morning and all the women in the paediatrics section went crazy: They were picking kids from all over and suckling them. Is this what this Assistant Minister says satisfies them? Is that not professional negligence?

Mr. Criticos: Yes, Mr. Deputy Speaker, Sir, we are satisfied.

Mr. Nyagah: Mr. Deputy Speaker, Sir, I thank you for giving an opportunity to ask a question about an institution that is in my area. The answer the Assistant Minister has given belongs to the archives. I have brought several Questions here regarding this hospital, which have been answered extremely well. What my colleague has said is quite true. There is a lot of politicisation of that hospital's affairs by politicians, including hon. Munyi: He has brought in an illiterate to be the chairman of the board of management of this hospital. This is what has created problems in that hospital. Kangaru Hospital has been closed down. Two doctors who have been in Embu Provincial Hospital for more than 15 years have opened their own clinics. Therefore, they do not treat people at the provincial hospital; instead they refer them to their own nursing homes and clinics. This is why people are dying. The Assistant Minister should investigate what Hon. P.N. Ndwiga has said, because it is correct. We have asked for the removal of these two doctors from that hospital, otherwise people will continue to die. Already they are dying and the Assistant Minister is responsible for that.

Mr. Criticos: Mr. Deputy Speaker, Sir, obviously, I was asked a Question about non-attendance to patients. However, in view of the new issues that have been brought to my attention by hon. Nyagah I will investigate the matter further.

Mr. Deputy Speaker: Mr. Ndwiga's Question.

Mr. P.N. Ndwiga: On a point of order, Mr. Deputy Speaker, Sir. Here we are dealing with a matter of life and death.

Mr. Deputy Speaker: Order, Mr. Ndwiga! I have not given you the Floor. Instead, I have called the next Question.

Mr. P.N. Ndwiga: Mr. Deputy Speaker, Sir, here we are dealing with a matter of life and death. The Assistant Minister has not answered my Question. After we have complained and given him much information, is he really satisfied that there is no negligence in this hospital? We have said in this House before that we have two "Neo Nazis" in this hospital. These are Doctors Ndambuki and Mbithi, who cannot attend to you unless you have Kshs20,000. They leave women to die. Is this not professional negligence?

Mr. Criticos: Mr. Deputy Speaker, Sir, if I was satisfied I would not have promised to go and investigate the matter further. Would I?

RELOCATION OF HOSPITAL MORTUARY

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

(a) Is the Minister aware that the management of Thika Maternity Hospital are constructing a mortuary next to the Joy Town Primary School kitchen?

(b) Is he further aware that the Catholic Sisters in-charge of this hospital have defied orders by Thika Municipal Council not to construct the mortuary next to the school kitchen?

(c) In view of the above, could the Minister stop the construction of this mortuary near kitchen, and direct that it be re-located elsewhere?

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

(a) Yes, I am aware that the management of Thika Maternity Hospital are constructing a mortuary next to the Joy Town Primary School kitchen.

(b) I am not aware of orders from Thika Municipal Council to the Catholic Sisters in charge of the hospital on the construction of the mortuary. (c) The matter of the construction of the mortuary was approved by the Thika Municipal Council, after its plans were approved by the Town Planning and Works Committee. Further the distance from the kitchen to the mortuary is 85 metres, and there is a stone boundary fence of approximately 11 feet high between the hospital and the primary school, and both institutions have separate entrances. I, therefore, do not see any good reason for interfering with construction of the mortuary, especially when there is lack of space.

Mr. Ndicho: Mr. Deputy Speaker, Sir, the Assistant Minister's remark was that he is aware that the management of Thika Maternity Hospital is constructing a mortuary next to Joy Town Primary School kitchen. He closed his remark by saying:- "I, therefore, do not see any good reason for interfering with the construction of the mortuary".

According to the Kikuyu customs, it is very bad to keep dead bodies near living things especially people who are eating. This is a taboo. These are Catholic Sisters from Nigeria and there has been a lot of protest by the people around Thika Maternity Hospital and Kimathi Estate. But these Sisters from Nigeria who are known to be devil worshippers and do not fear dead bodies have got the audacity to construct that mortuary despite the protest. Now the Government of the Republic of Kenya says that the mortuary is only 85 metres from the kitchen run by the same Ministry.

Dr. Otieno-Kopiyo: On a point of order, Mr. Deputy Speaker, Sir. I find it abominable for the hon. Member to call Sisters devil worshippers without a foundation for that. This is equivalent to blasphemy and I think he should withdraw that.

Mr. Ndicho: Mr. Deputy Speaker, Sir, I would like to request hon. Dr. Otieno-Kopiyo to read a book called "*Released from the Powers of Darkness*" by Immanuel N. who is a Nigerian himself and who has confessed---

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

Mr. Deputy Speaker: Let him finish.

Mr. Ndicho: I am responding to a point of order, Mr. Deputy Speaker, Sir. If you just read that book you will know how Nigerians are involved--- Even those top clergymen---

Mr. Deputy Speaker: Are you talking about those specific individual Sisters?

Mr. Ndicho: Mr. Deputy Speaker, Sir, their behaviour in Thika is suspicious because their attention has been drawn to the fact that it is very bad to construct a mortuary---

Mr. Deputy Speaker: If I were you, hon. Ndicho, I would withdraw the remark.

Mr. Ndicho: Mr. Deputy Speaker, Sir, now that you are not me, I beg to continue.

Mr. P.N. Ndwiga: On a point of order, Mr. Deputy Speaker, Sir. The statement by hon. Ndicho cannot be allowed to pass. We cannot call people "devil worshippers" without substantiation and without proof. I think,

this House demands that hon. Ndicho withdraws that remark. Roman Catholic nuns are never known to be devil worshippers.

Mr. Deputy Speaker: Mr. Ndicho, you can withdraw and apologize.

Mr. Ndicho: Since there are people who want me to apologize, I do so because I know that they want to protect them. I have no problem with that. My question is---

(Several hon. Members stood up in their places)

Mr. Deputy Speaker: Order! What did you say, Mr. Ndicho?

Mr. Ndicho: Mr. Deputy Speaker, Sir, I am saying that if the House wants me to withdraw, I will withdraw and apologize.

Mr. Deputy Speaker: I order you to withdraw and apologize!

Mr. Ndicho: Yes, I have done that.

(Several hon. Members stood up in their places)

Mr. Deputy Speaker: I would want to hear you state very clearly that you withdraw and apologize.

Mr. Ndicho: I beg to withdraw and apologize.

Dr. Otieno-Kopyo: On a point of order, Mr. Deputy Speaker, Sir. He is making it worse. He said that we are protecting the devil worshippers. He is withdrawing and stating that we are protecting those people. Now that is worse. I am a Member of Parliament and I am not protecting devil worshippers in Thika. I am not doing that.

Mr. Deputy Speaker: Order! I am satisfied that no Member is protecting devil worshippers.

Mr. Ndicho: Mr. Deputy Speaker, Sir, I want to ask the Assistant Minister whether the Government is really satisfied that this mortuary, which is situated at the entrance of this hospital, should continue to be constructed next to the kitchen of a primary school in Thika?

Mr. Criticos: Mr. Deputy Speaker, Sir, I am satisfied that the designs and all the proper planning have been done and all the approvals have been given in accordance with the law.

Mrs. Asiyu: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister not misleading this House by saying what he has just said? Unless something is very wrong with the planning cities and towns in this country, how can you dehumanise small children by exposing them to corpses? Surely, can the Assistant Minister not change these plans so that these children in the primary schools are not exposed to dead bodies every day next to their kitchen?

Mr. Criticos: Mr. Deputy Speaker, Sir, what I said is that, there is a big stone wall fence separating the school from the mortuary. The fence is over 12 feet high. We are also talking about a distance of approximately 90 metres away and hence there is no dead bodies to be seen over there because it is completely fenced off and there is a separate entrance. They do not use one entrance. So, the hon. Member should visualise where the location of either the mortuary or the primary school is.

Mr. Deputy Speaker: Hon. Ruhui's Question by Private Notice.

FLOODING IN CITY ESTATES

(Mr. Ruhui) 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 hazards?

(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 action is the Minister intending to take to rectify this appalling situation?

Mr. Deputy Speaker: Hon. Ruhui is not here, so the Question is dropped.

(Question dropped)

Mr. Deputy Speaker: Next Order.

POINT OF ORDER

MINISTERIAL STATEMENT: SECURITY PROBLEMS IN ISIOLO TOWN

Mr. Mwiraria: On a point of order Mr. Deputy Speaker, Sir. I stand to demand a Ministerial Statement from the Minister of State, Office of the President, regarding the recent security problems which have bedeviled Isiolo Town. During the last two weeks, at least, ten people including one innocent woman, have been killed. In fact, they have been killed in what appeared to be ethnic differences. Most of the people killed were from Meru ethnic origin and their attackers were from the Boran and the Somali communities. At the same time a lot of plots which have been rightly allocated to Meru people have been re-possessed and re-allocated to other people and the crops of the Meru people have been completely destroyed in some places. On Monday, there was a protest by Isiolo residents because it appeared as though the Government was doing nothing to give them security. At least, for a day, all services were paralysed because all shops, hotels and petrol stations were closed. There was no transport in and out of Isiolo Town. Since we are nearing general elections, we would like to have an assurance from the Minister of State, Office of the President if this is not the beginning of other tribal clashes in that area. I am asking the Minister to issue a Ministerial Statement on what they are doing to contain the situation.

MINISTERIAL STATEMENT HAWKING IN NAIROBI

The Minister for Local Government (Mr. F.P.L. Lotodo): Mr. Speaker, Sir, I wish to give a Ministerial Statement on hawking in Nairobi.

The City Council of Nairobi has designated various areas for hawking purposes outside the city centre and off residential business premises. Hawkers licences are issued to licensees to operate their business within a specified area. In the recent past, hawkers in Nairobi have invaded every available space in the city centre streets and lanes to carry out their business. This, as they are aware, is not only in contravention of the existing City By-laws, but causes untold inconvenience to both human and the vehicular traffic. It has generated a lot of concern to the general public and disrupted the environmental cleansing operations in the city as well as being a security concern. To redress the situation, hawkers operating within the city centre, are advised to move to areas designated for them. These areas have been designated depending on the type of merchandise dealt in. That is:-

1. Fruits, vegetables and related items. This category of hawkers should relocate to the Central Bus Station, that is, Kenya Bus Station, behind the Mang' hotel.

