

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 16th May, 1996

The House met at 2.30 p.m.

Mr. Speaker in the Chair

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No 024

ARREST OF MR. MWANGI'S KILLERS

Bishop Kimani asked the Minister of State, Office of the President:-

- (a) what steps he had taken to apprehend the killers of the late David Kamau Mwangi, ID/Card No. 8287592/70, from Ndeffo-Engacura, who was killed on April 30th, 1995 and his body found rotting by Kiamaina Primary School pupils nears Menengai Crater;
- (b) how many people have been killed around Menengai Crater between 1990 and May, 1995; and,
- (c) what action the Government is taking to ensure that the lives of people around the Crater are protected.

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

(a) The body of the late David Kamau Mwangi was discovered at Menengai Crater on 19th May, 1995, after which the police opened an inquest file Number 6/95. So far, the police have completed their investigations and have forwarded the inquest file to the Principal Magistrate, Nakuru, for determination.

(b) According to the available police records, there is no other case of death reported in the Crater area within the said period.

(c) The existing security arrangements in the area are adequate.

Bishop Kimani: Mr. Speaker, Sir, arising from the answer given by the Assistant Minister, I think there is quite a lot of information left out and he is misleading the House because the late David Kamau Mwangi had been kidnapped earlier by people, he knew, and he was beaten unconscious and thrown into the rural river in Nakuru. This was at night and a watchman happened to witness these people drop the late Kamau into this river. He left to check what was thrown into the river and found out that it was a person who was unconscious. So, when he regained his consciousness, he went to the police to report those people because he knew them.

The late Kamau was killed by people he knew and the police also know them, because there was a case between him and the people who kidnapped him. It is said that these people are very highly placed within the system. How could the police open this inquest file while they know these people? Why do they not arrest and prosecute them?

Mr. Sunkuli: Mr. Speaker, Sir, the purpose of opening the inquest file is to enable evidence, such as what the hon. Bishop Kimani is saying here, to be adduced before the Principal Magistrate in Nakuru, so that, that might lead to the possible arrest of persons who will be guilty. That is the due process of law.

Dr. Lwali-Oyondi: Mr. Speaker, Sir, these people had tried to kill the late David Kamau before. They beat him and left him for dead, but fortunately he was resuscitated. Later on, when this man came from Kitale with his papers on his way to court to have his case with these people who tried to kill him, they made sure that he could not reach the court to sue them, and so they killed him. Why does the police not arrest these people who had been reported before as the first suspects and lock them in as suspected murderers?

Mr. Sunkuli: Mr. Speaker, Sir, before I can answer that question, I am seeking your guidance because I have told this House that Inquest File Number 6/95, which is pending before the Principal Magistrate's Court, has this as the subject matter. Is it in order for us to continue giving evidence in this House?

Mr. Speaker: There is nobody accused in court yet, is there?

Mr. Sunkuli: Mr. Speaker, Sir, I wanted to know whether the inquest file can be termed as *sub judice*?

Mr. Speaker: Well, I do not think so, because there is nobody who is accused in court. Who is going to suffer prejudice? That is the whole rationale of *sub judice*; that somebody stands to suffer prejudice. There is nobody who will suffer in this case.

Mr. Sunkuli: Mr. Speaker, Sir, in that case, then my answer is that, that is the kind of evidence that would probably have to be adduced because the step that we have taken is to place the file before the Principal Magistrate, Nakuru. If this evidence comes to light and we find who the suspects will be according to the findings of the Principal Magistrate, then we shall definitely prosecute whoever is implicated in that murder.

Bishop Kimani: On a point of order, Mr. Speaker, Sir. The Assistant Minister is trying to dodge the Question. The late Kamau, before he was killed, had been kidnapped, beaten and left unconscious for dead, and they threw him into the river and left at night. The watchman saw the car leaving this place and when he went to check what had been thrown into the river, he found that it was a man who was unconscious. He went to call people to help him. So, the late Kamau regained consciousness and the next day, he went to report the issue to the police. Have these people been arrested because they should be the same people who might have killed him because he had a case with them? As regards the file the Assistant Minister is trying to refer to, his family does not know about it. How can the police have an inquest file, while the family is not aware of it?

Mr. Speaker: I suppose, Bishop Kimani, the best thing you can do is to ask the Assistant Minister questions in a way that you think he should answer you. But we cannot call the court here, can we?

Bishop Kimani: No, Mr. Speaker, Sir. Can the Assistant Minister tell this House whether these people have been arrested?

Mr. Sunkuli: Mr. Speaker, Sir, if the people had been arrested, there would be no inquest to be held. Inquest is held in order to enable the court to determine whether there is any identifiable person capable of being charged with an offence.

Mr. Speaker: Very well.

Question No 402

PAYMENT TO WEIWEI FARMERS

Mr. Rotino asked the Minister for Agriculture, Livestock Development and Marketing whether he was aware that a seed company based in Kitale, known as Western Seed Company Limited, has failed to pay Weiwei Integrated Farmers Kshs 3.7 million, being payment of the seed delivered to the company in May, 1995.

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

Mr. Speaker, Sir, I am aware that Weiwei Integrated Farmers have not been paid by Western Seed Company Limited for goods delivered to the company in 1995, since the goods delivered did not meet the standards required by the National Seed Quality Control Services. They were only paid for seeds which met the required standards.

Mr. Rotino: Mr. Speaker, Sir, always, ignorance is no defence. I would say that the Assistant Minister is ignorant because I want to give him this background---

Mr. Maundu: On a point of order, Mr. Speaker, Sir. Is the hon. Questioner in order to say that I am ignorant when he has been given all the information he required?

Mr. Rotino: Mr. Speaker, Sir, I stand by the word I have said. I know the background of this case because these are the farmers that I stay with; I know the farm and these farmers were contracted by the Western Seed Company Limited to grow seed maize. The maize was grown and took about three months to mature. This crop was being monitored by the National Seed Quality Control for three months when the crop was being grown. They monitored it until the crop left the farm gates. The crop was certified by the National Seed Quality Control that it was a good crop. What happened thereafter in the factory of the Western Seed Company Limited is what the farmers do not know. I want the Assistant Minister to deny or confirm that the factory of Western Seed Company Limited is not up to date and, therefore, they tampered with the crop and it could not meet the standard that is required for germination. Can the Assistant Minister confirm or deny that? That is why he is ignorant.

An hon. Member: Maundu, sema Bwana!

Mr. Maundu: Mr. Speaker, Sir, I think the Questioner is ignorant because he does not know what he is talking about. In the first place, the Western Seed Company contracted these particular people to grow sunflower,

maize and millet for the Western Seed Company. In the ensuing circumstances, they grew these crops, particularly in 1995, and the crops and all the seeds were supposed to be certified by the National Seeds Quality Control Services. When they delivered these seeds, they were found to be of inferior quality but the company agreed to pay them at a commercial rate and not at a rate that they had contracted them for because these seeds did not pass the quality control test. So, they produced sub-standard seed but they demanded---

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

Mr. Speaker: Order! Order, Rotino! Order all of you. Order, Mr. Assistant Minister. I think I have asked hon. Members to be patient in order to hear the answer being given to them, however unpalatable it is.

Proceed, Mr. Assistant Minister.

Mr. Maundu: Mr. Speaker, Sir, the seeds that these farmers produced were sub-standard and this Western Seed Company refused to pay them because they were not certified; they were not good seeds and they were paid at a commercial rate.

Mr. Moiben: Mr. Speaker, Sir, production of seed maize is a very expensive exercise and before a farmer is contracted, he is given a promise that the company will accept the seed maize when the seed is ready. Now, can the Assistant Minister confirm that he will order this company to pay these farmers because they spent a lot of money and the company accepted seed maize as certified?

Mr. Maundu: Mr. Speaker, to avoid repetition, I have said that the Western Seed Company signed a clear contract that stipulated all the terms, but if the seeds were of inferior quality, they would be rejected. In this particular instance, the seeds produced were of inferior quality but the company still agreed to pay them at a commercial rate. These seeds cannot be paid for as though they were of good quality.

Mr. Rotino: On a point of order, Mr. Speaker, Sir. The Assistant Minister is not getting me clearly. I said that when the crop was planted, it took three months and the National Seed Quality Control Services monitored the crop from the farms every week and that is what they do. And from the certificate that they gave, when the crop left the farm gates, the crop was certified to be okay. That is why I am asking the Assistant Minister to deny or confirm that where the Western Seed Company processes and packages the seed is not up to standard, and that is why the crop was condemned and, therefore, the problem does not lie with the farmers. Can he confirm that? His ignorance of the matter is because he has not visited the factory. He should take time and visit the factory of the Western Seed Company to confirm whether it is sub-standard or not. Sema ukweli.

Mr. Maundu: Mr. Speaker, Sir, this factory is certified to be proper. In fact, this company has written to these Weiwei farmers to go and meet them for the payments but they have never even gone to confirm or to collect their payments. So, it appears like the matter is not going to be pursued elsewhere except in this House.

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

Mr. Speaker: Your point of order is overruled.

Mr. Kirwa: Mr. Speaker, Sir, can the Assistant Minister tell the House at what particular stage did the seed fail the test and which particular test did it fail?

Mr. Maundu: Mr. Speaker, Sir, I do not have that information but I will go back and see what was really wrong with the seeds at the time when they were delivered.

Dr. Kituyi: Mr. Speaker, Sir, considering that the Assistant Minister is telling the House that the company which is a seed company proceeded to buy this maize and pay for it as commercial maize, what was it going to do with commercial maize?

Mr. Maundu: Mr. Speaker, Sir, that may be a different question but for the avoidance of doubt, because I am really sure as to what they would have done with it, I will also find out that query.

Dr. Wako: Mr. Speaker, Sir, can the Assistant Minister confirm to this House that when the Western Seed Company received the maize, it meant that the maize was okay. So, the company is unpopular and it wants to actually get away from the farmers by paying their maize at commercial rate. The company should actually pay the farmers because they have received the maize as the correct seed.

Mr. Maundu: Mr. Speaker, Sir, when the company received the seeds, they were to undergo a test in order to be confirmed to be of good quality by the National Seed Quality Control Services so that they could be certified to be correct. The seeds were never certified at the farm; they were certified at the factory.

Mr. Wetangula: Thank you, Mr. Speaker, Sir. Our understanding is that there was a contractual relationship between this Western Seed Company and the farmers and our assumption is that the farmers performed their part of the contract upon the delivery of the maize. On what basis did the company turn round and say the maize was not of sufficient quality? This Assistant Minister is a lawyer and he should look into this matter and help the farmers instead of going round in circles.

(Applause)

Mr. Maundu: Mr. Speaker, Sir, the Questioner is also a lawyer but he knows if merchandise is not of good quality, it is rejected on that failure. This merchandise did not meet the standards required.

Mr. Speaker: Well, I suppose I will finally finish with hon. Rotino.

Dr. Otieno-Kopiyo: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order, now. Next time hon. Kopiyo.

Mr. Rotino: Mr. Speaker, Sir, can the Assistant Minister assure me that he is going to investigate.

Hon. Members: Assure the House!

Mr. Rotino: Can the Assistant Minister assure the House that he is going to investigate what happened arising from what he has heard now, and after investigating, ensure that these poor farmers in a remote area in West Pokot are paid promptly, Kshs 3.9 million? Hizo ni pesa nyingi, Bwana.

Mr. Maundu: Mr. Speaker, Sir, there is no doubt about that. There are areas that have been raised as inquiry here and I will look into them against everything else, and try to help the farmers in West Pokot to produce quality seeds. The staff in the Ministry are, of course, valuable and they will assist them in that venture. But if the seeds are not of good quality, I can assure him that they will not be paid.

Question No. 180

ALLOCATION OF GAZETTED AREA

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

(a) If he was aware that the Government/Treasury Square in Mombasa is a museum gazetted area; (b) If he was further aware that a plot between the District Commissioner's Office, Mombasa, and the Law Courts had been allocated to an individual; and,

(c) If the answers to "a" and "b" above were in the affirmative, under what provision of the law is a protected gazetted area allocated to an individual before the plot is de-gazetted by the Department of Museums.

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

(a) I am not aware that the Government/Treasury Square in Mombasa is a museum gazetted area as my Ministry has no records to that effect.

(b) I am aware that the plot situated between the District Commissioner's Office, Mombasa, and the Law Courts has been allocated to an individual.

(c) Since the answer to "a" is in the negative, "c" does not arise.

Mr. Orengo: Mr. Speaker, Sir, I have a copy of the Gazette Notice 2092 of 11th May, 1990, which notice was filed by the former Minister for Home Affairs, Mr. Kuguru. But now that the Assistant Minister has admitted that the whole Government/Treasury Square has been allocated to an individual, could the Assistant Minister tell this House on what basis was Government and public land allocated to an individual, and who that individual is?

Mr. Kaino: Mr. Speaker, Sir, I thought my answer was very clear to the hon. Member, that, the Ministry is not aware that Government/Treasury Square in Mombasa is a museum gazetted area, because we do not have records in the Ministry.

Mr. Muite: Mr. Speaker, Sir, what is this Government doing to halt this madness of grabbing every available piece of land? I was driving near State House the other day and I saw some construction going on. Has a part of the State House ground been grabbed? What are they doing to stop this grabbingmania? What is this Government doing?

Mr. Kaino: Mr. Speaker, Sir, these are mere allegations which have no basis and there is nothing I can answer on that one.

Prof. Ouma: Thank you, Mr. Speaker, Sir. Arising from the original answer from the Assistant Minister, I am shocked. To start with, we who live now have the obligation, through our Government, to conserve the national heritage, not only for the present but for the future generations also. We have no right to obliterate the history of this country. Can the Assistant Minister confirm or deny what hon. James Orengo has said, that on the 11th May, 1990, the former Minister for Home Affairs and National Heritage, hon. Kuguru, signed a gazette notice? Can he deny or confirm that it was gazetted, because, if it was gazetted, this is serious

ruination of our future. We have no right to diarrhoea on the future.

Mr. Speaker: Do you have a gazette notice?

Prof. Ouma: Mr. Speaker, Sir, all that I have asked is, can he deny or confirm that on the 11th of May, 1990, this area was gazetted?

Mr. Kaino: Mr. Speaker, Sir, the plot which the Ministry allocated is not a museum as the Member has stated, but what is in our record is the plot which the Member has referred to in part (b) is Government land, and it was allocated to an individual for development.

Mr. Kapten: Mr. Speaker, Sir, our future generations are in problems because nearly all the land in municipalities and towns has been allocated. The High Court in Eldoret has been given to an individual; the Fire Station in Eldoret has been given to an individual; the Labour Office in Eldoret has been given to an individual; the AP lines have been given to an individual---

Mr. Sankori: Those are mere allegations!

Mr. Kapten: What is the Government doing? I am a lawyer; they are not mere allegations. When I go to the High Court in Eldoret, I have to go through "panya" routes because the High Court has been fenced off by an individual. What is the Government policy regarding the allocation of public land? And who is this individual who was given this land in Mombasa?

Mr. Kaino: Mr. Speaker, Sir, let me make it very clear that it is not a museum which the Government has allocated, because we have no records on any museum in that area.

Mr. Kapten: On a point of order, Mr. Speaker, Sir. Is the Minister in order to evade answering the question? We want to know who this individual who was allocated this land in paragraph (b) is? Can you give us the name of the individual?

Mr. Kaino: Mr. Speaker, Sir, I was not prepared to answer that question.

Mr. Orengo: Mr. Speaker, Sir, I am not surprised that the Assistant Minister is scared to name the individual. But since he has admitted that this plot has been given to an individual, I want to tell the House that this plot has been given to Ali Korane who is the District Commissioner, Mombasa District.

Mr. Speaker, Sir, if public officers continue to grab public land at no expense at all; without paying anything to the Government, by the time this Government is thrown out of office, what public land will be left for the next generation of this country? Can the Assistant Minister tell us what is the policy in giving out public land?

Mr. Kaino: Mr. Speaker, Sir, I am not going to name any person because I do not know who owns the land. What is clear is that the land which was allocated either to Korane or any other person is not a museum, but allocated land.

Dr. Otieno-Kopiyo: On a point of order, Mr. Speaker, Sir.

(Several Members stood up in their places)

Mr. Speaker: Order! Order, all of you! Order, Dr. Kopiyo! What was your point of order?

Dr. Otieno-Kopiyo: Mr. Speaker, Sir, the Assistant Minister states categorically that the plot was allocated to an individual. He has got those facts from a file in his Ministry and he is the Assistant Minister for Lands and Settlement, then he goes on to say that he cannot name him because he does not know who he is. Is that not contradictory?

Mr. Speaker: What do you think, Mr. Kaino?

Mr. Kaino: Mr. Speaker, Sir, I think there is no question that he has asked me there. It is actually very clear that the land allocated is being twisted round to be known as a museum. It is not a museum which the Government allocated.

(Loud consultations)

Mr. Speaker: Order! What is it, Mr. Salat?

Mr. Salat: Mr. Speaker, Sir, with all fairness, it is not good to implicate ordinary citizens of this country who cannot come and defend themselves in this House. Hon. Orengo has said that the plot mentioned in this Question has been allocated to Mr. Ali Korane, the District Commissioner, Mombasa.

Mr. Speaker, Sir, although there is nothing wrong in allocating the plot to Mr. Korane, who is an ordinary citizen of this country, can Mr. Orengo substantiate that allegation and produce documents to the effect that, that plot has been allocated to Mr. Korane?

Mr. Shikuku: The Assistant Minister has not denied it!

Mr. Orengo: First of all, Mr. Speaker, Sir, the Assistant Minister has not denied it, but it is a matter which is within my personal knowledge. I know that the land has been given to the DC, and personal knowledge is as important. Even in a court of law, you do not have to produce documents. But I know that the land has been allocated to the DC in Mombasa and that is why the Assistant Minister for Lands---

Mr. Speaker: Well, well, I think we can end that debate. The Assistant Minister can actually finish the whole issue. He said that it was allocated to an individual. If he does not agree with Mr. Orengo, he can disprove it.

(Applause)

What do you say, Mr. Kaino?

Mr. Kaino: Mr. Speaker, Sir, I am saying that the Ministry has not allocated a museum to an individual. Let us stop talking about a museum. I do not want anybody to put words into my mouth.

Mr. Speaker: Order! Order now! What is it, Mr. Salat?

Mr. Salat: On a point of order, Mr. Speaker, Sir. My point of order is that it is not only hon. Orengo who is misleading this House. Even this Assistant Minister is misleading this House.

Mr. Speaker: By the way, if I may enquire from you, Mr. Salat, do you know who was allocated this land?

Mr. Salat: Mr. Speaker, I do not know who was allocated this land, but what I know is that Mr. Korane has not been allocated this land.

Mr. Speaker: Very well, we shall now end that Question. We will go to Questions by Private Notice. Sorry, we still have one more Question.

Question No.328

AWARD OF SECONDARY SCHOOL BURSARIES

Mr. Mathenge asked the Minister for Education how many students from poor families in Nyeri District, particularly in Majengo area within Nyeri Township, have been awarded bursaries to cater for their secondary school education.

The Assistant Minister for Education (Mr. Komora): Mr. Speaker, Sir, I wish to seek the indulgence of the House and the hon. Member to allow me to reply this Question in the next Sitting of the House because I was not satisfied with the information availed to me.

Mr. Speaker: I normally give indulgence on ordinary days, but if you look at the Order Paper, it does not look like there is to be any time. This is not a Question by Private Notice. Nevertheless, if you think that it is a very poor answer, I will ask Mr. Mathenge to agree, but generally I give notice to Ministers and all other Members to take seriously the issue of Questions to the House and bring them in good time.

The Assistant Minister for Education (Mr. Komora): Mr. Speaker, Sir, you are quite right, but I am unhappy about giving a reply to this House which is substandard.

Mr. Speaker: What is your reaction, Mr. Mathenge?

Mr. Mathenge: Now, Mr. Speaker, Sir, because he is my old friend, I will let him answer when he is ready.

Mr. Speaker: Very well, thank you.

QUESTIONS BY PRIVATE NOTICE

COLLECTION OF BURSARY FUND

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

(a) Is the Minister aware that the money collected by the former District Officer for Kiambaa for a major Bursary Fund for the Constituency was not presented during the Harambee on Saturday 27th April, 1996, as planned, and that the parents were made to contribute for a second time for the Bursary Fund?

(b) How much was actually collected by the parents and donors, and what happened to the money?

(c) Since the objective was to accumulate enough money to be presented during the major Harambee, why was this money not brought to the Harambee?

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

(a) The money collected for Kiambaa Bursary Fund was not presented during the Harambee on 27th April, 1996, because the funds had already been disbursed to 91 needy students in 1995, by the Kiambaa Bursary Funds Committee.

(b) A total of Kshs352,731 was collected from the parents and donors and the money was disbursed to the needy cases as indicated in "a" above.

(c) Since the main Harambee was postponed in 1994, the Kiambaa Bursary Funds Committee found it fit to disburse the funds to the needy students to meet the immediate school fees needs of the poor students, and they could not be brought to the Harambee on 27th April, 1996.

Mr. Icharia: The answer given by the Assistant Minister is most unsatisfactory. There were more than 30,000 pupils in schools in Kiambaa at that time and the DO went round collecting Kshs20 per pupil. That shows that he collected more than Kshs600,000 from the pupils. The DO misled the parents that His excellency the President was going to come to conduct a big Harambee for the Bursary Fund. That never happened. Nobody knew that money had been given to the pupils until 27th April, 1996, when I requested that, that money be presented at the main Harambee. Could the Assistant Minister produce a list of all the pupils who were given that money, showing their schools and the amounts disbursed to them? Could he also produce the list showing how the collection was done? We want two lists; the collection and the disbursement---

Mr. Speaker: Order, Mr. Icharia! Order, now!

Mr. Sunkuli: Mr. Speaker, Sir, upon presenting that answer, I realise that I should have brought a list of the students given that money, and I will do that at the next convenience.

Mr. Speaker: Very well, next Question, Mr. Obure!

Mr. Lwali-Oyondi: On a point of order, Mr. Speaker, Sir. My point of order is that the Assistant Minister the other time promised to bring the number of a plot which was grabbed in Nakuru, and up to now he has not brought it. Could it be that he will also not bring the list next time?

Mr. Speaker: Which plot number are you talking about? Hon. Sunkuli, do you know anything about what he is talking about?

Mr. Sunkuli: I certainly do know what the hon. Member is talking about, but I have never refused to present that list here.

Mr. Shikuku: On a point of order, Mr. Speaker, Sir. When an hon. Member promises this House that he is going to lay a certain document on the Table of this House, it is the responsibility of that hon. Member to do so, and in view of the fact that the Assistant Minister in question promised the House and probably forgot about it, would he just admit that he forgot and that he will make sure that it is done because we still look upon him as honourable?

Mr. Speaker: Very well, I had already called Mr. Obure, but what I would like to request hon. Members is that when you make a promise to the House, please, make sure that you fulfil that promise. Mr. Obure!

Mr. Obure: Mr. Speaker, Sir, before I ask the Question, I would like to seek your guidance. Is it in order for the Assistant Minister, hon. Sunkuli, to answer this Question since it also touches him?

Mr. Speaker: What are you saying, Mr. Obure?

Mr. Obure: Mr. Speaker, Sir, the Question I am going to ask affects hon. Sunkuli, who is the Assistant Minister, and he is an interested party. Does he qualify to answer this Question?

Mr. Speaker: Order! Mr. Obure, do I understand that you are referring to the second Question by Private Notice? The Question is about people fighting along Transmara border, armed with guns and dressed in fatigue uniforms. Are you, therefore, saying that the Assistant Minister is one of the armed people and in uniform? This is not something to play around with. When an hon. Member makes an imputation on a colleague on the Floor of this House on a matter as grave as that, it not something that we laugh at. I am addressing the hon. Member because he has made a very grievous allegation against a colleague. Are you saying that he is one of armed gangsters?

Mr. Obure: Mr. Speaker, Sir, with all due respect, I am seeking your guidance on this because it is Mr. Sunkuli's people who are killing my people. And he is the leader of those people. How will he qualify to answer the Question while he has killed my people and stolen their cows?

Mr. Speaker: Order! I put a specific question to you. When you say that the Minister is involved, are you saying "he" as a person or the people he represents?

Mr. Obure: He is a spokesman of the people he represents.

Mr. Salat: On a point of order, Mr. Speaker, Sir. As much as I appreciate the sentiments expressed by hon. Obure, he said the Assistant Minister kills people and steals cattle. Is he in order to say that?

Hon. Members: No! No!

Mr. Speaker: Order! I will not have that kind of shouting in this House. It is below the dignity of this House for Members to behave that way. What were you saying?

Mr. Salat: Mr. Speaker, Sir, as far as I appreciate the sentiments expressed by hon. Obure, is he in order to imply, or to directly allege, that the Minister is the one who killed his people and stole their cattle, and is the same Assistant Minister who wants to answer the Question? Is he in order to say that?

Mr. Speaker: Order! What I did is to personally ask hon. Obure certain questions because I too thought the way he initially began was completely out of order, but he did clarify that it is the people the Assistant Minister represents that were killing people and not the Assistant Minister. That is what hon. Obure is saying and that is what he should have said initially. I think you are totally out of order to have, in the first place, implied that the Assistant Minister was a killer. I order you to withdraw that bit and apologise, and then you can put your objections on the lines you ultimately said, and then I will know what to do.