2. Clothing, hardware and allied items - dealers in the above merchandise will move to designated areas outside city centre, including the space outside the City Stadium, along Jogoo and Lusaka roads and Nairobi West, opposite Nyayo Stadium, along Lang'ata road.

Members of the esteemed hawking fraternity are asked to comply with the above advice as it is only after such compliance that they will be issued with hawking licences. The Nairobi City Council has been advised to carry out this exercise in an orderly manner and in close consultation with the Provincial Administration and the police.

Thank you.

Mr. Achieng-Onoko: Mr. Deputy Speaker, Sir, I would like the Minister to clarify the position of homes which have been turned into garages. In what category do these home-garages belong? Are they allowed to pursue their businesses in their homes?

The Minister for Local Government (Mr. F.P.L. Lotodo): Mr. Deputy Speaker, Sir, I am talking about the hawkers, who have invaded River Road and Kirinyaga Road. We are going to relocate them to places where they will operate from.

Mr. Deputy Speaker: Next Order!

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

Mr. Deputy Speaker: We have not started on the Business of the House. Who was speaking last time?

(Mr. Sifuna remained standing)

Mr. Deputy Speaker: Mr. Sifuna, you want to rise on a point of order under what Standing Order?

Mr. Sifuna: Mr. Deputy Speaker, Sir, I am on a point of order. I want a clarification from the Minister of State, Office of the President.

Mr. Deputy Speaker: Order! You know the rules of the House and you are familiar with the practice of the House.

Mr. Sifuna: Mr. Deputy Speaker, Sir, I saw Mr. Speaker yesterday and I was told that I should raise this issue today morning.

Mr. Deputy Speaker: I am afraid I am not aware of it.

Mr. Sifuna: Then you should have consulted Mr. Speaker.

Mr. Deputy Speaker: Order! Next Order.

MOTIONS

ESTABLISHMENT OF ROADS AUTHORITY

Mr. Mak'Onyango: Mr. Deputy Speaker, Sir, I beg to move the following Motion:-

THAT, given the crucial role roads play in the economic well-being of a country; aware of the problems undermining the development and maintenance of roads in Kenya; concerned over the escalating costs of the same to the Kenyan taxpayers and the need for transparency, accountability and professionalism in the management of the road maintenance levy, other designated road funds, be they loans or otherwise, and the road transport sector in general, so as to speed up development and minimize carnage on the Kenyan roads, this House urges the Government to establish a national institution to be known as the Kenya Roads Authority to manage and regulate road-based activities in the country.

Mr. Deputy Speaker, Sir, in this Motion, the House will be seeking to impress on the Government to accord communications its rightful place in the economic life of this country. The fact that we need adequate communications in order to bring about rapid economic development in this country is a fact well known to everybody, and I do not think it needs to be over-emphasised. So, through this Motion, I am trying to focus attention on the fact that an efficient road network is a very important factor in the life of a country. The presence or absence of a proper road network could have either devastating or very encouraging effects on the economy of the country.

You will agree with me that a road network is one single most important infrastructure that you need in a country to open it up for development. Where there is an adequate road network, there is bound to be development, its absence, means the reverse. Hence the need for us to have proper management of our road system in the country. In this age of liberalisation and privatisation, and given the fact that roads are such an important requirement, I think we will be left behind if we do not do something about the roads or the regulation of all that have to do with roads in this country. That is, we have to see how best we can bring about efficient management of our road network. In effect, I am saying here that much as, maybe, the Government, through the Ministry of Public Works and Housing, may have done their best with regard to the management of roads in this country, there remains a lot to be desired in the management of roads in this country.

Mr. Deputy Speaker, Sir, the number of questions that are being asked on the Floor of this House, day in day out, are a clear manifestation that all is not well with the management of our roads; hence, the need for us to take a fresh look at the whole matter and see how best, as a country, we can be able to harness our efforts and bring about the best management of our roads. To be precise, budgetary allocations that go towards the management of our roads are just about the highest. I think roads consume one of the highest percentages of our budgetary allocations in this country, hence the need for us to come up with the best management in order to ensure best results. We are saying that in this age of liberalization and privatization, time has come for us to come up with an arrangement that would perhaps reduce the red tape bureaucracy that is commonly associated with the Government offices.

Mr. Deputy Speaker, Sir, the road network is one area that we need to liberalize in order to yield best possible results within the meagre means that we have. I am, therefore, calling upon the establishment of what should be known as the Kenya Roads Authority, which I believe would have to operate on the basis of Kenya Ports Authority, Kenya Airways and other related bodies. The establishment of such an Authority would go a long way in helping to streamline the running of our road network because as the Motion states, there is need to introduce the highest possible level of professionalism in this particular area.

So, I am, through this Motion, calling for the enactment of the Kenya Roads Authority Act which should

also take good care of other important aspects of road development, for example, the question of research. I think we will need to put in a very strong component of a national road research centre to be able to address the question of road development and construction. This is very important because there is need for us to come up with a system that will guarantee that, as and when we spend such colossal sums of money developing roads, such money will not just go down the drain. So, there is going to be need for some kind of research which would be undertaken before any road construction takes place so that when road construction takes place, there is going to be some kind of assurance that the life span of that road is going to be within a specified period.

Right now, I think we have a big problem and I would not hesitate to say that road work in this country is one area where corruption has been highest. Contractors are in the habit of corrupting officials who are charged with the responsibility of undertaking such an important work and at the end of the day, the taxpayer is the loser because we spend colossal sums of money. Engineers and inspectors who are charged with inspecting and certifying that a particular road has been constructed in accordance with the laid down specifications end up with the so-called 10 per cent and in the process make the country lose colossal sums of money.

I have in mind that when such a Bill is enacted, arrangements be made to ensure that a road engineer who inspects and certifies any one given road; should that particular road fail to meet the desired life span, he should be called upon to answer why he certified the road that did not quite meet the specifications. This kind of thing is lacking right now and hence the need for some comprehensive legislation that would take care of such a problem. Therefore, through this Motion, we hope to stamp out corruption when it comes to road development and management in this country.

As you are well aware, this House did pass a Bill known as the Road Maintenance Levy. Under this levy, there is going to be colossal sums of money raised by members of the public for the purpose of ensuring the well-being of our roads and, therefore, give vehicles a longer life. Right now, the roads are in such a bad state that the life span of a vehicle is shortened. Now, this is a big economic loss to this country. We do need to do something about our roads to ensure that the vehicles can last longer and render more in terms of economic life of the country. Right now we have a problem because of the bad roads. We have a problem where the life span of vehicles is substantially reduced. So, if we can have an Authority that would systematically monitor and ensure that the road development keeps pace with economic requirements of the country, it will help.

Economic requirements become important because as I have said, roads act as an inducement to economic growth. Now, with our present state of roads, I think one should say without hesitation that the state of our roads is a hindrance to economic growth. If we had good roads covering what we call the most important parts of the country; places with economic potentials, I am sure the economic growth would move at a much faster rate than it is possible right now. This move becomes very necessary as a way of bringing about faster economic growth to the country because without roads, the economic potential of any given part of this country, would not be realised. We need these roads to be able to realize maximum economic potential of this country.

I would also like to say that the rate at which our road network has been expanding leaves a lot to be desired. The growth of the vehicle population on our roads is growing very fast against a very slow growth in terms of road network. According to our 1984/88 Development Plan, we had a total of 54,584 kilometres of road network that was classified roads. Out of this, 6,721 kilometres was what we call tarmacked roads. Right now, we have a total of 63,663 kilometres of classified roads out of which 8,804 kilometres have been tarmacked. As you will note from this, the difference between this 8,804 and 6,721 of the 1984/88 Development Plan is insignificant. That shows very clearly that the rate at which our road development has grown, needs a lot to be desired and does not match at all with economic growth and other related developments. So, there is need, therefore, for a very well organised approach or a very well set out system of management to ensure that our road network is going to correspond effectively to other related development, in order for the two to harmonise and yield the best possible results for the well being of the country.

Mr. Deputy Speaker, Sir, there is also the question of training of personnel for the road development and management. I am sure our universities are doing quite a bit in this regard. But I think the kind of training that is obtained at the university level needs to be adequately supplemented by on-job training or more appropriate training for a certain cadre of the personnel that we need with regard to our road development and maintenance. So, it is important that we look for ways and means for providing adequate training for the personnel in this important economic sector of the country. Hence, the need for some legislation that will adequately provide for this and other related developments that we require.

Mr. Deputy Speaker, Sir, I would also like to touch briefly on lack of policy with regard to road development. Road development and maintenance in this country is so important that it should not be left to haphazard planning. Right now, there is inadequacy in terms of policy that goes or should go with road maintenance and management in this country. Hence we need an elaborate legislation that will address the

question adequately for the road system to give impetus to economic development.

Mr. Deputy Speaker, Sir, with these remarks, I would like to call upon hon. Murungi to second the Motion. I beg to move.

Mr. Murungi: Thank you, Mr. Deputy Speaker, Sir. It is my pleasure to second this Motion.

Mr. Deputy Speaker, Sir, the hon. Kenneth Matiba says that he dreams about water, and if I dream about anything, it is about roads. I have a dream that one day Kenya will have beautiful roads. It is a dream, but I believe it will come true only if we are committed.

Mr. Deputy Speaker, Sir, the purpose of this Motion is to establish an authority; and agency which can make this dream come true. I am happy that the Kenya Government has also got a dream for roads in this country. On page 107 of the current Development Plan, we are thinking of establishing an executive road board. That idea, which is in the Development Plan, is the same idea which hon. Mak'Onyango has here, about establishing an authority; a think-tank about roads. An authority which will dream, strategies and implement plans for improving the road sector in this country. I do not expect the Minister or my colleagues on the other side to oppose this Motion, because the idea is already in the development plan and this is a way of implementing that plan.