Mr. Obure: Mr. Speaker, Sir, I withdraw those remarks and stand before this august House and ask Question No. 2 with all that bitterness and mourning.

FIGHTING ALONG KISII/TRANSMARA BORDER

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

(a) Who are the people fighting along the Kisii/Transmara border fully armed with guns, and dressed in fatigue uniforms?

(b) Is the Minister aware that several people have been shot with guns and killed and houses have been burnt and a lot of property lost?

(c) What is the Government doing to ensure that these raiders are arrested and brought to book?

Mr. Speaker: Have you followed what I said?

Mr. Shikuku: On a point of order, Mr. Speaker, Sir. I was wondering whether the explanation given by the hon. Member should be taken seriously because this is a matter of security. The Assistant Minister has not denied that he is the leader of the other side and this hon. Member is the leader of this side. Standing Order No. 75 states: "A Member who wishes to speak on any matter in which he has a personal interest shall first declare that interest unless it is obvious". I am sure that the Assistant Minister has interest in Transmara and so has the hon. Member but since he is going to reply to the Question, could you help us?

Mr. Speaker: Maybe, you can help me if I pose a question to help me come to a conclusion. If there is a gang in Butere terrorising people across the border, does the hon. Member for Butere have an interest?

Mr. Shikuku: Mr. Speaker, Sir, I will go out of my way not to defend evil, but at the same time, I cannot divorce myself from being a leader of that gangster because I am an MP for everything including frogs.

Mr. Speaker: Order! Order! I can understand, sometimes, the sentiments, even if they are misleading, by the hon. Obure. Would I hear you first, Mr. Sunkuli, before I make any comment?

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Speaker, Sir, I would like to give a reply to this Question because I am responding---

Hon. Members: No! No!

Mr. Speaker: Order! I want you to respond to the fears expressed.

The Assistant Minister, Office of the President (Mr. Sunkuli): Standing Order No. 75 does not apply to this particular matter because I have no particular interest. I have seen on the Floor of this House a Minister answering questions from his district because he also represents that district in the Ministry. That district falls under his jurisdiction. If today, I am the Minister for Public Works and Housing, I can answer a question about roads in Transmara. Why can I not answer it? I see no reason why I should not answer this Question. The hon. Obure is already casting aspersions on my integrity. I want to say that the answer to this Question is subject to further questions by this House and I am prepared, as a Minister, to answer those questions.

Mr. Speaker: Order! As I said, first of all, I would like to give a chance to the Assistant Minister to answer the Question. I understand the sensitivities of different Members but if I must rule, then I will rule at once. One, as a Minister, when you answer questions in this House, you are not attached to any particular area within Kenya. Your jurisdiction according to your portfolio is Kenyanwide. Two, my further guidance, and this is only a

guidance, if I were a Minister and a question comes, that, maybe, concerns a specific area, as a matter of courtesy, maybe, I could give somebody else but that is not the rule. Can we, before there is strong objection to this, hear what, first of all, the Assistant Minister has to say because it is out of what he has to say that you may make an objection.

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

Mr. Speaker: Order! Order! I have ruled, and it will be done. Can we hear what he has to say? In fact, I will be interested in the fears of the hon. Obure more than any other person. So, can we hear him.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Speaker, Sir---

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

Mr. Speaker: Order! Order! I will not have that any more, hon. Obure. You will not walk again to the microphone uncalled, neither shall any other Member for that matter. When a Member has been given the Floor, every other Member will remain seated. Thirdly, debate in this House shall be carried out in a dignified and sober manner. We will not have it that way. Emotions should never take precedence over our own rationale.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Speaker, Sir--

Hon. Members: Hon. Awori is there! He should answer this Question!

Mr. Speaker: Order! Order! If any Member is going to interrupt business unnecessarily, then I am afraid we will have to apply the rule. I have already made a ruling. You cannot overrule the Speaker's ruling by being unruly and shouting. Can we hear the Assistant Minister? If it will be necessary for me then to ask any other Minister to help, we will do that but as I said, it is up to them.

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

(a) I am not aware of any people armed with guns and dressed in fatigues uniforms, who are fighting along the Kisii/Transmara border as alleged. However---

(Shouts and jeers from hon. Members)

Mr. Speaker: Order! Order! First of all, it is not the business of the Chair to allocate answers to various Ministries. I deal with matters as they come to this House. If it is the desire of this House not to hear the answer to this Question, the Chair is quite prepared to go to another Question.

The Assistant Minister, Office of the President (Mr. Sunkuli): However, I am aware that security personnel have been deployed in that area to maintain law and order following skirmishes between the---

(Shouts and jeers from hon. Members)

Mr. Speaker: Order! Order! Any hon. Member who is not interested in abiding by the ruling I have already given will, I am afraid, be deemed to be disorderly. Can we give him a chance to read out his answer? From there, the House will, with a sober mind, be able to know whether to object or not to the answer. The Chair will also be able to know whether or not the objection is valid. If the House is not going to let the answer be heard, how do I determine whether or not there is a ground for objection? I will not have it anymore. Can I hear the answer? After that, I will hear Mr. Obure.

The Assistant Minister, Office of the President (Mr. Sunkuli): Let me continue.

(b) No, I am not aware.

(c) I am not aware of the alleged raiders and, therefore, the question of arresting them does not arise.

Mr. Speaker: Can I hear Mr. Obure now?

Mr. Obure: Mr. Speaker, Sir, you heard what hon. Sunkuli said. If he says that he is not aware of people who are fighting and yet he is an Assistant Minister, I think he should disqualify himself from answering this Question.

Mr. Speaker: Mr. Sunkuli, why do you not think that it is advantageous for a neutral person to answer this Question?

(Applause)

Mr. Sunkuli: Mr. Speaker, Sir, I do accept that a neutral person does, in fact, need to answer the Question, just for the sake of the answer appearing, to certain persons, to be credible. But I was briefed by the officers on the ground and no other Minister at present is in a position to answer this Question. If it can be deferred to enable another Minister to be briefed by the officers, then it shall be answered by that other Minister.

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

Mr. Speaker: Order! In fact, as I said before, there is no rationale whatsoever for casting any untoward conduct to any hon. Member of this House in a Question like this one. As I also said, any member of the Cabinet can answer a Question on any part of the country. But I also said that, maybe, it could be desirable, if this Question is too close to Mr. Sunkuli, to have the Question answered by somebody else. But that is not a rule.

I have said it is not a rule, but it is what I probably would wish to happen. In the circumstances, I think the best thing to do is to leave this Question deferred until the House resumes. So, the question is deferred.

(Question deferred)

Mr. Mwaura's Question.

(Hon. Mulusya murmured something)

Mr. Speaker: Order, hon. Mulusya! I do not think what you have just said from there is something that an hon. Member should say in relation to matters as grave as this matter. Since today is, maybe, the end of the Sitting, I will allow you to get away with it. But next time do not repeat it.

Yes, Mr. Mwaura.

COURTESY CALLS ON VISITING LEADERS

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

(a) Is the Minister aware of the international diplomatic protocol which allows visiting Heads of State to hold discussions with leaders of political parties represented in the host country's Parliament?

(b) Why are the leaders of the Opposition parties in Kenya denied opportunities to pay courtesy calls on visiting Heads of State, or are not invited to State receptions hosted by the Kenya Government for the visiting dignitaries?

(c) Was any Opposition leader invited to meet the distinguished personalities who have recently visited Kenya?

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

(a) No, I am not aware of the alleged international diplomatic protocol.

(b) Visits by Heads of State are at a government-to-government level and what is discussed in such visits is Government business. Programmes for such visits are prepared and agreed upon by the host and the guest in advance. It is, therefore, not possible for leaders of the Opposition to meet visiting Heads of State without prior arrangement. If Opposition leaders want to meet the visiting Heads of State, then they may request to do so in good time through diplomatic channels. Such requests are subject to acceptability by the guest as protocol requires that the guest decides whom he will meet.

(c) The answer is "no" for the reasons explained in (b) above.

Mr. Mwaura: Mr. Speaker, Sir, this is a very important Question, and everybody knows what the Assistant Minister is saying; that during a visit by a Head of State to a country which has invited him, discussions will be at a government-to-government level. There is no question about that. But there is an international diplomatic norm that is practised in all the countries in the world. When a Head of State visits a country, he is allowed to meet leaders of opposition parties and heads of diplomatic missions from his own continent. What is discussed between such a visitor and these leaders is not at a government to government level; what takes place is known as "courtesy call by opposition leaders on a Head of State". This is what happens. When our President visited Germany when I was the ambassador there, he met the late Mr. Strauss, who headed the CSU Party. He also met the current Germany Chancellor, who was then the leader of the Opposition in that country. This is something which is practised all over the world in order to enhance democratic practices.

Mr. Speaker: Can he answer now?

Mr. Manga: Mr. Speaker, Sir, I respect the hon. Member because he has been a very renowned diplomat. But I want to repeat the last part of my answer to part (b) of the Question. I said, if Opposition leaders want to meet visiting Heads of State, their requests are subject to acceptability by the guest as protocol requires that the guest decides whom he will meet. If that guest does not want to meet Opposition leaders, we cannot, as hosts, force him to do so.

Mr. Wamalwa: Mr. Speaker, Sir, that answer is absolutely shocking. What is so repugnant about the Government inviting Opposition leaders to a reception that it is hosting for visiting Heads of State or other dignitaries? Maybe, it is from there that the dignitaries may wish to have a private chat with the Opposition leaders. But if the Opposition leaders are not invited in the first place, then they are being treated like lepers. What is wrong with inviting them to receptions?

Mr. Manga: Mr. Speaker, Sir, I want to say that Opposition party leaders are sometimes very strange when it comes to these matters. They have walked out of those functions before and embarrassed the hosting Government.

Mr. Nthenge: It was even the practice of the British Government, during the colonial period, that when British Ministers came, those who wanted to rule themselves and throw them out were still invited and given a chance to meet them. Why is it that when Presidents, for example, the Chinese President and other dignitaries come here, we are not invited even for a cup of coffee?

Mr. Manga: Mr. Speaker, Sir, I do not think the hon. Member wants to suggest that we should go to the colonial habit of doing things.

Mr. Shikuku: Arising from the Assistant Minister's reply, which I do not think is very serious, does he realise that those in the Opposition and the Government are part and parcel of this Republic, and that the expenses on any Head of State who visits here are derived from the taxpayers money? It is logical that a civilised society should invite the leaders of the Opposition to have a word, a cup of tea or dinner with him. I saw some hon. Members on the television the other day, who are Back-benchers from the other side of the House, being invited to the dinner, when the leaders of the Opposition were not invited. It was just a nominated Back-bencher in the name of hon. G.G. Kariuki. How important is he compared to the Opposition?

Mr. Manga: Mr. Speaker, Sir, some party leaders and hon. Members of Parliament have been known to snub these functions by not turning up when invited, or walking out in the middle of State functions. This is embarrassing.

Mr. Wamalwa: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister really in order to mislead the House by claiming that Opposition leaders have been invited to State functions and failed to go, when we have been attending all official functions religiously?

Mr. Manga: Mr. Speaker, Sir, that is not true.

(Loud consultations)

Mr. Mwaura: On a point of order, Mr. Speaker, Sir. I raised this Question because of my love for this country, and to be sure that democratisation will be stabilised on this Floor. The Assistant Minister says here: "Alleged" but this is not an allegation. Can he undertake to find out from the civilised countries and other diplomatic countries what is practised in those countries and try to do the same? This is because it is for the government to get government officials to come and brief the Opposition leaders. This is what is done in other countries. They must know what is being discussed between the Governments.

Mr. Speaker: That is alright, hon. Mwaura.

Mr. Mwaura: Can the Assistant Minister undertake to find out what is done in other countries?

Mr. Manga: Mr. Speaker, Sir, I know that Kenya is very civilised. Therefore, I do not have to refer to any other civilised country over domestic matters. It is for this Government to decide what to do.

ESCALATION OF ELECTRICITY BILLS

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

(a) Why have electricity bills for Buru Buru City Council flats skyrocketed to colossal sums of more than Kshs100,000 in some cases?

(b) What period of time do the bills cover?

(c) Why is the Kenya Power and Lighting Company (KPLC) threatening to disconnect power to the affected families?

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

(a) The electricity bills for some cases in Buru Buru City Council flats have skyrocketed to colossal sums due to accumulation of unpaid bills. The meter boxes in the flats are not readily accessible, and consequently, the

KPLC meter readers have at times had to estimate electricity consumption resulting in under-charges. When the actual readings are eventually obtained, and the under charges billed, the affected customers would receive bills reflecting huge sums of money.

(b) The bills cover periods ranging from three months to over one year.

(c) The KPLC is threatening to disconnect power to some of the affected families so that the company can get payments. Some of the abnormally excessive bills are under query and power will not be disconnected until the issue is sorted out. Additionally, I would like to say that, late last year, the company installed a new computer system for billing. There were "teething" problems after installation, where some of the customers received three bills during the same month. A new computer system is now operational, but not completely perfect. The confusion over most bills has now been corrected.

Mr. Mak'Onyango: Mr. Speaker, Sir, I am glad that the Minister accepts that there has been a confusion. Indeed, it is this confusion that has led to a situation in which many of the consumers are being overcharged. This question represents only but a tip of the iceberg, of a big problem affecting power consumers throughout the country. Can the Minister undertake to look into this matter afresh and avoid a situation in which he is victimising consumers for no fault of their own, because the fault lies with the company, and not the consumer?

Mr. D.M. Mbela: Mr. Speaker, Sir, I was honest enough to admit that mistakes have been made, not only through the new computer, but also with some of the others where meters have not been read. In this particular case, I would request the hon. Member, or any hon. Member of this House, who has a problem, or has somebody who has a problem, to go and take it up with the commercial manager, who can make sure that corrections are made. Additionally, where you receive a bill which is beyond your normal expenditure, if you go and pay what your normal consumption is, and explain that you are paying under protest, no disconnection will be made.

Mr. Mulusya: Mr. Speaker, Sir, is the Minister aware that the problem the hon. Member is referring to, is not only with the City Council flats, but the entire Buru Buru housing estate? People have been flooding Electricity House complaining about these high bills. What is he doing to find out the problem with the meters in the entire Buru Buru housing estate?

Mr. D.M. Mbela: Mr. Speaker, Sir, it is probable that the hon. Member is only aware of Buru Buru. But the problem is much larger than that, and it affects the whole country.

Prof. Anyang'-Nyong'o: Mr. Speaker, Sir, in a service affecting many people and in a city like Nairobi, is it fair for Kenya Power and Lighting Company to have only one point of reference, Electricity House, so that when the electricity is disconnected, people have to come from as far as Langata, Kiambu and so on, to come to one place to connect the electricity? The same is true with Kenya Posts and Telecommunications. Can the Government make certain regulations to decentralise points of reference, where consumers can go to sort out their matters rather than this highly centralised service that the Kenya Power and Lighting Company is using at the moment, which is highly inconvenient to consumers?

Mr. D.M. Mbela: Mr. Speaker, Sir, that is a very reasonable request and since the company is client-oriented, I do not see why they should not open various points where consumers can go and raise their complaints. I will arrange for this to be done.

Mr. Mak'Onyango: Mr. Speaker, Sir, I am grateful that the Minister is trying to be honest on this. On the same breath, Kenya Power and Lighting Company has been one of the very best run companies in this country, but it has changed and it is now one of the poorest run today. Could the Minister, for the sake of consumers in this country, organise or appoint a commission of inquiry to probe into this company, and streamline its operations for the good of Kenyans?

Mr. D.M. Mbela: Mr. Speaker, Sir, I disagree that the Kenya Power and Lighting Company is poorly run. Having disagreed, I would like to say that we are seriously looking into the issue of re-organising it to make sure that it is more responsive to serving its clients, including being able to divide the company into two; one portion for generating and the other one for the distribution of services.

Mr. Speaker: Next Question, Mr. Leshore.

DEATH OF MS. RODAH MARAI

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

(a) Is the Minister aware that Ms. Rodah Marai of Kilgoris Division in Transmara District died in St.

Joseph's Mission Hospital due to the negligence of the nurse and the doctor?

(b) What plans has the Minister taken to ensure that the doctor and the nurse in St. Joseph's Hospital are disciplined?

The Minister for Health (Mr. Angatia): Mr. Speaker, Sir, because of the seriousness of this Question and the short time given, and the fact that a Kenyan has lost her life, can I ask that the Question be deferred? The answer that he has already got is not satisfactory. If after my investigations, I find that the answer is satisfactory, then I will give it, but I suspect that I could get a different answer if he gives me time.

Mr. Speaker: What is your reaction, Mr. Leshore?

Mr. Leshore: Mr. Speaker, Sir, I agree with my good friend. But I would like to tell him to investigate the Question thoroughly before he brings it here next time.

Mr. Anyona: On a point of order, Mr. Speaker, Sir. It is very unfortunate that the Minister does not have a satisfactory answer. He never does anyway! In view of the fact that Parliament is going on Recess today, and in view of the importance of this Question; since this matter does not only affect Transmara; it affects Kisii because this hospital also serves Kisii and Transmara; and there have been many cases of this kind; a lot of people have died in this hospital and there have been allegations that there are doctors and nurses there who are not qualified; if the Minister is not able to make a statement now, would he make sure that between now and when the House comes back, action is taken so that more people do not die?

Mr. Speaker: Well, I suppose that is what he wanted. But I may also let the House know, as a matter of fact that, the Minister was given the Question either this morning or last evening. I am sure that it was last evening the Question was handed over to the Minister. He did not have the facts. So, the Question is deferred to the first week of our resumption.

(Question deferred)

SETTLEMENT OF MAGARINI SQUATTERS

Mr. Ndzai: Mr. Speaker, Sir, I beg to ask the Minister for Lands and Settlement the following Question by Private Notice.

(a) Will the Minister, as a matter of urgency, state the fate of about 500 families living at Mjanaheri, Mambui and Ngomeni areas of Magarini Division, Kilifi District, who are threatened with eviction following the allocation of land, Ref.No.125154/17, measuring 2,962 hectares to Coastal Aquaculture Limited?

(b) Why were the squatters, who have resided in the area since time immemorial and who have developed the land, not given priority in the allocation?

(c) Will the Minister nullify this irregular allocation of the said land, since it was made in total disregard to the plight of the indigenous people?

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

(a) The families living at Mjanaheri, Mambui and Ngomeni areas of Magarini Division, Kilifi District, will not be evicted from the land if they are proved to be genuine squatters.

(b) My Ministry is looking into the matter with a view of protecting the interests of the indigenous people who are genuine squatters.

Mr. Ndzai: Mr. Speaker, Sir, this reply is misleading the House. Before a piece of land is allocated, there is a report from the officer on the ground, and I have this report, here, and it reads: "The area is settled and this letter will serve as pointer to the problems that we may have in allocating the land to the company."

Now, because the report from the officer on the ground says that the area is settled, can the Minister, as a matter of urgency, assure this House that he will nullify this allocation and allocate the same to the people who are on the ground?

Mr. Kaino: Mr. Speaker, Sir, it is true that the land in question was allocated to Coastal Aquaculture limited for prawns farming. There have been complaints about the allocation due to the presence of squatters and the effects of prawn farming and also environmental conservation.

Dr. Kituyi: On a point of order, Mr. Speaker, Sir. Could you assist those of us who do not know what "brawn farming" is all about to be advised more precisely?

Mr. Speaker: What are you saying, Dr. Kituyi?

Dr. Kituyi: The hon. Assistant Minister is talking about "brawn farming?"

Mr. Speaker: Maybe he is not wise!

Proceed, Mr. Kaino.

(Laughter)

Mr. Kaino: Mr. Speaker, as regards the issue of the squatters in the land in question, the Government is trying to nullify the allocation because of complaints on environmental conservation which have just arisen, and the hon. Member should be contented with the undertaking by the Government now.

Mr. Mumba: Mr. Speaker, Sir, I raised nearly a similar Question two weeks ago and the Assistant Minister promised that priority will be given to local people who are registered as squatters when land is available. Now, obviously, there are people living there and they have been living there since time immemorial. These people have been registered as squatters. The letter from the officer on the scene confirms that the area is settled. What is delaying the Ministry from cancelling that allocation immediately?

Mr. Kaino: Mr. Speaker, Sir, I wish to inform the House that there will be no other squatters who will be settled on that land except people who have been settled there since time immemorial.

Mr. Boy: Mr. Speaker, Sir, my point of order is that the Assistant Minister did not reply to the question he was asked. What has delayed the cancellation of the earlier allotment? He is talking of different things. Is he in order?

Mr. Kaino: Mr. Speaker, Sir, once the allocation letter has been issued and a title deed has been issued to an individual, there are so many procedures to be followed in cancelling that title deed. So, the hon. Member should wait for the good work the Government is doing.

Mr. Ndzai: Mr. Speaker, Sir, on this land there are schools and churches. If the Assistant Minister says that there are some procedures to be followed, can he assure this House that those schools and churches will not be removed, but will remain there?

Mr. Kaino: Mr. Speaker, Sir, I assure this House that the things which are there will remain there because the Ministry is doing something about it now.

ALLOCATION OF PIONEER ESTATE PLOTS

Mr. Nthenge: Mr. Speaker, Sir, I beg to ask the Minister for Lands and Settlement the following Question by Private Notice.

(a) Is the Minister aware that the plots L.R.No.209/8274/107 and L.R.No.209/8174/86 at Pioneer Estate Phase I, off Outering Road, Nairobi, earmarked and reserved for public utility are in the process of being allocated to individual developers?

(b) Is he further aware that the affected residents wrote a letter to the Commissioner of lands dated 30th November, 1995 registering their concern on the issue?

(c) What steps is the Minister taking to ensure that the said plots are reserved for public utilities?

The Assistant Minister for Land and Settlement (Mr. Sumbeiywo): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that the plots L.R.No.209/8274/107 and L.R.No.209/8174/86 at Pioneer Estate Phase I, had been allocated to private developers.

(b) I am also aware that the affected residents wrote a letter to the Commissioner of Lands registering their concern on the issue.

(c) Following the complaints, the Ministry has cancelled the allocations and the two plots revert to and are now reserved for public utility.

(Applause)

Mr. Nthenge: Mr. Speaker, Sir, first of all, I would like to thank the Ministry very much because it is human to err, but once error is detected, it should be corrected. But my question is: Is the Ministry going to do the same with the other public land which has been grabbed by private developers to the disadvantage of the rest of the public? Even the *choo* next to Parliament building has been grabbed.

Mr. Speaker: Mr. Nthenge, what is *choo*?

Mr. Nthenge: Mr. Speaker, Sir, I said including the W.C. which used to be on Haile Selassie Avenue. Even that one by has already been fenced off a developer. The ordinary wananchi cannot make use of it.

Mr. Sumbeiywo: Mr. Speaker, Sir, it is very difficult to know who has not been officially allocated a plot. Anybody who has been allocated a plot without following the normal procedure will definitely have the letter of allocation cancelled. We are not aware that the plot on which the W.C. stands has been grabbed, as

alleged by hon. Nthenge.

Mr. Mulusya: On a point of order, Mr. Speaker, Sir. Hon. Nthenge talked of a plot on which a W.C. stands on Haile Selassie Avenue, and the Assistant Minister has confirmed that there is a plot on which a W.C. stands. To begin with, can hon. Nthenge tell us what a W.C. is, which stands on that plot?

An hon. Member: Water closet.

Mr. Mulusya: A water closet does not stand on a plot, but in a house!

Mr. Speaker: Hon. Mulusya, what is your point of order?

Mr. Mulusya: Mr. Speaker, Sir, we are talking about a toilet on a plot not a water closet.

Mr. Speaker: Mr. Mulusya, I think you have been heard. Can we go on to something much more serious?

Mr. Mutahi: Mr. Speaker, Sir, what is the Ministry going to do about this reversing and cancelling of allocated plots which have already been owned by other people? Like now, the public utilities are being given to individuals and later when Questions are raised here, the allocations are cancelled. What are you going to do to stop this? What is the Government policy to avert this?

Mr. Sumbeiywo: Mr. Speaker, Sir, at the moment, there is a Committee which has been formed in the Ministry of Lands and Settlement to ensure that plots which are available for allocation are allocated to the right people. It will also ensure that there will be no plot in this country which will be allocated to more than one individual.

BANNING OF POWER SAWS

(**Mr. J.N. Mungai** to ask the Minister for Environment and Natural Resources:-

(a) Is the Minister aware that since the Government directed that there should be no power saws operating in Molo Constituency and Londiani forests, some saw mill companies have defied the order and are still operating using the power saws?

(b) If the answer to "a" above is in the affirmative, what action does the Minister intend to take to enforce this order?)

(Question dropped)

SUB-DIVISION OF NTHUNGURU FOREST

Mr. Murungi: Mr. Speaker, Sir, I beg to ask the Minister for Environment and Natural Resources the following Question by Private Notice:-

(a) Is the Minister aware that Nthunguru forest in South Imenti has been sub-divided and allocated to individuals?