Mr. Deputy Speaker, Sir, I would think that there is no government in this country, whether it is KANU or Opposition or a no party government which will do all the roads in this country. This is an impossible task. I think we need to think afresh how we can do roads, especially at the village level. These are roads between one farm and another and those between one village and another. There is no government which can do those roads. What I would recommend and what I believe I would do if I was the Minister is to empower our people to do roads themselves. There are no MPs or councillors, and even the President who can do those grassroots roads. We need to mobilise resources at the local level and get the people to do those roads themselves.

Mr. Deputy Speaker, Sir, this is not new because, as you know, the colonial Government did not have any money, but they had some brains. Way back in 1910, they introduced a law called Roads in the Native Reserve Ordinance No.12. What they did is to empower elders in the rural areas to be in charge of roads within the native reserves in their areas. The headmen, chiefs and elders are the ones who made the first roads in this country using local resources and the Government did not spend any money.

Mr. Deputy Speaker, Sir, in my place there is a place called Ncherekagane, which means a place where somebody was imprisoned because he could not finish the portion of road which he was supposed to do. So, the elders determined traditional fines for people who were unable to complete their portions of the roads. These days we have chiefs, DOs and assistant chiefs who are said to bring administration closer to the people. But what are they doing? Since Independence, chiefs and elders are no-longer involved in road building. Everybody is now looking up to the Government to come and do a road from one person to his neighbour and yet, this is impossible. So, I would like to request the Minister to look again at the roads in the Native Ordinance, No.12 of 1910 and see whether it can be modified for use in the present day Kenya.

Mr. Deputy Speaker, Sir, in 1920 we also passed another law called, Public Travel and Access Road Ordinance, No.21. This was to establish district road boards. The DC was in charge of a board within the district which was in charge of the roads between one district and another. That is the bigger roads within the district. This is another law we could look at. Until we empower our people to do the roads, they will be sleeping under trees blaming the Government for not doing this and that, telling MPs they will never vote for them. The MPs should also stop being scapegoats for the failures of their communities in this country. Whether they vote us in or out, they are the ones who will never have good roads. They are the ones who will be stuck in the mud all the time.

We have an example in Eritrea. During the struggle for Independence in Eritrea, they made many all weather roads using the old Roman technology which did not require tarmacking. All they did was to arrange stones and get people to lay those stones manually on the ground and they made hard surfaces. That was how the Romans did roads in Europe. We should not always say that we do not have money. We should organise to get some money and use our youth who are not employed to do roads like they have done in Eritrea. Let us send a team to Eritrea to find out how they have done their roads there. This is a question of planning.

On the issue of road licenses, I would like to submit here that there is a lot of corruption in Nyayo House because there is a lot paper work done by clerical officers, and the whole system is inefficient. I would recommend that we abolish the road licenses and increase the Road Maintenance Levy by 10 cents. We are going to make more money than using the road license system.

Mr. Deputy Speaker, Sir, with regard to insurances, police have been posted on the roads and they are harassing motorists when checking whether they have valid insurances or not. We should borrow the Australian system where all the insurances expire on a certain date - say 31st of March every year. By so doing, we can have the police on the roads for one month to check whether the people have renewed their insurances within that grace period of one month. From there, they can go back to the records and they will know who did not renew the

insurance or road license by that particular time. They would then go for individuals who did not renew the insurance, instead of staying on the road from morning to evening checking for five times whether Mr. Murungi has renewed his insurance or not. So, we should have clear thinking about this system.

Mr. Deputy Speaker, Sir, we also need to think about the equitable distribution of road resources in this country. An hon. Member said here that 40 per cent of the national budget on roads was spent in Rift Valley last year. I wonder how much of it was spent in North Eastern and Eastern Provinces. Everybody here is complaining about the state of roads in this country. Even in the Minister's constituency, the roads there are impassable. Even the roads in Assistant Minister Khalif's are totally impassable. So, we should devise a just system where we equitably distribute the road resources. I would suggest that the petroleum levy be allocated to the districts, but we can retain 60 per cent at the national level and 40 per cent be distributed to the districts through the county councils. I have always advocated for the fact that 40 per cent of the taxes we collect should be sent to the districts and we retain 60 per cent, so that the Ministers can operate properly. That 40 per cent should be used to do roads at the local level.

Finally, those of us who produce a lot of revenue for this Government in high potential agricultural areas, Central Province, Meru, Embu, parts of Rift Valley Province and Coast Province should have their roads prioritised by the Government. With regard to roads in my constituency, for example, the Meru-Githongo-Chogoria Road - we have told the KANU Government not to come there this year if that road is not made because they are going to be wasting their time. We hope we have been heard.

With those few remarks, I wish to support and second this Motion.

(Question proposed)

Prof. Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, I stand to support this Motion. But first of all, I want to say that even if this Roads Authority were established, unless the Government establishes a system of tendering for road construction which is transparent and accountable to public funds, we are not going to have a good road system in this country. I know that the World Bank and the African Development Bank have put up substantial funds for roads rehabilitation in the urban centres like Nairobi, Kisumu, Mombasa and so on. Whenever these funds have been used for roads reconstruction in the urban centres, the re-carpeting has been so hopeless that whenever rains come, the re-carpeted roads go back to their old position. One only needs to go to Eastleigh where some major roads were re-carpeted last year. With the recent rains, they are back to their old position.

Mr. Deputy Speaker, Sir, the other day, I saw a cartoon in the papers where a man was driving and came across a canyon - not a pothole and he came out of his car to examine what was happening. He entered this canyon and he could not know where his car was because it was so deep that he needed a telescope to find out where his car was. This is what is happening in our towns. So, although we are urging for a Roads Authority to superintend road construction and maintenance in this country, there is a basic problem in our Government because it cannot use public funds for the purposes which they are intended. The ADB and World Bank funds attest to this. I do not know why the World Bank continues to give a clean Bill of Health to this Government when in one very important test, the infrastructure - the Government has proved completely hopeless in maintaining good roads in this country. The Mombasa-Nairobi-Kisumu-Busia Road or the Mombasa-Nairobi-Nakuru-Eldoret Road is a Pan-African Road and yet, today travelling from Nairobi to Kisumu is a nightmare. That is one of the reasons why we have so many accidents. From Kisumu to Busia, it has become impossible to travel. That road is in such a bad shape that I do not know why we still call it a road.

Mr. Deputy Speaker, Sir, in the old days, it was said that the trailers and the tankers should use the lower road from Nairobi to Naivasha. That road was left to rot so much that, even the trailers and tankers could not use it. Now, the trailers and tankers are using the new road and yet, that road was not built to accommodate heavy weights and it has now started playing *Kwasa Kwasa* - it is all ripples. That is why there are so many accidents. The Government must decide--- When we are constructing roads, the engineers must take into account the weight that is going to be on that road. If that is not taken into account, we will continue to have this *Kwasa Kwasa* business in our roads which is causing many accidents because vehicles which were never meant to use those roads are using them.

Another thing is that we have the Weigh Bridges which are meant to control the amount of weight that passes on our roads. I want to submit to the Ministry of Transport and Communications that these Weigh Bridges are not doing their duty. Tankers that are overweight are allowed to use the roads after paying kitu kidogo. That is one of the reasons why you find all these tankers going off the road here on Waiyaki Way, because they are so heavy that they cannot take the turns and gradients on those roads. This is a simple question of governance.

However much we set up authorities, unless this Government takes its responsibility seriously, I am sorry that we are going to have these problems over and over again. Further, we must realise that road maintenance is part and parcel of integrated development.

[Mr. Deputy Speaker left the Chair]

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

There is no way you are going to have the Ministry of Transport and Communications working, if it is not working in tandem with the Ministry of Environment and Natural Resources. This is because there are certain places where you are not going to build roads unless the Ministry of Environment and Natural Resources has done its work.

For example, across the Kano plains, it does not matter how strong the roads are, until and unless there is proper irrigation work to tame the waters of Kano plains. Any road built there will break down every so often. So, I find that in the Government, the right hand is doing what the left hand is not doing. The Ministry of Environment and Natural Resources is busy doing things in areas where the Ministry of Transport and Communications is also doing things, but there is no co-ordination between them. That is why in certain places, however much we repair these roads, they are not going to be passable during the rainy seasons. This is because the rivers and waters of this nation are not tamed, taking into consideration the infrastructure that should be passing through there.

That is why we should have gone a long way in rail road construction. Rail road is, perhaps, the cheapest means of transport on land that is known. That is why we should have gone a long way in tramways construction. Tramways are, perhaps, the cheapest means of transport in urban centres. We have big urban centres in Kenya like Nairobi, Mombasa, Nakuru and Kisumu which deserve tramways to take off the load on the roads, and to ease off the maintenance costs of the infrastructure in the urban centres. It does not take a lot of money to construct tramways.

I would urge this Government in the next millennium to take very seriously, the construction of tramways in urban centres. This is because constructing subways is too expensive for an economy like this one. In any case, if we were to build subways in a city like Nairobi, the infrastructure would be so messed up. We do not know where the water pipes are passing. We do not know how many feet down the ground some of the buildings that have come up have been supported. So, trying to build subways will, perhaps, be too complicated for this mismanaged Government.

So, I suggest that we should go for tramways. It, perhaps, would be within their comprehension even in the next millennium. But I hope in the next millennium, we will not have them there anyway. We shall be sitting there and we shall be implementing the things that we are saying now.

An hon. Member: But your case is spoilt!

Prof. Anyang'-Nyong'o: Our case is not being spoilt, Sir! We know how to do it. You, on the other side, think it is spoilt, but we know that it is not spoilt. It is just like when you are making porridge. You see all the fronts coming up, but in the end, it settles down and you drink it. So, do not worry about that.

Mr. Temporary Deputy Speaker, Sir, the other thing that I wanted to talk about is rural access roads. Rural access roads are extremely important in our economy. When they were started, there was a very good intention to let the people of the rural areas maintain these roads. As a result, you got people in a certain area, working on a certain proportion of the road. They were paid for working on the road for 12 days per month. The Government set a rate of paying these people, and I think originally it was Kshs85 per day. It is now Kshs132 per day. It is still not enough considering the inflation rate in this country.

So, rural access roads are breaking down precisely because the people are not properly remunerated. But further on, the maintenance of the rural access roads should be put in the hands of the local people. There should be local committees and institutions running them. Non-governmental organisations which have expressed interest in putting resources in rural access roads should be allowed to do so. They should be allowed to choose areas where they want to put resources into. They should be allowed to work with the local communities to maintain and expand the rural access road system.

At the moment, the Ministry of Transport and Communications quite often volunteers to help build bridges on rural access roads. But what they do is not to put up bridges. All they do is to put up culverts. What is worse is that these culverts are not of adequate strength. So, they are put up and within a month or two, because there is no control over the weight of the traffic going over this culvert, they are squashed. Then, you

have a problem of a road which is impassable because it does not have a proper bridge. We have noted so many of these things and we urge the Ministry of Transport and Communications to improve the maintenance and construction of rural access roads, and to ensure that local committees and NGOs do this.

If a road authority can do this better than the Ministry, so be it. Let that authority be established. But if the Ministry of Transport and Communications can get its act together and do this, then it should do so. But what the people of Kenya want is a good infrastructure to ensure that they effectively participate in the economic growth of this country.

Finally, we need a highway patrol system. It is terrible when you have an accident somewhere near Naivasha, and there is no telephone nearby you can use to call an ambulance. In advanced countries which take development seriously, they have highway patrol systems coordinated by the police, with telephones and so on. Kenya is a modern nation and I do not understand why we cannot have a highway patrol system, especially when we are losing so many people in our roads. I appeal to the Government to do this urgently.

With those few remarks, I beg to support.

The Assistant Minister for Finance (Mr. Keah): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion.

On the outset, I want to say that this Motion has excellent intentions and it is good. We are, perhaps, going to talk on the modalities. I am not sure whether the Authority proposed is the right institution at this juncture, but be that as it may, let me advance my arguments by making several observations.

First, the motor vehicle population in this country is increasing at a very fast rate. Thus, it is important that we have an adequate road system in order to cope with the increasing population of motor vehicles. The motor vehicles are a necessity and with the economic development that we have in this country, we need the motor vehicles for enhancing the economic development.

Secondly, we need a planned road development programme in the country. Some areas have the same roads that were there since Independence. In fact, some roads have died simply because they have not been classified. I have a typical example in my own constituency, where prior to Independence, we had roads that were maintained by the county councils, *et cetera*. But unfortunately after Independence, those roads were no longer maintained by the county councils and they have been left to die. With the development that is in place, it is most unfortunate and I call upon the Ministry of Public Works and Housing, through its existing institutions, or through the studies that they are having, to ensure that we have a planned road development programme for the entire country. This could begin with the grassroots because each sub-location and location knows its needs. I am aware of the fact that locational development committees come up year after year with their priorities in terms of the roads to be done, or to be opened up, and these are not accommodated into the budget, admittedly, due to financial constraints. As a result, year after year, recommendations are made but nothing happens.

This calls for a concerted effort, a deliberate policy and a programme so that there is opening up of roads throughout the entire country and even the trunk international roads. At the moment, what is given preference are the international and national roads. They have classified the roads from A, B, C and E, but I am afraid, this is not adequate at all.

Mr. Temporary Deputy Speaker, Sir, the third point I want to raise is that we need a planned repair and maintenance programme of roads. We need it because the finances available are inadequate and it is important to utilise and distribute effectively the little that we have. Here, I would recommend a decentralisation system so that we clearly know how much funds there are, which roads will be maintained and so on. An attempt is made in the annual Budget to do just this, but I am afraid that the emphasis is not really in the right place. I have, for example, suggested time and again, that if the funds are inadequate, I would rather see the murraming of a stretch of a kilometre every year rather than taking sand and covering up the holes because when it rains the sand is washed away. I would rather see that we develop the roads bit by bit due to inadequacy of finances. We need a policy guideline and a planned programme.

The fourth point that I want to mention, Mr. Temporary Deputy Speaker, Sir, is on quality and professionalism. We see less of these nowadays and we have high professional engineers in the Ministry. It is my considered view that more needs to be done by these professional engineers because the roads being done even the small programme of putting in culverts, for example, a piece of road that I will not mention here, but in my constituency, nine out of the ten culverts that were fitted this year were quickly washed away by the rains this year.

Well, I know this was unusual year in terms of the rains, but at least, they could have withstood the pressure to some extent, but they did not. I am concerned about the quality of our workmanship on the roads.

Mr. Temporary Deputy Speaker, Sir, I would like to go a little bit more and talk about the establishment of local communities to maintain the roads. I give 100 per cent of my credit to work being done by the rural Access Roads Programme. That programme is good and it should be enhanced and more funds should be made

available to the rural Access Roads Programme. I am aware that the funding is limited, but other than the international and trunk roads, all the rural roads should, perhaps, go under the rural maintenance schemes; the ones that are developed on Harambee basis as well as those that are classified. I was informed a few years ago, that they have done away with the classification of the roads, but in fact, this system is still there and we have made application through the DDC to have all the roads classified because of the volume of traffic, but this does not seem to be happening. We ought to have a piece of road maintained by the local communities. The local committees will certainly feel proud of that particular road and, if we can make funds available to them, we will be doing a lot more than what is happening at the moment.

Mr. Temporary Deputy Speaker, Sir, I happen to be aware of the fact that there is a study on the road sector at the moment which we have financed in conjunction with friendly Governments. This study will, among other things, look into the possibility of the roads board that we have talked about or that is in the Development Plan - The Executive Road Board, as well as the Road Authority. In view of this study that is on-going, I wonder whether, therefore, it is appropriate at this time to pre-empt the results of this study because we could be doing something which the study may not recommend or, indeed, recommend. I will leave it to the Minister for Public Works and Housing, therefore, to see whether the time is appropriate for the establishment through Parliament of this Authority. Otherwise, the idea is really good, save for the fact that with the impending study, I hope the Minister will tell us when the results of the study will come. I will probably request my colleagues to take that into account should the Minister say that, perhaps, the time is inappropriate. Otherwise, the idea is excellent, but it could only be the timing and, as we have said in the Development Plan, the intention was to have an Executive Roads Board. It is because we said that we will have the Executive Roads Board that this study has been initiated. The idea is good, but I would, however, say the timing is probably inappropriate. Thank you.

Mr. Gatabaki: Thank you, Mr. Temporary Deputy Speaker, Sir, for the opportunity to contribute to this very important Motion.

Mr. Temporary Deputy Speaker, Sir, we are in a country which can claim to have no roads at all. The importance of roads does not require to be emphasised in economic development of the country. This country has a population of about 600,000 vehicles compared to Britain with about 50 million vehicles. Yet the number of accident victims in Kenya is about 25 times higher than in Britain because of the poor conditions of the roads and poor maintenance of the vehicles. We must ask ourselves: "What is the Budget allocated to the Ministry of Public Works and Housing and how much does the Minister spend on the roads?" I am asking that because if there is a Budget allocated to this Ministry, the condition of our roads could not be the way it is. Where I come from one of the highest productive areas of this country which contribute significantly to the national economy, about nine-tenth of the previously tarmacked roads are in dire conditions, uninhabitable and impassable. The nine-tenth of the productive areas in this country, which have happens to be in the Opposition area. The question which come to my mind is: Should Kenyans continue to support unproductive areas at the expense of productive areas simply because of the political affiliation?

Mr. Temporary Deputy Speaker, Sir, let me emphasise one of the conditions which has brought about poor road conditions in this country. The Asian monopoly in road construction must be condemned and mentioned. Why is it that about 99 per cent of the road construction is in the hands of a few Asian contractors? Can the Minister in charge of this particular Ministry tell the nation why one of the largest proportion of economic activities is in the hand of the Asians? Why have the Asians continued to control 99 per cent of the road construction in this country?

Not only that, Mr. Temporary Deputy Speaker, Sir; the introduction of corruption in the road construction such that the amount which is supposed to be devoted to the construction of roads, only about a quarter goes into it and the work done is substandard.

How can the Minister explain the continuous construction of the Nairobi-Mombasa Highway? How can the Minister explain the continuous construction, after every four to five years, of the Nairobi-Thika Highway? I had a nightmarish experience of travelling to Nakuru and Baringo last weekend. I was horrified by the state of that road which is the highway "his highness" the President travels to-and-fro and yet, the number of potholes are posing great danger to the Presidential motorcade. The President himself is in danger when travelling from his home to Nairobi because of the poor road conditions and given the high speed that the Presidential motorcade travels at, no wonder there are very frequent accidents involving the Presidential motorcade.

Mr. Temporary Deputy Speaker, Sir, the point is that even this Government has not realised the importance of having a dual carriageway. When shall we show the President of this country the importance of constructing better highways connecting Kabarak and Nairobi State House? How many parastatal heads travel to-and-fro Nairobi and Baringo in Rift Valley province, the KANU zone? We have seen huge Mercedes Benz cars and Pajeros which keep on enlarging the potholes as we travel to-and-fro just because these cars are

publicly-owned. Time has come for this nation to ask how many lives have been lost on these roads? How much property have we lost because of this poor maintenance of our roads? Time has also come to rationalise the road construction in this country. We should ask ourselves whether we can continue spending more of our scarce resources on the maintenance of the highways that nobody uses.

Mr. Temporary Deputy Speaker, Sir, I come from a tea and coffee growing area which contributes considerable amounts of money to the national economy. Coffee and tea are heavily taxed. The Government spends most of the cess money which is supposed to go back to maintain the reserve roads, yet the poor taxpayers that is the small scale tea and coffee farmers--- The amount of money which they contribute for the maintenance of their access roads is stolen by what we call the DDCs. The other day, we Members of Parliament from Kiambu, told the District Commissioner of Kiambu that we cannot attend the DDC meetings because we cannot be part and parcel of mismanagement of our resources.