(b) Is he further aware that the *wananchi* in South Imenti have vowed to eject, maim and to kill any person who takes any portion of Nthunguru forest?

(c) What urgent steps is the Minister taking to protect this important water catchment area, so as to avoid clashes?

The Assistant Minister for Environment and Natural Resources (Mr. Lengees): Mr. Speaker, Sir, I beg the indulgence of the House that Question No. 9 by Private Notice be deferred till the next Sitting as the answer is not available at the moment.

Mr. Speaker: What is your reaction, Mr. Murungi?

Mr. Murungi: Mr. Speaker, Sir, this is a very urgent matter as there might be tribal clashes.

Mr. Speaker: Well, will you assist in stopping them?

Mr. Murungi: Mr. Speaker, Sir, I would like the Assistant Minister to assist in stopping the clashes by making sure that no person who is allocated this forest land tries to occupy it because he might be killed.

Mr. Lengees: Mr. Speaker, Sir, the only information I can give now is that we will answer the Question once the answer is available. Right now it is not available.

(Question deferred)

POOR RADIO AND TV TRANSMISSIONS

Mr. Mutani: Mr. Speaker, Sir, I beg to ask the Minister for Information and Broadcasting the following Question by Private Notice:-

(a) Is the Minister aware that TV viewers who depend on Nyambene Transmission Station i.e. Isiolo, Meru, Nyambene and Tharaka-Nthi districts, have been receiving very poor transmission from December, 1995 to date?

(b) What is the Minister doing to rectify the situation?

The Vice-President and Minister for Planning and National Development (Mr. Prof. Saitoti): Mr. Speaker, Sir, it will be recalled that I did give an undertaking to this House on behalf of the Government, that this Question will be answered today. The Minister for Information and Broadcasting is not in the country and the Assistant Minister is not there. In keeping with the obligation that I made to this House, I have the pleasure to answer the Question on behalf of the Minister for Information and Broadcasting.

(a) The Ministry is aware of the poor TV reception in Meru, Isiolo, Nyambene and other areas served by the Kenya Broadcasting Corporation (KBC) Transmitter Station located at Nyambene Hills which developed major technical problems back in December, 1995.

(b) The extent of the breakdown has been fully assessed and efforts are being made to bring it back to full working capacity. In addition, KBC has started a project to improve transmission in the affected areas in which a 10 KW transmitter will be installed at Nyambene to serve as the main programme transmission source. When this is completed, then the transmitter currently being rehabilitated will act as a stand-by.

Mr. Mutani: Mr. Speaker, Sir, the Vice-Mr. President and Minister for Planning and National Development admits that for the last six months the people in these areas receive very poor transmission from their TV sets. He talks of a 10 KW to be installed. Can he tell us when it will be installed?

Prof. Saitoti: Mr. Speaker, Sir, indeed, the Ministry is aware of the problem being experienced by the people in the respective areas. Work is already being undertaken and it is expected that before the end of this year, this transmitter will have been installed.

Mr. Maore: Mr. Speaker, Sir, given the area covered by the said transmission, can the Vice-President explain, what happened to the transmitter that was there before? It did not breakdown; it was taken away. Where was it taken to?

Prof. Saitoti: Mr. Speaker, Sir, the information which is available says quite clearly that, indeed, the transmitter in question did take a very long time to be installed. It was imported in 1980, but was not installed until 1989 and during the duration of the storage, many parts did wear out and became obsolete. That is where the problem is. It is, indeed true that only one transmitter is the one operating, but, essentially, it was not taken away; it is a problem of wear and tear.

Mr. Murungi: Could the Vice-President and Minister for Planning and National Development confirm or deny that the transmitter at Nyambene was not broken down in any way and it was in fact in perfect working condition, but it was removed and taken to Timboroa? Could he confirm that the transmission station was removed from Nyambene to Timboroa because the one in Timboroa had broken down?

Prof. Saitoti: I am not aware of that fact.

Mr. Mutani: Can the Vice-President tell this House how a 10 KW transmitter costs, because it has stayed for so long without being bought?

Prof. Saitoti: Mr. Speaker, Sir, at this particular moment, I do not have the tabulations. But, if the hon. Member so-wishes, this information which is purely supplementary can be provided when the House does open after adjournment.

ELECTIONS OF KENYA UNION OF JOURNALISTS

(Mr. Gatabaki to ask the Minister for Labour and Manpower Development:-

(a) Is the Minister aware that the long delayed Kenya Union of Journalists (KUJ) national elections were recently postponed indefinitely?

(b) Is he also aware that there is a plan to transfer the venue of voting to Kisumu, and thus defranchising majority of practising journalists, (90%) ninety percent of whom are based in Nairobi?

(c) If the answers "a" and "b" above are in the affirmative, what action is the Ministry taking to ensure that the elections are held within the period stipulated by the Ministry, i.e. by 30th June, 1996 and that such elections are freely and fairly conducted in a venue convenient to all practising journalists who are members of the KUJ?)

Mr. Speaker: Mr. Gatabaki is not here? That Question will be dropped.

(Question dropped)

MINISTERIAL STATEMENT

MEMBERS OF STANDING SELECT COMMITTEES

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Speaker, with your indulgence I would wish to make the following Ministerial Statement.

During their meeting held yesterday, Wednesday, May 15th, 1996, the Sessional Committee nominated the following to the respective Standing Select Committees:-

ESTIMATES COMMITTEE

The Hon. M. A. Badawy, MP,
The Hon. S. Manoti, MP
The Hon. (Bishop) D.K. Tanui, MP
The Hon. G.G. Kariuki, MP
The Hon. A.I. Shaban, MP
The Hon. Aluoch Polo, MP
The Hon. F.O. Obure, MP
The Hon. J.N. Michuki, MP
The Hon. Robert Mungai, MP
The Hon. B. Ndubai, MP
The Hon. D. Mwiraria, MP

LIBRARY COMMITTEE

The Hon. Dr. B.A. Godana, MBS, MP - Chairman
The Hon. Dr. Taaita Toweett, EGH, MP
The Hon. Y. Komora, MP
The Hon. Dr. A.H. Wako, MP
The Hon. Reuben Oyondi, MP
The Hon. N.M. Mutinda, MP
The Hon. (Mrs.) Phoebe Asiyo, MP
The Hon. Orwa Ojode, MP
The Hon. N. Gatabaki, MP
The Hon. J.B. Mwaura, MP
The Hon. N.M.G.K. Nyagah, MP

SPEAKER'S COMMITTEE

The Hon. K.F.X. ole Kaparo, EGH, MP - Chairman
The Hon. W.M. Mudavadi, EGH, MP
The Hon. P.J.W. Masinde, EGH, MP
The Hon. Prof. J.K. Ng'eno, EGH, MP
The Hon. Simeon Nyachae, EGH, MP
The Hon. K. Kones, EGH, MP
The Hon. J.M. Makau, EGH, MP
The Hon. (Mrs.) Agnes M. Ndetei, MP
The Hon. Saulo Busolo, MP
The Hon. C. Otieno-Karan, MP
The Hon. Dr. Lwali-Oyondi, MP
The Hon. C.K. Kamuyu, MP
The Hon. David M. Mutahi, MP

STANDING ORDERS COMMITTEE

The Hon. K.F.X. ole Kaparo, EGH, MP - Chairman
The Hon. Dr. B.A. Godana, MBS, MP
The Hon. Darius Mbela, EGH, MP
The Hon. J.N. Osogo, EGH, MP
The Hon. J. Sunkuli, MP
The Hon. K.N.K. Biwott, EGH, MP
The Hon. M. Wetangula, MP
The Hon. Henry Obwocha, MP
The Hon. Dr. O.O. Ombaka, MP
The Hon. Kamuiru Gitau, MP
The Hon. Bishop J. Kimani, MP
The Hon. J.K. Kiliku, MP

COMMITTEE OF PRIVILEGES

The Hon. K.F.X. ole Kaparo, EGH, MP - Chairman
The Hon. S.A. Wako, EGH, EBS, MP
The Hon. K. M'Mukindia, EGH, MP
The Hon. (Mrs.) N.K. Mwendwa, EGH, MBS MP
The Hon. K.B. Mwamzandi, MP
The Hon. Prof. J. Ouma Muga, MP
The Hon. Dr. Omolo Opere, MP
The Hon. Kamau Icharia, MP
The Hon. Philip Gitonga, MP
The Hon. Charles N. Mukora, MP

CATERING COMMITTEE

The Hon. K.F.X. ole Kaparo, EGH, MP
The Hon. Dr. E. Wameyo, MP
The Hon. J.J. Fallana, MP
The Hon. Dr. M. Kituyi, MP
The Hon. G.G.W. Nthenge, MP
The Hon. (Bishop) Allan Njeru Murigu, MP
The Clerk, National Assembly
The Serjeant-At-Arms, National Assembly

The Sessional Committee discussed, agreed and directed that the outgoing Public Accounts Committee (PAC) concludes their report by June 11, 1996, to facilitate the appointment of a new one.

In addition to this, let me also bring to the attention of the House that the Sessional Committee did express its concern over the fact that quite a number of these Committees did not meet, especially in the last year and it is hoped, therefore, that the Committees will, as laid down in the Standing Orders, meet and deliberate on matters that they have been mandated to do.

Let me also comment on two very important Committees. I think the Speaker's Committee is a Committee that is charged with the general welfare of the Members here, matters related to the buildings, cleanliness and many other matters. Again, issues of the well being, the cleanliness and the presentation to the general public of this Parliament building as the National Assembly. This has been discussed by the Sessional Committee, namely, that we do wish to see a Parliament that is comparable to other Parliaments in the world in matters of cleanliness and in terms of dignity.

Mr. Speaker, Sir, you are the Chairman but I felt that I should really highlight this matter. It is also felt anyway, and it is purely my opinion that there had been many changes throughout the world and it is important that Members of the Standing Orders Committee, perhaps could find out what is happening in other Commonwealth countries, because it is important that our Standing Orders should also be aligned with what is

happening elsewhere.

This, we believe, is important and there is the Committee of Privileges and it should meet only where there is an issue for it to discuss. But I think, the feeling of the Sessional Committee was that this Committee should be meeting continuously to be looking at the various aspects. As for the Catering Committee, it is not our wish to down-grade this Committee. The general feeling here is that the Catering Committee is important because, we as honourable Members do wish to actually have lunches here. This should be the place where there should be a prestigious restaurant; where we can be able to come and invite distinguished guests to eat. So, it is important in these matters, to ensure that the cooking is proper and the general well being and everything else is such that it is in keeping with the dignity of this honourable House.

POINT OF ORDER

ADDITIONAL INFORMATION TO QUESTION

Mr. Kamuyu: On a point of order, Mr. Speaker, Sir. On 7th May, 1996, the Assistant Minister for Local Government, the hon. Dr. Wameyo, did promise the House that he would bring details when a Question was deferred, regarding Kshs812 million which was debited into a fake account, called General Expenses Account by the Nairobi City Council from the Service Charge. Since then, hon. Dr. Wameyo has been promising that he was going to bring the details on 9th, 14th and 15th of May, 1996. I was expecting that he was going to bring that answer this afternoon.

I am bitter and extremely suspicious because this money might have been misused by the Nairobi City Council. Through you, I am launching this complaint because the Assistant Minister has deceived the House repeatedly and I would request your guidance in this matter so that the Assistant Minister may now be named.

Mr. Speaker: The only thing I wish to say, hon. Members, is that we must take very seriously the complaints raised by hon. Kamuyu. I remember in the last Session, there was also a Minister, who promised to give him further information and it was never given to him until it died with that Session.

Mr. Kamuyu: Hon. Makau.

Mr. Speaker: I think it is time that hon. Ministers who make a promise to this House, to bring further and better information, to do so as quickly as possible so that we get the matters dealt with expeditiously and get them out of the way. I think it also helps the dignity of the House, that when you make a promise to this House, you make sure that you pay it back to the House, by coming with that information. That is the best I can say and I hope the hon. Wameyo will take the earliest opportunity when we resume to bring that information, and all other hon. Members, who have promised the House to do something. That reminds me of the hon. Ndicho. Where is he? Yesterday, he promised this House---

Mr. Ndicho: I am here, Mr. Speaker, Sir.

Mr. Speaker: Have you got the documents ready?

Mr. Ndicho: Mr. Speaker, Sir, I was refused permission by the hon. Wetangula to explain what I had said and the HANSARD bears me witness that what he was requiring me to bring, is not what I said.