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

[Mr. Deputy Speaker resumed the Chair]

I request the Minister for Agriculture, Livestock Development and Marketing to ensure that the money paid by these tea and coffee farmers as cess should go back to individual factories and not to unnamed committees. These individual factories should in turn manage the tea access roads. In line with that point, in the United States of America, President Roosevelt started public works programmes during the Great Depression. Public works programmes were started to engage more Americans back to jobs. Ours is a country of high unemployment. Whoever is advising the President should know that there cannot be a better time to start a public works crash programme of rebuilding our roads than now and that it should not be controlled by the KANU Government which is incapable of doing it but by a donor committee constituted by the donors and supervised by the donors to reconstruct our country. Again, the Government should engage millions of unemployed youth in a massive works programme. There is no other programme which can be able to reconstruct our roads given the enormity of the destruction of our roads.

Mr. Deputy Speaker, Sir, I consider this to be an emergency; it is the kind of reconstruction that we require for our roads. If I were advising the President, I would not have advised him to declare a state of emergency because of relief food but I would have advised him to declare an emergency for the reconstruction of the roads, so that even those poor hamlets where millions of Kenyans are dying of hunger, can be accessible so that food he is delivered to those hamlets. I have in mind the area where the Deputy Speaker comes from. Going to these particular areas is a nightmare and yet, thousands of Kenyans are forced to vote for KANU; one, because the Opposition has no access to those areas and two, they themselves have no access to our areas. People in those areas have no access to the radio. The "Kanu Broadcasting Corporation" (KBC) as we were told by the Minister for Information and Broadcasting--- These areas do not have access to radio transmissions and good roads. How can we be so hostile to our people, yet these are the same Kenyans who are forced to vote for KANU?

Mr. Magwaga: On a point of order, Mr. Deputy Speaker, Sir. The hon. Gatabaki is telling the House that we have something called the "Kanu Broadcasting Corporation." Where is it?

Mr. Gatabaki: Mr. Deputy Speaker, Sir, everybody is aware of the kind of television broadcasting services that this country has. We cannot say we have a National Broadcasting Corporation. Nonetheless, I am saying that it is incredible that the areas which give this country and this Government support have the poorest roads in **[Mr. Gatabaki]**

the country. It is incredible! I cannot understand why anybody would vote for a particular political party if it cannot even provide that basic essential need of good access roads. It is a human right violation; that where you come from, you do not have access roads and yet, after every five years, you vote for this KANU Government.

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

The Assistant Minister for Agriculture, Livestock Development and Marketing (Mr. Osogo): Mr. Deputy Speaker, Sir, the mover of this Motion had very good intentions in moving it. The only thing that he forgot to tell us is whether the Authority is going to run parallel with the Ministry of Public Works and Housing. And if it is going to run parallel with the Ministry of Public Works and Housing, it will be duplicated with professionals that we are talking about. This is because the Ministry of Public Works and Housing has got the professionals that the Authority probably might admire to employ. The Ministry of Public Works and Housing is capable of maintaining these roads and I would remind this House that it was once the Ministry of Transport and Communications and when, in his wisdom, the President created the Ministry of Public Works and Housing, we

thought that it was going to be efficient because it was hived from the Ministry of Transport and Communications. Unfortunately, it has not measured to what we expected. Some of us have travelled far and wide around the world and I particularly visited the Netherlands and the Republic of China where soils are not as stable as Kenyan soils. In the Republic of China, the soils are sandy and these are very difficult to build roads on. In the Netherlands the soils are black which have been reclaimed from the sea as we know, but the roads there are far better and firmer than the roads in Kenya which are built on very stable soils. I have always been wondering whether our engineers are properly trained or not. Again, the engineers do not build the roads. The only thing is that engineers do not supervise these roads; be they material engineers who examine and confirm the material that is used on the roads is the right material. All we know is that our engineers are not transparent. The fact that our engineers do not supervise the contractors attests to their lack of transparency. Even this Authority that is being requested for is going to hire contractors. This road from Nairobi to Limuru was only built about three years ago and, if you go there today, there are big bulldozers removing the tarmac. One wonders what has happened in three years' time to have the tarmac being removed from that road and going to be replaced. It is a very bad state of affairs. While on my visit to China, I travelled on those roads and they are not as black as ours. I do not know where they get their materials from. Those roads are grey and there are no potholes on them. Also, when I travelled to Netherlands with His Excellency the President to various places within that country, we never met any pothole as there are in Kenya. What is wrong with the roads in Kenya? Is it the tarmac or the tar that we use that is weak? I am told that when the engineers are adjudicating the contract, they recommend certain thickness to be put on the road in tender.

When the tenders are opened, that thickness is quoted. But when the roads are made, the thickness is reduced to about a millimetre and not according to the specifications tendered for. That is the problem with our roads. This Authority is not going to help solve that problem because the contractors and the officers concerned are "eating" a little from that money. I was speaking to the contractor or rather his employees when I found them on Yala-Busia Road. This is the very contractor who was given a contract from Mumias to Busia. Then he tenders again to recarpet a road from Yala to Busia. First, he has not finished that road, he runs away from that road and comes to do the recarpeting because it has got more money. Soon or later, we will be having only Port Victoria Road and the same contractor is going to be given the tender. It is because of the intransparency of the officers who adjudicate on this and the CTB that continues giving contracts to those who cannot build our roads properly.

In fact, I wish the Mover of the Motion had moved that those contractors that have already been tested in Kenya and have made roads that have failed should not be accepted to tender for roads again. They should be blacklisted. If the Motion read like that, I would have supported it very strongly. But as it stands now, we might be "moving from the frying pan to fire" because the Authority will do the same. We will have "smart engineers" from the Ministry who would then go on hiring contractors who will not be transparent and will be no better than today. What we would insist on and what the Minister should tell us when he stands up to reply is that, he is streamlining his officers to be transparent with themselves and with this country. If he is going to tell us that, and if he does it, of course, no doubt, our roads will be good.

I do not know why only the roads in Kenya should be bad. If you go to Uganda, their roads are good. When they were fighting for many years, we thought their roads would be peeling off, but they did not go bad and at present, they have strengthened them so much that you regret driving on Kenyan roads. When you go to Uganda, you wonder what has happened in Kenya.

Mr. Deputy Speaker, Sir, while the Motion is good, I think we need something more than what the Motion is calling for. I do not support that we should create an Authority. It would just be like one of the statutory boards that are already falling apart and we are privatising them because of the structural adjustments programmes. What I would request the Minister when he stands up to reply is to firmly tell this country that his Ministry is determined to make good the roads and not to "eat" the money. We have no tarmac road in the entire district despite the fact that we have voted for KANU, if I can support the sentiments that were expressed by one of my colleagues here. But the engineers are harvesting murrum for gravelling from road reserves and when they are making returns to the Ministry, they say that they have purchased the murrum and put a lot of money on that murrum when it is freely harvested from the road reserves.

Recently, they were working on patches of a very bad road for the funeral of Prof. Ojiambo because the VIPs were going there. For the first time, we saw patches of murrum being put on the road. Instead of murrum, they were putting boulders of stones and when they dry up or washed away by rain water, the stones become so sharp that we who travel on old tyres because we cannot afford new tyres every other day, we have punctures every time. So, this is the type of work that we are expecting from this Ministry and it is the type of work that we are thinking the Authority might be turned into. We must be sincere with ourselves and stick to the qualifications. I

do not know whether these engineers are properly trained. In fact, yesterday, we complained that our university is not training them properly. Maybe they are trained in this university or Eastern Europe where, probably they did not have good qualifications to maintain our roads. I urge the Minister to talk to his officers to be transparent because we know what is happening and when the Vote for the Ministry of Public Works and Housing will come, I would be one of the bitterest speakers on that Vote. This is just a Motion, but when we will be discussing the Vote with the aim of giving them money to spend, we will tell that Ministry what we have seen in rural areas; we who come from areas where roads have been neglected, but where money is being voted for those roads and we never see work done by that money.

With these few remarks, I oppose the Motion.

The Minister for Public Works and Housing (Prof. Ng'eno): Thank you very much, Mr. Deputy Speaker, Sir. I want to take this opportunity to thank those Members who have spoken on this Motion which is a very important Motion. As you would recall, I myself, at one stage in this august House, did suggest the possibility of creation of an institution to be called the Kenya Highway Authority, to do exactly what the hon. Member is suggesting.

Again, today, I stand to amend this Motion for reasons which I would give. But before I suggest amendments to this Motion, let me say that the Government has taken keen interest in the way roads are developed and maintained in this country. In June, 1992, together with interested parties from the private sector and the donor community, the Government held a seminar that came to be called the National Road Maintenance Initiative Policy Seminar and that seminar looked into the problems of maintenance of roads and how these problems should be overcome. The seminar found out that a number of problems existed. One, unco-ordinated planning of road maintenance; two, inadequate funding; three, insufficient use of local resources; four, high dependency on imported resources; and inadequate technical and organisational capacity to cope with the ever-increasing workload on both classified and unclassified roads. Consequently, the seminar recommended policy options to address the identified problems.

Mr. Deputy Speaker, Sir, the policy recommendations can be classified into three broad categories, namely, financial, technical and institutional. On the financial part, it was discovered that over the years, the Government continued to give money for road maintenance in such a manner as to really fall short of requirement.

In fact, at the time of the seminar, it was found out that the money given by the Government for maintenance of roads amounted only to 30 per cent of the requirement. This was not really because the Government did not want to give more money, but it was because of the performance of the economy. The economy continued to perform poorly in the 1980s and so on.

But, Mr. Deputy Speaker, Sir, now the economy has turned round and is improving. At the end of the seminar, a suggestion was made which the Government adopted and has now become a source of revenue for maintaining roads. This is the creation of the "Fuel Levy Fund". With the creation of that fund, the situation has now improved. Performance in road maintenance has improved although I know that hon. Members are still not happy because the impact of this fund has not been felt. I have said that its impact may not be felt in a positive way for another two to three years. This is because the backlog of work that was to be done was much.

On the technical side, the seminar recommended that there was need to strengthen the enforcement of axle load control; that there was need for contracting out most of the road development and maintenance activities; that labour-based methods, whenever they were more cost effective than equipment-based methods, be used; that commercialisation of the critical support function provided to the road sector be looked into, and that the training of the road sector personnel in contract management in the face of the on-going reforms in the road sector, be employed.

What was remaining now was to look at the institutional framework. This Motion is on the question of institutional framework. What we have done is that we have looked at the seminar suggestions and engaged some consultants to help us look at this problem of institutional framework. In fact, we have engaged B & B Management Consultants, who are working with (Garabonsky and Ponsky?) of the Netherlands. We have also created what is called "Institutional Study Steering Committee (ISSC), which comprises of the top engineers in the Ministry of Public Works and Housing, together with senior officers in the Ministries of Finance, Transport and Communications, Local Government, Office of the President, the Kenya Transport Association, the Automobile Association of Kenya, The Kenya National Farmers' Union, the Federation of Kenya Employers, the Road Sector Donor Co-ordinator and the Road Maintenance Initiative Unit of Kenya. We have also co-opted into the ISSC, members of the private and parastatal sectors as well as observers.

This steering committee, together with the consultants, have tried to look into how road boards in various countries, which have employed them, have either succeeded or failed, and whether we should apply or import the roads boards idea or use bodies similar to the one suggested by the Motion. We have visited Australia, New

Zealand, the United States of America, Argentina, Chile and France to look at how they are dealing with this kind of institutional framework. We have found out that in the majority of the cases, this idea came up just recently and road boards were set up recently. These countries are also trying to see whether they will succeed or fail. We found that only Finland has employed road boards successfully.

So, we are still studying this situation. We are still trying to generate data which we may be able to use in determining whether we should go ahead and create the "Kenya Highway Authority" or, as the hon. Member calls it, "the Kenya Roads Authority", or we should not go ahead and create any roads body. At the moment, with a liberalised economy, the tendency is really to contract out a lot of the services that we would give to this kind of an institution.

So, Mr. Deputy Speaker, Sir, I want to tell hon. Members who really support the idea in this Motion that the idea may not be really bad. But in order to allow us the opportunity to study the result of the institutional study which is being carried out by the ISSC and the consultants, I want to propose an amendment to this Motion, so that we do not put the cart before the horse. This will also allow us the opportunity to employ data and information that is being generated by this study, and put it into good use when the time comes. So, I want to request hon. Members to allow me to amend the Motion by deleting all the words coming immediately after the word "Government" appearing in the seventh line up to the word "Authority" appearing in the eighth line, and insert the following words in place thereof: "restructure and strengthen the existing institution in order".

With this amendment, I believe that it should be easy for us to accept the Motion, whose intentions are similar to those of the Government, namely to deal with the problems in the roads sector in as fair a manner as is possible. People have talked about corruption and so on. These are things that we hear of all the time. I have always said that corruption, especially the question of 10 per cent, does not arise any more, because we have done away with variation orders and single sourcing, which really used to be the boon for corruption. But I cannot guarantee that there is no corruption. All that I can say is that we will continue to fight corruption wherever we find it. I am very happy to note that there are hon. Members on both sides of the house who are going to assist us to deal with this problem.

Thank you, Mr. Deputy Speaker, Sir.

The Minister for Labour and Manpower Development (Mr. Masinde): Thank you, Mr. Deputy Speaker, Sir.

I rise to second the amendment of this Motion. The Motion in general is a very important Motion because infrastructure in this country is very important and it is only by having proper infrastructure that we can have meaningful development in this country. Quite a number of possible investors would be restrained especially when they travel around on our roads at the moment and compare them with the well-established road networks in their countries. It is, therefore, important that our road network is improved so that we can be able to attract investors who in turn would create employment for the Kenyans. This will also improve the economy of the country because as hon. Gatabaki observed earlier on, rural areas are very badly served by roads and the rural areas have the bulk of food and cash crops grown. These farm products have to be moved from the rural areas to towns where they are required by the majority of the town dwellers.

For example, the tea farmers need to transport their tea to the factories as soon as possible before it goes to waste. If the roads are not passable, it means that the vehicles are going to get stuck on the roads and the tea will go to waste, thereby interfering generally with the economy of this country. We must make sure that roads are viable whether they are trunk roads or the rural feeder roads, so that vehicles can move as fast as possible to enable the farmers ferry their farm products to the markets when they are still in good condition. Having good roads in the country will also help in saving foreign exchange because the wear and tear of the vehicles plying on these roads will be minimised and therefore, the need for expensive spare parts being ordered from outside the country will be minimised.

Mr. Deputy Speaker, Sir, we know that the Government has tried its level best to make sure that infrastructure in this country is improved. However, as the hon. Members, who have contributed before me, have said, we must have transparency in whatever we do. The Minister has said that he has visited many countries to see how they construct and operate their roads and so on. If corruption is not curbed and transparency fully established in this country, whatever method we will employ will not work.

We have perfect laws in this country, but it is us Kenyans who are supposed to keep these laws. If we kept the laws they way they have been made in this country, there would be no need for people to talk about changing or amending the Constitution and other things. We are asking for reforms because we are not able to keep the laws that are already existing. The first thing is to dedicate ourselves to upholding the laws that have been enacted in this House and make sure that every one of us keeps the law; then there will be minimal need for even having reforms within the laws or the Constitution and that is very important. The Minister has talked about

transparency and honesty and the other speakers have done it. I think, the only way to minimise this is to make sure that those who break the laws especially through corruption and so on are fully and strongly dealt with so that, at least, other people are scared to commit the same offenses.

Mr. Deputy Speaker, Sir, there are many areas where a lot of money has been collected say in form of levy, vehicle registration fees, license fees and even from donor loans and so on, to maintain these roads. But this money goes down the drain due to lack of transparency in all those who are involved. Kenyans know what is happening and we are carrying out an academic exercise because if we do not become realistic and practical to make sure that what we are preaching is followed and basically we as the legislators from here in the House, then, I think, we are not being realistic and truthful to ourselves.

Mr. Deputy Speaker, Sir, in this respect, I would also like to urge the owners of transport vehicles be it heavy or matatu vehicles to ensure that they use the roads properly. The Mover of the Motion is talking about lives being lost on our roads. We are causing road accidents either by overloading or by not maintaining the vehicles properly and in this respect, those who are enforcing the law should take it seriously and save the country from having high rate of loss of human life by ensuring that the vehicles are not overloaded. By not overloading, the businessmen will not lose money at all.

In the next door, Uganda, there are a lot of matatus, but if an extra person gets into the vehicle, all the rest come out because they are paying for the comfort they want to enjoy when moving from one place to another and to make sure that they get there safely. For that reason, no driver will want to lose his customers by having one extra person. But here the situation is aggravated by the commuters themselves because they want to get to where they are going to by all means. If the law enforcing arm made sure that only the people meant to be in a particular vehicle are there and any excess by one person is heavily penalised, such heavy penalty will make people begin to, at least, come to their senses and make sure that they carry the right capacity load. In that respect, there will be no need for rushing around with a vehicle overloaded by human beings.

Therefore, we should be able to avoid accidents in this country. The other alternative is that, probably, most of the trunk roads should be privatised. Let the private people take over the roads, maintain them, charge the toll levies and keep the roads in proper shape. After all, we are paying for travelling on these roads. So, we are paying the Government for maintaining the roads. But the Government could get rid of this maintenance by privatising some of these roads. Let us continue paying, but to the private sector which can more or less handle the situation when the roads are not in good shape. The private owners should also be made aware that unless they maintain the roads properly, they will not get the money. This will help us in this respect.

Mr. Deputy Speaker, Sir, many suggestions have been put forward. While the main issues are acceptable, I would like to second and support the amendment so that at least, the system is strengthened. As I said, it will not succeed unless we change our attitude towards transparency and honesty.

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

*(Question of the first part of the amendment,
that the words to be left out be
left out, proposed)*

*(Question of the first part of the amendment,
that the words to be left out be left
out, put and agreed to)*

*(Question of the second part of the amendment,
that the words to be inserted in
place thereof be inserted, proposed)*

*(Question of the second part of the amendment,
that the words to be inserted in place
thereof be inserted, put and agreed to)*

(Question of the Motion as amended proposed)

Mr. Muite: Mr. Deputy Speaker, Sir, I stand to support the Motion as amended and to say, without beating about the bush at all, that the tragedy facing this nation is, if this Government is the one which is going to lead this nation into the 21st century. That is the tragedy. The condition of our roads is enough testimony that

this Government actually ought not to be allowed to lead this nation into the next century.

The reason for the condition of our roads is the lack of political commitment on the part of this Government. Let them not pass the buck whatsoever. It is not the engineers because we have got as good engineers as you can find anywhere in the world. It is not the contractors because when the contractors reduce the thickness of the tarmac, surely our engineers are in the know, and they can supervise this work. But the engineers are not left alone to supervise because the contractors act in collusion with those who are in power, the 'politically correct.' The money that the contractors siphon out and which should have gone into the construction of the road is divided between the contractor and those who are welding political power in this country. The condition of our roads is pathetic and the buck rests exactly at the desk of those who are welding power in this country. They are the ones responsible and they must take moral responsibility for the thousands of lives which we are losing in this country. We must have planning. This Government does not know anything about planning. Before you construct a road, you must budget for where the money for the maintenance will come from. It is no use constructing a brand new road, tarmacking it and spending a lot of money, quite often, borrowed money, and then, there is no budget for maintenance. Even if we build a few roads, that money has gone down the drain because the roads are not maintained. It is all part of corruption. Planning is an easy thing.

It is an easy matter to plan. You only have to ask yourself questions such as: How much will it cost to maintain this road that we are constructing here in the next five years? Where will that money come from? Do not rush to construct a road which you cannot maintain. Corruption is the name of the game, because roads in this country are constructed in a few selected areas. It is all part of corruption. That: "If you do not support the present Government, we will not construct roads in your area." This is a wrong consideration for the construction of roads. Instead, the consideration should be determined by the economic activity in that area. For example, Kericho or Nandi Districts are high potential areas and the economic activities in those areas justify the construction of tarmac roads. This is the same case with Central Province, Meru and the other areas. Let us look at the economic justification rather than political justification. If we were to do that, then our road network would improve. We do have enough money.