Mr. Speaker: Very well, Mr. Ndicho. I suppose I have a direct communication with this House in my Chambers and I followed very clearly the issue that was in this House. I remember what you were ordered to do and you were ordered to do it today. By the way, it does not help the matter any way by you shifting the burden again on the Chair. As ordered, therefore, you are unable to meet your obligation and as ordered by the hon. Temporary Deputy Speaker, yesterday, all those issues relating to those documents which you are unable to prove will be expunged and will not form a record of this House. That would teach other hon. Members to be very careful in what they say in the future. Mr. Awori.

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

Mr. Speaker: I am sorry! I have already ordered them to be expunged.

MINISTERIAL STATEMENT

CONFLICT ON KISII-TRANSMARA BORDER

The Assistant Minister, Office of the President (Mr. Awori): Mr. Speaker, Sir, on the 6th May, 1996, 300 Kisii youths entered Transmara District claiming that they were tracking down stolen cattle. When the Maasai saw the large group of people, they raised an alarm and a confrontation ensued.

(Several Members withdrew from the Chamber)

Mr. Speaker: Order! Order, hon. Members! Could we have a little silence? Maybe I can also explain a little. The hon. Awori is responding to what we had a problem earlier on, between the hon. Obure and the Office of the President, and I have allowed this to come in the form of a Ministerial Statement because it is an issue that I wanted defused and we would not have time to do it tomorrow or very soon thereafter.

So, I have decided to allow the Assistant Minister to make a Ministerial Statement to this House about that issue in the hope that it sorts out the problem.

The Assistant Minister, Office of the President (Mr. Awori): Mr. Speaker, Sir, on the 6th May, 1996, about 300 Kisii youths entered TransMara District claiming that they were tracking down stolen cattle. When the Maasai saw the large group of people, they raised an alarm and a confrontation ensued. The security personnel were alerted and they separated the two groups. On 7th May, 1996, the next day, it was reported that one Kisii man called Jomo Nyabuto, died as a result of injuries he sustained during 6th May, 1996 skirmishes. Kilgoris Police Station Case No.CR701/76/96, in this regard, is pending under investigation. There is no arrest so far that has been made.

On 11th May, 1996, at about 600 hours, some Kisii youths crossed into Transmara District, while armed with spears and arrows. Two of them were reportedly killed by the Maasai. Kilgoris Police Station Case No CR701/84/96, is pending under investigation. There is no arrest that has so far been made.

The security situation is being very closely monitored and the people have been cautioned against taking the law into their own hands.

Finally, Mr. Speaker, Sir, particularly as we go into adjournment, my plea to all elected MPs around the boundaries where there are always problems is that they should take the law into their hands and have the responsibility of cooling the tempers of the people they represent, so that there can continue to be peace and stability in our country. Thank you, Mr. Speaker, Sir.

Mr. Speaker: Mr. Anyona, would you like some little clarification?

Mr. Anyona: Yes, Mr. Speaker, Sir. We need a lot of clarification.

Mr. Speaker: I will give you and Mr. Manoti a chance to seek clarification.

Mr. Manoti: Thank you, Mr. Speaker, Sir.

Mr. Speaker: Not now! First I will give a chance to Mr. Anyona, Mr. Obure and then round up with Mr. Manoti. It is not going to be a debate. You would only require some clarification.

Mr. Anyona: Mr. Speaker, Sir, we are very grateful that this matter has come up before the House goes on recess. Unfortunately, at the beginning, earlier in the proceedings of the House, the matter more or less was hijacked by people who do not understand what the issue on the ground is. I want to say that this is a very grave matter as far as we are concerned those of us, who come from the two communities because we are neighbours, we shall continue to be neighbours and we are very concerned that a matter like this should arise. We would like to seek clarification in respect of the following matters.

As far as we are concerned on this side of the border, there is no conflict of community interest. In fact, on both sides of the border, the people live and do business, both the Kisii, the Maasai and other communities without any problem at all. Cattle rustling is not rampant in this area to become a serious security problem. As I said, these communities have lived in harmony for many years, with minimal fighting, but which is part of their way of life. They must now co-exist and live together for ever with other Kenyans. What we want the Assistant Minister to explain, first of all is. Are those facts true? If they are true, then there must be something wrong. Why are they fighting? We have been told that there were guns used. As far as we know ordinary citizens on both sides of the border have no guns and other weapons. So whose weapons are these and who are these people who are using weapons in these attacks? Secondly---

Mr. Speaker: I think you have to be brief because I have two Members and the time is short.

Mr. Anyona: I will be brief, Mr. Speaker, Sir. This is an area which has got some border security. Where was the border security? What happened? When you say that 300 youths from Kisii crossed into Transmara, where was the Security Committee? The Provincial Commissioner for Nyanza Province visited that area and he went there to incite the people rather than to bring harmony. We in Kisii have no confidence in this PC, because in his tenure, we have had trouble with the Luos, Kipsigis and now the Maasai. These are people with whom we have been neighbours for many years. We think that there is something wrong with that PC, and we are asking this Government, if you want peace in that area, you should remove some of these administrators, who are not able to bring about harmony in that area.

Mr. Speaker: Very well. Very quickly, hon. Obure.

Mr. Obure: Mr. Speaker, Sir ---

Mr. Speaker: You have to be brief Mr. Obure because I have Mr. Manoti and I have no time.

Mr. Obure: Mr. Speaker, Sir, I am perturbed by what the Ministerial Statement said in evading the facts. The matter of the conflict does not arise because we have cordial relationships between the Maasai and the Kisii. As a matter of fact, I am also farming in Maasailand. So, cordial relationships have been existing between these two communities until on 26th April when two cows were mysteriously stolen and when they were traced by the security personnel, they were recovered in Mr. Kenosusi's house which is in Transmara district. The Maasai wanted to fight but our people said "There is no reason to fight". That ended the matter.

Mr. Speaker: You are giving a story. Would you like a clarification? Try to give this ultimate clarification please because of the time, my friend.

Mr. Obure: Mr. Speaker, Sir, I will do that. What I am telling the Government is that on 3rd May, 1996, there was a war cry from nowhere whereby the Maasai morans came and when the people from my side responded, they were scared to find people dressed in Police uniforms with guns and they run away. On 6th---

Mr. Speaker: Well, are you giving a story now or you want to seek his clarification?

Mr. Obure: Yes, I am seeking clarification.

Mr. Speaker: But you are now giving a story!

Mr. Obure: Mr. Speaker, Sir, the clarification I am seeking is this: There was a meeting at Mr. Morichoi's house on 3rd May. What was the purpose of the meeting?

Mr. Speaker: Very well. Mr. Manoti.

Mr. Manoti: Thank you Mr. Speaker, Sir, for giving me this opportunity to also say a few words which I know about this problem which we have along the border. What the Assistant Minister said here in his Statement is totally misleading because it is not possible for 300 people to follow the cows which have been stolen. In the first place, hon. Sunkuli refused to answer this question by saying that he was not aware and yet he knows what happened very well. Yesterday it was on television whereby the Provincial Commissioner of Nyanza was addressing those people on what was happening along the border. The Kisii and the Maasai are very peaceful people who have been staying together with a lot of harmony since 1991 tribal clashes carrying out activities on both sides of the border. What I would have expected to come from the Office of the President is the truth of the matter which can sort out this problem. If we can get such a kind of a Statement from the Office of the President, then it encourages our people to fight which we do not want. What we are asking is an honest report from the people who have been given that responsibility to say.

Thank you, Mr. Speaker, Sir.

Mr. Speaker: Very well. May be Mr. Awori you can reply to all those comments.

The Assistant Minister, Office of the President (Mr. Awori): Mr. Speaker, Sir, I want to first of all confirm what hon. George Anyona stated that from time immemorial, the Maasai and the Kisii have co-existed without any problems. The Maasai have co-existed with other tribes without any problems at all and it is a difficult thing for him or anyone to state that the problem was started by the Maasai. In this particular incident, he has mentioned about bullet wounds. As far as I know, during the skirmish that took place on the 6th of May, there was nobody who was found with a bullet wound. In so far as hon. Obure is concerned, I am not aware of any meetings that took place on the 26th of April in the house that he has stated. I am not aware of any meeting that took place on the 3rd of May in the house he has stated and above all, to state that there were people in uniform, I do not know in the first place what uniform he is talking about; whether it was uniform of Kenya Wildlife Service staff or whether it was uniform of Administration Police. Certainly we are unaware of anyone who appeared in the place in uniform.

Finally, regarding my colleague, hon. Manoti, I would like us to leave the Provincial Commissioner out of this matter. In so far as my colleague is concerned he said that he was not aware of the incident. He said that he was not aware of what had happened on the 6th of May. He also said that he was not aware that there were any guns involved in the incident.

Thank you Mr. Speaker.

Mr. Speaker: Very well. I think the only thing I can add to all this, is to ask all those concerned Kenyans to assist those people to stay in harmony.

Next Order.

MINISTERIAL STATEMENT

FREQUENT POWER BLACKOUTS

Mr. Maore: On a point of order, Mr. Speaker, Sir. Yesterday I did request a Ministerial Statement from the Minister for Energy and I can see him across. Did he decline or what happened?

Mr. Speaker: Is it about power?

Mr. Maore: Yes.

Mr. Speaker: I think he has given it. Have you not? Would you like to respond? You have three minutes. Can you do it in three minutes?

The Minister for Energy (Mr. D.M. Mbela): Mr. Speaker, Sir, I will try to handle the subject as briefly as possible.

Currently the effective capacity for power generating stands at 582 megawatts which is 155 megawatts below our normal generation. This has come about because of routine maintenance and repairs. To minimise power interruptions, the Kenya Power and Lighting Company has drawn up a repair and maintenance schedule. The machines are expected to be back in service between now and the end of this month. The company has its personnel on the alert for 24 hours to deal with some unplanned interruptions prompted by natural causes e.g. lightning.

Regarding future investments, I would like to say that we have negotiated and are expecting to spend a total of Kshs 46 billion between now and the year 2001 to make sure that these problems that we are going through are brought to a permanent end. Since projects of this type take a long time to accomplish, the Ministry has gone into a stock-gap arrangement where we expect to generate 50 megawatts from Abaja in the Indian ocean until these other installations are permanently constructed.

Mr. Speaker: Very well. I now call the Vice-President to move the Motion of Adjournment.

MOTION FOR THE ADJOURNMENT

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

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Speaker, Sir, I beg to move that this House do now adjourn until Tuesday, the 11th, June, 1996.

Mr. Speaker, Sir, in moving this Motion of Adjournment, let me first of all wish the hon. Members a very fruitful recess during which time I hope that the hon. Members will be able to acquaint themselves with the pressing problems out there bearing in mind that when the House does reconvene again, it will then be discussing the Budget and it is important that we do discuss that.

Mr. Speaker, sir, I want to touch on only three issues because the time is limited. First, I want to use this platform of Parliament and I am sure that I do have the support of the hon. Members, to express horror at that very unfortunate incident which took place at the City Square here, an incident that resulted in the death of a number of innocent Kenyans. I also want, in the same vein to extend my condolences to the members of the affected families. In doing that, I think it is important to touch---

(Loud Consultations)

Mr. Speaker: Order! Order, Members! Sorry your Excellency the Vice-President. I will give you one more minute. Can I ask all those Members gathered out there, because they are disrupting the business of the House to disperse! Can you all disperse from there! Proceed, your Excellency!

The Vice-President and Minister for Planning and National Development (Mr. Saitoti): Mr. Speaker, Sir, this incident which took place is a most unfortunate one. But I think, also, a Committee has already been appointed to look into this matter. Perhaps one can be able to touch on a few points that could be looked into between now and even by the time the Committee does finalise its report. Clearly, there are a quite a number of very old buildings in the City of Nairobi and perhaps in other urban areas. These old buildings need to be looked into thoroughly by the local authorities concerned.

They should assess whether in actual fact, they are safe or not, and indeed if they are not safe, they should then be condemned in order to ensure that the incident which took place here, does not actually recur.

There is also another thing that should be taken into account, Mr. Speaker, Sir. We do know that in a

number of places here, there are quite a number of old buildings, and the tenants who live in them are normally protected by some legislation. What has therefore, happened is that the owners or the landlords who may want to actually knock down those buildings in order to be able to put up modern ones are frustrated by all the long legal procedures which are taken into account. This is an aspect that I am sure this House will be able to look into, when such a legislation does come here. One, in order to protect the lives of the people, and secondly to ensure that our own towns are also modernised. While on this topic, I would like to say, that those officers who are very much charged with this matter; the approval of building plans must ensure that these buildings are properly inspected. Let them continue to do their work properly because we do not want a recurrent of what happened. When innocent lives are lost, then the country mourns.

Mr. Speaker, Sir, the Government as it was stated the other day by the Minister of State, Office of the President, will not allow anything to go on without being checked thoroughly so that the full information will be brought here.