For example, with regard to this road maintenance levy, what acceptable reason can this Government give for not opening a separate account? We have demanded many times in this House that this be done. The law is not being complied with. When the law was amended to permit this Government to levy the road maintenance levy, that law required that a separate account be opened and that, all the money being collected for road maintenance should be paid into that separate account. That has not been done up to now. That money goes into the general fund. Who knows how much of that money is eventually used in the maintenance of roads? Last night, I was watching Kenya Television Network (KTN) and I saw a Kenya Bus, a very huge, heavy vehicle, stuck here in Eastleigh. A few weeks ago, we were told that all the roads in the urban centres are going to be re-carpeted and indeed, the work was started. What has happened? Today, we do not see any construction work going on. Is it possible that the major company, the HZ & Company, Krishan Behal, has run out of money?

I hear somebody saying that there is rain. Does it rain only in Kenya? What about in the equatorial countries? What about in the countries where they have rain round the year and they still continue to construct the roads? How is it that it is only in Kenya where we give the excuse: "Oh, it is raining." If the telephones are not working and you contact the Kenya Posts and Telecommunications Corporation, you will be told: "Oh, it is the rain." It is the lack of political will. It is because we base our work on considerations that are not economic. Political considerations are the dominant factors as far as this Government is concerned. This can be proved when you look at the way they have allocated funds for the re-gravelling of roads in 1996/97 financial year. For example, Central Province has been given Kshs45 million; that amounts to 4.6 per cent and yet, if one actually totalled up the number of vehicles in this country, and did a calculation to see how much Central Province vehicles have contributed to this Fund, you will find that it is an extremely high percentage. Yet, 4.6 per cent is what we are given. Eastern Province, 13.8 per cent. Coast Province has been allocated 5.6 per cent, North Eastern has 18 per cent and Rift Valley has 47.3 per cent. Western Province, a KANU zone, has 6.8 per cent and Nyanza Province has 3.8 per cent. That is the distribution of the total funds collected.

Mr. Deputy Speaker, Sir, as long as we are doing this on political considerations, this country is not going to make any movement forward and there is nothing more critical in this country than road infrastructure. We do not even want tarmac roads everywhere. Is it impossible to at least gravel feeder roads? In Kiambu, we could do with murrum and stones. That would be quite adequate. This Government has the audacity to indicate here that in Kiambu they are repairing the Thogoto-Mutarakwa Road. Money is allocated here and I would like to challenge the Minister, through you, to come with me to see whether any work has been done on this road. A lot of time money is allocated in the books, but no work is done on the ground and where it is done, only patched work is done. This is what they are trying to do on the Thogoto-Mutarakwa Road. Where does a man like

Kuria Kanyingi come in? It is him who determines which potholes are going to be filled on these roads. What is the role of the Ministry if they have abdicated their responsibility to these KANU barons? They are the ones who say which roads are going to be repaired. The Thogoto-Mutarakwa Road is a very major road.

I want to make it very clear, through you, to the Minister that he must send his officers on the ground to see the scandalous job that has been done on this road. They are using murrum to patch up the potholes on the road. Unless we take seriously the critical role that roads play in this country, all these other economic reforms are useless. They are not going to lead to any economic development whatsoever. We must enable our people to move freely in every area of this country. Let us leave politicking aside altogether. Let us, as a nation, plan. Let us decide which roads are going to be tarmacked and which ones are going to be gravelled with stones or murrum. This is something which can be done. As hon. Members from the other side have said, the situation of our roads is pathetic. If you go to Tanzania today, they have got better roads than we have. The same thing applies to Uganda. Are we not feeling ashamed and yet we keep on thinking that we are ahead of everybody else?

If you look at all the roads that are being recarpeted in this country, nothing is being done about the drainage system. One does not need to be a road engineer to realise that unless he attends to the drainage, simultaneously with recarpeting the road, he is not going to maintain that road for any length of time.

With those few remarks, I beg to support.

Mr. Deputy Speaker: It is time for the Mover to reply.

Mr. Mak'Onyango: I will cede some of my two minutes to hon. Polo, who is the FORD(K) spokesman on roads, and the next three minutes to Prof. Muga.

Mr. Deputy Speaker: Order! I am afraid I have got to register the Chair's displeasure at the way you decide to allocate responsibility. At the minimum, I expect you, as a matter of courtesy, to request the Chair to allow you to give some of your minutes to these hon. Members.

Mr. Aluoch: Thank you, Mr. Deputy Speaker, Sir. I thank hon. Mak'Onyango for giving me these few minutes to address myself to this Motion.

The question of roads in this country is worrying everybody because the economy of this country depends on the roads. All the money that is being raised from the Road Maintenance Levy goes to the Treasury and it is not properly utilized to the benefit of Kenyans. All the powers for designing, constructing and maintaining roads are concentrated in the Ministry of Public Works and Housing, Nairobi. All these people in Nairobi are not enough to work on these roads unlike in the old days. During the olden days, before the power was concentrated in Nairobi, all the county councils were given powers to construct and maintain minor roads in their areas. I think the Ministry should address itself to this and try to decentralize its work. Concentrating everything in Nairobi is not going to help us. Even if you put engineers in the provinces and powers to initiate and construct roads come from Nairobi, it is impossible for them to cover the whole country adequately.

While the Minister was contributing, he said that there is no corruption in the Ministry. He did say that corruption has been wiped out because there are no variation orders any more. I would not like the Minister to mislead this nation that in the construction of a road variation orders are not required. It is scientifically and technically impossible to do any road without a variation order. There will be variation orders, but what is important is that the people who are offering these variation orders do them technically. Like hon. Muite said a little while ago, the problem with this country emanates from the powers that be. You have got a lot of contractors in this country who are given contracts, for example, HZ & Company. If you look at those who are behind HZ & Company, they are the powers that be and the engineers are not given a chance to supervise the roads according to the specifications. This is where the problem lies. You will find that a road which should be 12 inches thick is only 2 inches and that is allowed to go on.

My time is so short, but I would like the Minister to wake up and see that these things are properly organized. Thank you.

With those few remarks, I beg to support.

Prof. Ouma: Thank you, Mr. Deputy Speaker and thank you, hon. Mak'Onyango.

In two minutes I can only enumerate, through the Speaker, to the Minister what I would otherwise like to see done. Let hon. Prof. Ng'eno leave the road and communication system in this country a little different from the way other professors have left it. He should help us to understand that roads are only part of the overall global connectivity of the country. The roads should be part of the transport system. The roads should be connected to the waterway, railway and airway. Therefore, if you are going to do restructuring, restructure for effective connectivity. That effective connectivity must enable us to tap tourism, fish, tea, coffee and beef. Let us have fish roads, beef roads, tea zone roads and tourism roads. Right now, some of the tourist centres cannot be reached because they are impassable.

Mr. Deputy Speaker, Sir, could the Minister help this country to have a perception of why we are doing what we are doing? That perception should be through a master-plan. Have we ever had a master-plan and what brought us to have it? That master-plan should aim at opening up the country for development, but it has never worked. If it ever worked, why did Western and Nyanza Provinces get excluded from the tourist market? We have got sites like, Mt. Elgon, Ruma National Park and the Lambwe Valley all the way up to Kehancha and Lolgorion. If we had a master-plan, that should guide our efforts. In short, have that master-plan as a guide and not as a symbol.

Mr. Deputy Speaker, Sir, finally, let us have fish roads. Fish is now rotting in Mbita and Homa Bay and yet, this is our till. Can we also have fish roads just like others have tea roads? Can we have beef roads, so that Somalis from North Eastern Province and the Turkana can bring their cattle down here? The "White man" did that; why not the "Black man" today?

Mr. Mak'Onyango: Mr. Deputy Speaker, Sir, let me take this opportunity to thank all those colleagues who have contributed to this debate. May I also thank the Minister for having accepted the Motion *per se* although, through that amendment, the spirit of the Motion has been killed and I am a bit disappointed to that extent.

Mr. Deputy Speaker, Sir, I want to point out, particularly, comments by hon. Osogo who sought clarification as to whether this authority we are seeking was going to run parallel to the Ministry of Public Works and Housing. I say, no; the idea here is to have this authority as an independent body. I think some are saying, just because the word "authority" is commonly attached to statutory bodies, therefore, it has to be governmental. I was thinking of "authority" in terms of an independent entity that would be charged with the running of our roads in a professional manner.

Mr. Deputy Speaker, Sir, let me say here that the spirit of this Motion was for this House to help this Government to at least address the question of road management in this country more realistically. As some of my colleagues have pointed out, part of our concern here is the inequity when it comes to making allocations for roads. Roads are an important ingredient to development, and the present practice whereby the Government seems to favour some areas against the others should not be allowed to continue. It is a crime to give one province 47.7 per cent of the national allocation while you allocate to others only 3.7 per cent. We need equity when it comes to distribution of national resources. The road sector is a good living example of how the Government has deliberately marginalised parts of the country by allocating far too less while others get more than their fair share. We need equity when it comes to allocating resources for development.

Mr. Deputy Speaker, Sir, as I pointed out, there is lack of policy on the question of road development and maintenance. Not too long ago, at our DDC meeting in Siaya, I asked the Engineer, Roads, Siaya District what the policy is and the answer was that the policy was just to maintain and there was going to be no more road development. That cannot be correct, because while that is what we are being told on the ground, here in Parliament we are being called upon to approve allocations for road development.

So, it cannot be true that the policy is only for road maintenance. In any case, a policy of just maintaining when it comes to roads will be a wrong policy. The policy should be to tarmac. It is much easier maintaining tarmac roads than earth roads. You spend a lot more money on maintaining earth roads than you do on tarmac roads. So, any government worth its salt will go all out to tarmac its roads in order to cut down on the cost of maintenance.