Mr. Speaker, the other issue that I would like to touch on very quickly is the fact that we do have a Motion here, which was brought by hon. Orenge, in connection with the Constitution. What is again surprising is that, other hon. Members, have also taken the debate on the Constitution outside this House. I do know that once a matter is before the House, then the hon. Members should confine their debates here. We do have Standing Orders and I think we should adhere to them. I want to say this because this matter has been raised outside--- I have been going through the Constitution and although I am not a lawyer, there is no provision for the issue of a convention. As far as we know, it is only Parliament that is supreme in matters of reviewing or amending the Constitution and we will not be to a party to any effort or any move that seeks to undermine the supremacy of the Constitution.

Mr. Speaker, Sir, the third item that I also want to touch on again, because it is a cardinal issue, has to do with the youth. The Government itself is concerned about the problem of the youth, but it is an issue that should concern all of us in this House. We must look at the position the way it is today in the country. We have got about 15.5 million youths in this country. Four or five million of this youth, do not have any gainful employment and indeed, unless we do something very quickly, these youths could easily turn to criminal activities and drug abuse. We must, as an effort by all of us, co-operate to find various ways to engage these youths in gainful employment so that we can help them. This is why the Government has seen it fit to embark on a programme of the youth for development. It is not an entirely KANU issue and the resources which will be available will be for all.

Mr. Speaker, Sir, I beg to Move this Motion.

The Minister for Labour and Manpower Development (Mr. Masinde): Mr. Speaker, Sir, thank you, for giving me this opportunity to second this Motion. I want to take this opportunity to thank all the hon. Members for the way they have taken debates in this House. They have taken all the debates very, very seriously and the sitting has been very peaceful indeed. They have taken their work so seriously, that I am sure that we are all worn out and we deserve a holiday; a working holiday in this case whereby we have to go and meet our people, our electors and our employers.

Mr. Speaker, Sir, just to touch on what His Excellency the Vice-President has already said about the youth, we have had a lot of different opinions about the Harambee for the youths and what the possible intentions are all about. I would like to strongly support the Vice-President and Minister for Planning and National Development, on his appeal that we must do whatever we can to assist the youth, because it is an explosive section. We do not have sufficient employment for the youth. We cannot leave them idle. It is us the representatives of various constituencies to make sure that the youth are organised and they should be kept busy. One of the opportunities to be given to the youth is, when we have this forth-coming Harambee which is to be conducted by His Excellency the President, we should all go out to make this Harambee very successful because it is not for KANU youths. It is for the youth of this country and if we are all interested in making sure that the youth of this country are properly catered for, we should all come out to support that Harambee very, very seriously and make it very successful.

Mr. Speaker, it is also important that, while we are away on recess, we interact with the youth and assist those who do not have viable projects now, to start some viable projects, so that when the money that is raised in this Harambee, gets back to the District, through the DDCs which you hon. Members are members, you should be able to assist in the use of that money that goes to the relevant groups so that they make proper use of the money and they do not squander it.

Mr. Speaker, Sir, the same should go to women groups. A lot has been talked about the women and the Beijing Conference and so on. It is important that we go out of our way to also assist the women. Let them get the empowerment they are looking for and be assisted where possible to create viable projects and where they are

capable to get the positions that they can hold. I also of course, appeal to the few women who are already in those positions of leadership to help fellow women to catch up and not feel like they are sitting in an ivory tower.

Mr. Speaker, Sir, for the information of the women, recently at the Labour Commission Conference in Addis Ababa, all Labour Ministers in Africa resolved that they would ask their Governments to assist the women as far as employment, training and other opportunities are concerned so that they can be on equal footing with the menfolk.

There is one sensitive issue on the education bursaries for primary and secondary schools. We are made to understand, and it is true, that bursaries are sent to the districts. When they get to the districts they are given to individual secondary schools whereby the headmasters and the Boards of Governors are to assess deserving children in those schools to get assisted.

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

(Question proposed)

Mr. Wamalwa: Thank you Mr. Speaker, for giving me the opportunity to support this Motion on the Adjournment. The current Sitting has been short but very brisk. A lot of business has been transacted and I am sure Members will welcome a change, pay attention to their constituencies and various other things. In the course of this Sitting, my party FORD(K), held national elections and those elections apart from being marred by violence in a few places, in the rest of the country, went on extremely well. I would like to take this opportunity to thank all our members country-wide who participated in these elections and those who were elected to various offices. This is a multi-party country and we look upon the Government to enforce the rules that provide for a multi-party country. I regret in this connection to mention the harassment that is being meted out to our party officials in Nandi and Koibatek Districts at the moment. I would like to appeal to the Government that Kenyans have the constitutional right to join any party of their choice. We do have areas in this country that are very strongly Opposition but no Opposition followers ever harass KANU followers. We would like the Government to protect the rights of our followers in Nandi District particularly Mosop Constituency and Koibatek District from constant harassment.

On another point, reports reaching us indicate that this country which is such a peaceful and playing a leading role in the revival of the East African Community in the promotion of peace and prevention of regional conflicts--- Reports reaching us indicate that the Government has signed a contract with the Belgian private company to undertake a venture which is likely to be of a volatile nature and that is the building of a bullet manufacturing factory in Kerio Valley near Eldoret. If these reports are true, it is a very grievous matter. If they are not, it is incumbent upon the Government to rebut this report so that we can assure our neighbours that this Government has not embarked on such a venture which is likely to cause instability in the region. At the moment, policy in most African countries is one of prevention of conflicts and peaceful co-existence with each other. So, any action, whether it is calculated for monetary benefits or for political muscle-flexing which involves a matter of this nature is bound to endanger this country's relations with other peace-loving neighbours.

On the National Youth Development Fund, I welcome any idea or project that is designed to help the youth of this country engage in gainful employment or business. I think it is incumbent upon the Government to dispel any doubts that this is a purely KANU project. Merely saying is not enough, let it be seen in action that when this money and this fund is established, and money from the Exchequer is also given to this fund, that it is administered impartially and the youth groups to benefit are also selected impartially so that it does not become a KANU in-house project that has been designed to win the support of the youth with an eye on the 1997 General Elections. The youth of any country are the future of that country, and it is wise Government that thinks of the kind of projects that this Government has come up with. If it was not tainted by KANU also claiming it to be its baby, I think it is a project that we would have all welcomed without any hesitation whatsoever. Let the Government go out of its way to show everybody in word and deed, that this is a Government project and not a KANU project.

During the recess, Members of Parliament will be back in their constituencies working with their people. One hopes that all of us will preach peace in our areas and---

Mr. Speaker, Sir, with those few remarks, I do support adjournment.

Mr. Sankori: May I take this opportunity to wish all the Members a good recess, before we come back again to this House. As we go on this short recess, it is my wish that the areas that have been left behind will be given a bit of attention. I am talking about arid and semi-arid areas. It is unfortunate that when the cake is shared, the arid and semi-arid areas are always left behind because they say that people are few there. People are few there because there are no facilities. You cannot live in a place where there is no water, roads and schools for

your children. These are areas like Maasailand, West Pokot, Turkana, Boran, North Eastern Province and some parts of the Coast. I would kindly request the Ministries concerned to pay attention to these areas, especially in terms of education. On the water issue, Kajiado is one of the areas that has got the worst kind water supply systems in this country. Yes, we have Nol Turesh Water Project, but all the water from Nol Turesh project is taken all the way to Athi River, Machakos, and Kajiado just takes one eighth of the whole amount of water coming from Loitokitok. It is my wish that Kajiado should be considered for dams. I am not saying that, that water should not go anywhere. If we get dams and boreholes, this will go a long way to assist our livestock and to make you people in this House fat when we supply you with good meat. It is the animal that we keep in those areas that produce the nice meat which you eat after 5.00 p.m.

Mr. Speaker, Sir, touching on the issue of roads, it is not a secret that during the last 555 Safari Rally, a lot of Kajiado roads were completely washed out including that tragedy of that man who drowned. I would kindly request the Ministry of Transport and Communications to look for ways and means so that such dangerous bridges are repaired.

A lot has been said about peace. Yes, we need peace, and let us practise it. Talking alone is not enough. Do not talk about peace for the sake of it only. I am saying this because there is always a problem between the seven tribes that are surrounding us. We have got about seven tribes surrounding us. We have got the Kisii, the Luos, and---

An hon. Member: And the Kuria!

Mr. Sankori: Not a single day have we ever claimed land from anybody. It is always other tribes that try to encroach into Masailand and when there is a small friction, they blame the Maasai people. If we talk peace, we should keep it. We do not have a single Maasai who owns land in Kisii, Western, Ukambani and other areas but all the other tribes own land in Maasailand. We are more peaceful than any of you and we will not actually keep quiet when you pretend to keep peace while you are actually trying to encroach and take away our land. We have to say peace and practise it. I am for peace and you know that the Maasai from Kajiado have tried very much to keep peace and we will continue to do so. I am asking all people in this country to preach peace. If there is a problem, let leaders solve that problem and I am sure we will go a long way in making Kenya a better place to live in. There is no need of coming to Parliament to talk about your people. Who are your people? People belong to Kenya. Hakuna mtu hata mmoja ambaye amezaa Kenya nzima! We all belong to Kenya and we want Kenyans to live in Masailand including the Maasai themselves and also have them live elsewhere.

With those few remarks, I beg to support.

Mr. Kibaki: Mr. Speaker, Sir, in supporting this Motion, I would like to make an appeal to the Government that they begin taking precautions now because, obviously, later in the year, we shall have famine. Already in the many dry and semi-dry areas of Kenya there is famine. It is only three months ago that the Government of Kenya finished exporting five million bags of maize to South Africa and Zimbabwe. Already we have famine in some regions like North-Eastern and Eastern Provinces.

I would like to appeal to the Government to do one thing; to stop expelling children from schools because they are unable to pay school fees. Parents do not have any means and their livestock is dying and as such, their children should be allowed to continue to attend school regardless of whether they have paid school fees or not. They can do that on humanitarian grounds and this is something which the Government can do immediately. So we appeal to the Government that from Monday, they make a public announcement that there will be no more expulsion of children just because they do not have schools fees, particularly, those children from very dry regions.

I want to appeal to the Government to stop destruction of our forests. The Government has authorised the destruction of Karura Forest. They have authorised destruction of so many forests and what is totally despicable is that the same Government does not take any action but only complains about this. I do not even know to whom they complain because they are the Government. The Government has a means, a Ministry and forest guards who can facilitate the stoppage of this destruction and yet they pretend that they do not know who is cutting down these forests. They do not even know who owns the saw mills. They do not even know who has the power saws. It is ridiculous. It is totally despicable. Nobody will believe this. They know who is doing this and we call upon them to stop doing it. They are selling the Karura forest and the forest on Ngong Road just to get money. This is looting of this nation by an occupation army calling itself Government and it must be stopped. It is totally ridiculous.

We have seen that the Electoral Commission has invited tenders for the printing of voters cards. We shall be able to acquire voters cards if we have identity cards but in some parts of Kenya, particularly, in the Rift Valley, Members of various communities are not getting their identity cards freely. I was given evidence when I was in Kitale, Eldoret and Nakuru of people who have been denied identity cards particularly the young people. They are told to go back to their home districts. They have no home districts. They were born there. Their fathers

were born there and they belong there and above all, they are Kenyans. A Government which behaves the way this Government is now behaving shows that it is not a government for all Kenyans. It is a Government for some tribes and we must protest against that behaviour.

Finally, may I call upon the Government in the commitment to privatize, to allow private people to install electric power. Let us privatize the Kenya Power and Lighting Company. The Minister has just said now without blinking that we have 35 per cent deficit in power. That is 35 per cent shortage of the total demand and when he finished what he was saying, he did not announce a single project to take care of that deficit. It shows in another three, four or five months, industries will have closed down and right now very many of them are operating at half capacity, and yet we are pretending to Kenyans that we are going to revive the economy. That is living in clouds. How can you revive any economy if you do not have power? So let us allow private people to build power stations.

We farmers want to be paid for our milk, tea, wheat and maize because these promises which keep on being given are not being fulfilled. We still have producers of milk with five months arrears not paid and yet we expect them to continue giving us milk. When we go home that is the first question we shall be asked. We would like to be able to say that we believe the Government when it says that they are going to organize for us to be paid. But can we say so in all honesty? We cannot because the promise has been there. It has been repeated ten times but we have not been paid and now it is going to be impossible for farmers to find means to buy the raw materials for farming. May I ask the Ministry of Agriculture, Livestock Development and Marketing makes sure that we get good seeds this time.

With those few remarks, I beg to support.

The Assistant Minister, Office of the President (Mr. Awori): Thank you, Mr. Speaker, Sir. First of all, I would like to thank the Members for the contributions they made in this Sitting. It is obvious that the contributions from both sides are improving the standards. As we go away, we are going to our constituents and I would like to appeal to all Members that each and everyone of us, goes to their constituencies and when you have there, the intention should be to help our constituents practically.