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

(Question of the Motion as amended put and agreed to)

Resolved accordingly:

THAT, given the crucial role roads play in the economic well-being of a country; aware of the problems undermining the development and maintenance of roads in Kenya; concerned over the escalating costs of the same to the Kenyan tax payers and the need for transparency, accountability and professionalism in the management of the road maintenance levy, other designated road funds, be they loans or otherwise, and the road transport sector in general, so as to speed up development and minimize carnage on the Kenyan roads, this House urges the Government to restructure and strengthen the existing institution in order to manage and regulate road-based activities in the country.

Mr. Deputy Speaker: Next Order!

ESTABLISHMENT OF REHABILITATION
CENTRES FOR THE HOMELESS

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

THAT, in view of too much vagrancy in our towns; noting the need for the Government to protect and provide for its citizens; aware that there is an ever increasing number of street children in our major towns, this House urges the Government to urgently provide funds to build rehabilitation centres for the homeless until such a time when a lasting solution to this problem will be found.

Mr. Deputy Speaker, Sir, I stand here before hon. Members interceding urgently that this Motion before us here should be taken seriously because this is a problem that is today affecting not only our nation Kenya, but the whole world. Because it is a worldwide problem, a number of countries have taken steps to combat the problem which is affecting their nations or states. This Motion urges our Government to consider seriously, how best we can combat the problem that has afflicted our nation so seriously that, it is getting out of proportion.

Mr. Deputy Speaker, Sir, today we are not safe passing on our streets. Our streets are littered with children of ages one to 18 years who do not have food, shelter and clothing. Currently, as I am speaking, it is unfortunate that our Members of Parliament and our Ministers have not been able to take an opportunity to step out of their cars, so that they can walk on either Nairobi streets or other streets in their neighbouring towns or home towns to see for themselves what I am talking about practically.

Mr. Deputy Speaker, Sir, a large number of children have become beggars. We are training our small kids that ours is a society of beggars.

Mr. Deputy Speaker, Sir, those who will be fortunate to be alive in the next century will not be able to walk freely in our streets. This is because we have neglected and lost touch with our families. This nation is composed of families. It is the family units that make a nation. So, if we do not take care of the family unit - the husband, wife and children, this nuclear family cannot succeed. If we cannot raise the standard of living of the family unit, we cannot pretend that we can raise the standard of living of this nation. The duty of this nation must start from family units. I am therefore, proposing in this Motion that our Government, in conjunction with non-governmental organisations, the business community and the well-to-do in the community should device a method of assisting the less fortunate in the society by donating some of their wealth to enable the Government to build rehabilitation centres, so that we can have these children who are roaming the streets provided with basic necessities. We should provide them with food, education and clothing which are the basic necessities of life.

Mr. Deputy Speaker, Sir, today, about three million children of school going age cannot go to school. So, we are depriving them of the opportunity to have proper education. The rate of dropping out from school by these children has come down from 95 per cent in 1990 to 87 per cent today. So, statistically, in the next century, one will find that only the children of millionaires, Ministers, MPs and the businessmen will be going to school. If this trend is not checked now, we will find this nation in a very difficult situation that will not be able to be controlled in the future. This nation is a signatory of what has been passed by the Declaration of the Rights of the Child. It was proclaimed by the General-Assembly of the United Nations, through Resolution 1386 of November, 1939 and thus passed resolutions to which our country is a signatory. Despite the fact that the child has a right to life and privileges, our nation and the world today has ignored its own resolutions. As, far as we are concerned in this country, our Government is not concerned about the Rights of the Child. Our legal institutions and law enforcement organs are not concerned about the well being of the child. Abuse of children today is very rampant in our courts of law. I am glad that I can cite a few examples here today where you find that a child in Kenya is not likely to survive in the streets. The conditions out there are so severe that we feel that in the next century, Kenya might extinguish its own children. I am afraid that if this continues and this nation buys bullets and they are used to shoot innocent children - I can cite a concrete example of what is happening on our streets.

Here is a case where a reservist shot four kids in the streets and proudly declared that he shot four urchins. We do not have urchins. If we had urchins in this country, today, we could not be sitting where we are.

We were cared for by this nation and this is why we have this Parliament today. What hurts me most is the fact that you and I are parents and all these Members of Parliament are parents. What is most saddening is the fact that this nation does not care about the welfare of the child. Have we ever sat down and thought about our own children being on the streets without anywhere to sleep or what to eat? Malnutrition of the children is rampant and our society is a sick society because it does not care about its own children. A society that does not care about its own children is no society. A society which does not mind about the education of its own young ones is no society.

Mr. Deputy Speaker, Sir, it is the responsibility of our Government to lead this nation in combating

crime. I tend to think that our Government is the source of crime because it has left children in this country to practise crime. Today, one is not safe to travel in Nairobi because we have trained robbers, thieves and smugglers. Where is our nation heading to? Will the shooting of these children combat the crime in this country? The courts declared the police reservist who shot these children not guilty. He had shot four urchins and he was found not guilty. That is to say this Government is insensitive to the lives of its own citizens.

Mr. Musyoki: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for hon. Obure to say that the verdict reached by the assessors showed that the Government is not taking care of the street children of this country, while he knows very well that the Coat of Arms is very clear and he understands that the Judiciary is independent and it is part of the Government? It is independent and it can judge, depending on the evidence given before it.

Again, the hon. Member has said that this country and the Government is not taking care of our children, while he knows very well that His Excellency the President started a foundation scheme for our children last year, to take care of them.

I call upon the hon. Member to admit the reality of the day, and not show that the Government is not taking care of its people.

Mr. Obure: Mr. Deputy Speaker, Sir, my humble appeal both to the Opposition and the Government is to sympathise with our own children. When I look at the children in the streets chasing me for a penny, and then I look at my young boys, I feel like crying. Let us be sympathetic and make decisions on how best to clean up our streets. It really hurts when the Government collects rubbish from the streets and leaves the children there. If we can not find a way of feeding the children, it does not make sense collecting rubbish from the streets. This is because the rubbish is for the children. When we remove the food remnants, what do we think about the children? I am saying that if we cannot take action, let us leave the rubbish on the streets because it is the food for the children. But if we remove the rubbish from the streets, let us also find a way of building homes for these children.

Our President is very sympathetic. He took the children to State House to show them where he sleeps - a nice place - what he eats, how nice the food for the President is--- Where are we going to get the next President if we leave potential presidents out there?

Mr. Musyoki: On a point of order, Mr. Deputy Speaker, Sir. Can the hon. Member withdraw his remarks that His Excellency the President was welcoming the street children to show them where he sleeps and what he eats? He is misleading this House. The President was portraying the kindness he has for the children of this country. He was not taking them there to show them how beautiful State House is. The Opposition has not even invited these street children at all! Can he withdraw the remarks?

Mr. Obure: I propose that this Government and all Kenyans as a whole should legislate ways of protecting these children. During the rainy season, these children sleep in the streets. It is really pitiful when you see a young child sleeping on the streets with no food and clothing. Let us have homes for these children.

Mr. Pattni, the businessman, had very good intentions of feeding the street children. There are millionaires in this country and I propose that whoever has Kshs10 million should surrender Kshs1 million to build a home for the homeless. That would help this nation---

Mr. Deputy Speaker: Order! Your time is up! Who is your Seconder?

Mr. Obure: It is hon. Kamuyu.

Mr. Kamuyu: Mr. Deputy Speaker, Sir, I rise to second this very important Motion.

From the outset, I urge both sides of the House to be in unison in supporting this very important Motion because these children are Kenyans and they are, indeed, the future leaders of this country and they all need care. Regarding vagrancy, you will notice that in the Motion, vagrancy is also emphasised and it is increasing in our towns because of joblessness, lack of good planning and so on. You will, therefore, see in the streets of Nairobi some naked men and women walking around and nobody cares. We are a nation and if we are going to be internationally recognised and respected; these are small things that matter.

Mr. Deputy Speaker, Sir, I will emphasise and agree fully with what my hon. friend here has said, that the street children to be taken to State House only was, indeed, an arrogant action because the Kshs2 million spent there should have been spent on setting up rehabilitation centres. I do understand, with proof that there is Kshs15 million just now pending somewhere for street children, but it is not distributed yet until it is "politically distributed."

Mr. Deputy Speaker, Sir, if, indeed, the leadership of this nation loves children as they claim to do, we have to put more emphasis on street children. Indeed, we should set up now a Presidential Street Children Fund. I am sure many sympathizers in this country would contribute generously and honestly and I have no doubt that

even the Asian tycoons of this country would contribute to this kind of Fund because when these street children go on the rampage, they attack Asian shops with hot human faeces and other odd stuff. It is known that they are hungry and these tycoons are very wealthy. This is the problem that we have in this country. There are so, many have-nots and so few haves.

Mr. Deputy Speaker, Sir, if this problem is not sorted out early enough, we are sitting on a time-bomb. Recently, 200 street children took over the streets of Nairobi, attacked taxi drivers, chased them around the streets, broke their vehicles with all kinds of odd stuff and finally the taxi drivers had to run to State House to look for protection.

Mr. Deputy Speaker, Sir, more recently, another 200 lot or maybe the same 200 street children attacked Kenyans who were going to the Kamukunji public rally. Obviously, they were hired by KANU activists to go and try stop that rally.

Mr. Musyoki: On a point of order, Mr. Deputy Speaker, Sir. The hon. Member has alleged that youths who went to disrupt their meeting were KANU youth-wingers while it is they themselves who ferried them there and paid them to portray that Kenyans wanted constitutional change. Can the hon. Member withdraw his remarks against KANU Government?

Mr. Kamuyu: Mr. Deputy Speaker, Sir, as you know I represent Kawangware. Many of these children were from Kawangware and they conceded to me that they were hired by KANU activists to go and disrupt the meeting. These are statements of fact, they conceded that they were given Kshs50 to go to Kamukunji to disrupt the meeting. It is this Government which should apologise and I have no apologies to offer to the hon. Member at all!

ADJOURNMENT

Mr. Deputy Speaker: Order, hon. Members! It is now time for the interruption of the business. The House is, therefore, adjourned until this afternoon at 2.30 p.m.

The House rose at 12.30 p.m.