Kenya is an agricultural country. There are certain areas where people grow coffee others maize and others do fishing. It is important that we as Members of Parliament, who represent people and to whom our people look for leadership, help them to improve the standards of agriculture in the various areas. We would like to help start cotton ginneries in our areas. In our area of Busia we do grow cotton and we want to increase the production of cotton. When cotton is ginned, we have a seed that if left. We would like to start small industries of expelling oil in the same way. We also do grow simsim and we would like small industries to be done in the area so that we teach our people self-reliance. During recession, we are supposed to help our people. This is not the time when a certain group for Members of Parliament indulged in exhibitionism. Many times there are those who cause publicity by daring the police, breaking obvious laws so that they can be harassed, so that they can find sympathy and so that their pictures can be in the Press to show that this Government is harassing other Members of Parliament. This should not be the time for that. There are many times when we see funerals being turned into political fora. Funerals are periods of mourning. Why do we not leave it at that? It is not really an African custom at all for people who are mourning their beloved ones to be bombarded by destructive politics? I would like to ask my colleagues to seek their political platforms elsewhere and leave funerals to the mourners.

Mr. Speaker, Sir, I would also like to ask members of the Press to be true to their profession. The Press is supposed to be an informer and it should inform objectively. It does not help when the Press incites, or brings panic to, the people. We really have a lot of good journalists. Let them be constructive so that they can help us to build this country.

The National Youth Development Programme (NYDP) has been mentioned many times. It is a Government programme. When it is stated that it is a KANU programme, this is done simply because at the moment KANU forms the Government. So, there is no contradiction whatsoever. There is no reason whatsoever why hon. Members of the Opposition should not support a programme that has been initiated by the KANU Government. There is not going to be any discrimination in the disbursement of funds to the youths of this country under this programme.

Finally, one of my colleagues tried to mention something about the bursaries. When the bursaries are sent down to the districts we would like them to be administered by the schools. It is very unfair for a boy or girl from Busia District who is at Alliance High School to be told to go back to Busia District in order to be given a bursary. If bursary money has been sent to Alliance High School, it should be given to all the needy students in that school.

With those few remarks, I beg to support.

Mr. Shikuku: Thank you very much, Mr. Speaker, Sir. We are adjourning the House now. We are

being told to go and meet our people. The previous speaker was even complaining that hon. Members of the Opposition make political speeches at funerals. What else can we do since we do not get licences for meetings? Even when your people surround you in order to greet and ask you some questions, before you reply to one question you will see a District Officer and other fellows telling you: "There is no licence for this meeting". How are we supposed to communicate with our people?

[Mr. Speaker left the Chair]

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

I fought the colonialists, but they never treated us so badly. This Government is worse than the colonial government!

Mr. Temporary Deputy Speaker, Sir, people in this country are living by the sheer grace of God. It is as if the Government is non-existent! It is only interested in oppression. For example, we have talked about land grabbing, but members of the Government seem to be quiet! They are not prepared to do anything about this issue!

Mr. Temporary Deputy Speaker, Sir, before I continue with this land grabbing issue, I wish to take this opportunity to ask the Minister for Education to intervene in a case in Eldoret, where a parent was expelled from the Parents/Teachers Association (PTA) and thereafter, all his children have been denied the chance to get education. The parent is called David Shikuku, but he is no relation of mine. If a parent is expelled from the PTA why are his children interfered with? This is criminal! The children should be allowed to get education because it is their right. If their father is guilty, he should be dealt with without punishing the children. I have tried to raise this matter with the Minister for Education. I rang him this morning, got him in the office but, for no apparent reason, he did not speak to me. However, he should get the message that I will see him tomorrow.

There is land grabbing in Butere. The chiefs and assistant chiefs are grabbing land from poor people. I have raised this matter with the District Officer and the District Commissioner, but all these officers are on one side. They are not listening to me and yet land of the people of Butere is being grabbed! For example, the chiefs for Marama Central, Marama East and Kisa West Locations have grabbed land from the people. When you report all these matters nobody takes any action. Do they want us to tell the people to defend themselves. All the people whose land has been grabbed have land title deeds! But chiefs still decide to take parts of their land and give them to people who have bribed them. What are the Butere people expected to do? We have a right to our property. So, if anybody comes and annexes my land I have the right to defend it. I am not yet asking my people to do that. I only hope those concerned will ensure that my people are not interfered with.

The other thing is about cattle rustling in Butere, which takes place with the full knowledge of the Provincial Administration. Why am I saying this? In Butere, assistant chiefs do appoint the so called elders or *makurus*. They appoint even well known cattle rustlers to be the people's *makurus*. The people have objected to this practice but it is still going on. In Manyala Sub-location, where I come from, my own relative, a person who calls me "grandfather", who is a well known cattle rustler has been made a *likuru*. Another relative of mine, who is a known murderer, has been made a *likuru*. We want the people to elect their own elders.

The Assistant Minister for Lands and Settlement (Mr. Sumbeiywo): On a point of order, Mr. Temporary Deputy Speaker, Sir. Did you hear the hon. Member use the word "*likuru*"? We do not know what a *likuru* is! So, he should explain it.

Mr. Shikuku: Mr. Temporary Deputy Speaker, Sir, I said that elders in our area are known as *makurus*. The hon. Members' ears are not yet sharp.

So, we would like the people to elect people, whom they know not to be thieves or murderers, as *makurus*. But the Provincial Administration insists on appointing the *makurus*. This is because when the *makurus* steal cattle, they share them with the Assistant Chiefs, Chiefs and the District Officer. All these officers in Butere are cattle rustlers or thieves! We can no longer continue accepting this Government when it has no feelings for the people.

With these few remarks, I beg to support.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, as the Leader of the Opposition said, this Sitting has been a very exciting one. It is a Sitting during which there has been co-operation by both sides of the House over Motions brought by the Opposition side and this side of the House. As we go on recess this House will note that there has been some problem between the Kisii people residing in Kisii District and the Maasai who are residents in Transmara District. This problem has now been

contained by the Government. Administration Policemen have been taken to the border between the Kisii and the Maasai, so that peace can continue to prevail.

Let us not try to excite the feelings of our people. The people of Transmara District border Kuria District, Migori District, part of Homa Bay District, a substantial part of Kisii District and Bomet District, and we have lived in peace with all those people. We intend to continue living in peace with all people. We have had livestock thefts between the Maasai and Kuria people, but this has not led to tribal clashes at all. We have always held joint meetings between the people of Transmara and Kuria Districts and sorted out their problems. We have even always held meetings and sorted out problems between the Maasai people of Ramasha and the Kisii people of Nyaribari-Masaba. Even the Kisii who are resident in hon. Manoti's Constituency have sometimes had small problems with the Maasai, but we have always sorted out these problems.

Mr. Temporary Deputy Speaker, Sir, there is absolutely no reason why the Maasai people of Transmara, and the persons living in Bomachoge Constituency should not live in peace. Half of the people of Bomachoge Location actually depend on Transmara for their economy. Even hon. Obure himself farms in Transmara. All of us are inter-dependent.

Mr. Orenge: On a point of order, Mr. Temporary Deputy Speaker, Sir. Earlier on in the day, there were a lot of exchanges about the situation in Transmara and Bomachoge in Kisii District. The Assistant Minister was seen to be unfit to answer the Question relating to that conflict. That Question is still pending before the House.

The Temporary Deputy Speaker (Mr. Wetangula): It is not pending. It was disposed off, by way of a Ministerial Statement.

Hon. Members: No! No! It was deferred!

The Temporary Deputy Speaker (Mr. Wetangula): It was disposed off by way of a Ministerial Statement.

Mr. Shikuku: On a point of order, Mr. Temporary Deputy Speaker, Sir. I know it was disposed off by way of a Ministerial Statement, but the hon. Member had declared that he was not aware, before it was disposed off. Why is he talking of something he is not aware of?

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, whenever there is a matter touching on the Maasai and other people, hon. Shikuku is not interested. I want to say here, that what I said is that I was not aware of persons using guns. What I am saying is that two communities have fought and three people have died. This is not a laughing matter. It is not a matter for the Opposition to take advantage of. The Opposition have taken advantage of the feelings of the people for too long. It is high time that our colleagues understood that Kenya is larger than they think. It is important for the Kisii and the Maasai people to live in peace, which is more important than the Opposition being here and raising sentimental feelings. There is no excuse whatsoever, even on---

Dr. Otieno-Kopiyo: On a point of order, Mr. Temporary Deputy Speaker, Sir. The people along the Kisii-Transmara border are not living in peace. What is there for us to take advantage of? Hon. Sunkuli should state the facts. First, he said that he was not aware, and now he is aware.

Hon. Members: He was aware even before! He should resign!

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, I am prepared to table my HANSARD here. It is only that hon. Shikuku and hon. Dr. Otieno-Kopiyo do not want to listen to the truth. The truth is that the Kisii and the Maasai people should be told to live in peace. The hon. Member, just because he comes from FORD(K), should not be defended. These people should not be incited by anybody, even if they come from FORD(K); they must not be incited by anybody. The fight is taking place inside Maasai-land by people who invaded Maasai-land. This is not a laughing matter! Even if it is done by FORD(K), we must stand up here in the House and say that FORD(K) should not incite the Maasai and the Kisii people. The rest of the border is peaceful and we cannot take this lying down. We are going to continue preaching peace.

Mr. Maundu: Mr. Temporary Deputy Speaker, Sir!

The Temporary Deputy Speaker (Mr. Wetangula): Did you have a point of order, hon. Maundu?

Mr. Maundu: No. I wanted to contribute!

The Temporary Deputy Speaker (Mr. Wetangula): Let us have, hon. Kinyua Mbui.

Mr. Mbui: Mr. Temporary Deputy Speaker, Sir, I would like to contribute to this Motion on Adjournment, and seriously tackle the grabbers of this nation. Every time, land grabbing has become the order of the day. It is being done by the Ministry of Lands and Settlement. The Government is very much aware about it, but they are not taking any action. This shows that the Government itself is involved in the land grabbing. I want to tell this House this: One day, when our party comes to power, we shall repossess this land. I am also

sending a warning to those who are buying this grabbed land, that they are doing so at their own risk. This is because, that land belongs to this State. It does not belong to individuals. So, it is high time this grabbing stopped. We should not be hearing that some directors from, say, NSSF, or wherever, are selling or buying land. This is done through the Government machinery. Otherwise, if it is not through the Government machinery, it ought to have been stopped forthwith.

At the same time, the same people who sold land to NSSF must return the money now. If they do not return this money now, their children and their grand children will return it to the State. This is because, that money and the land actually belong to the State. So, they are not safe. They will only be safe, if we shall not take over this Government by votes. I hope we shall take it, come 1997.

There is this legalised theft or looting of parastatals. We have been told who have really stolen money from the parastatals, and yet, no action has been taken. If someone steals a chicken, he is hunted by a convoy of police vehicles, while billions of shillings of this nation are being stolen during daylight by a few individuals who are protected. If there is no protection, then they should have been arrested and charged in a court of law. When we re-open this House, let us hear that those people who have been mentioned for having stolen public funds have been arrested and charged in a court of law. Otherwise, if they will not have been charged, we shall know that the people leading this Government are part and parcel of the racket. There is nobody who is going to stay just like that. Come the other Government, we shall not only demand for this money, but we shall demand it with interest.

The Customs Department should not allow people to bring in uncustomed goods. That is why we are having a lot of goods flooding in this country. If they were really properly customed, there is no way foreign goods can compete with the locally manufactured goods. The people who are behind these things are daughters and sons of big politicians. That is why they are enjoying these type of facilities. They are known to this nation and their days are numbered. They will also have to account for their riches.

On the provincial administration, I once again wish to say that they should de-link themselves from the activities of KANU. A lot of chiefs in my area have complained that they are being misused by KANU to campaign for it. They are no longer civil servants. Let me send a warning that if we really find them campaigning for KANU, we shall face them squarely and they will have it rough. They should realise that in every location, we have an assistant chief for DP, FORD(A) and FORD(K), who can actually revenge. So, let the Head of the Civil Service and Secretary to the Cabinet take note of that. Otherwise, they will face the consequences of the wananchi.

With those few remarks, I beg to support.

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Mokku):

Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity.

To begin with, I support the Motion of Adjournment and secondly, I would urge the hon. Members from both sides of the House to take the opportunity of this Recess, to go and see the needs of their people in their respective Constituencies. Also, I appeal to my colleagues, who are Ministers, to go and see their projects in the various districts. This is the only time that they have to go and see their projects. This is because, when Parliament is in Session, they do not get much time.

The third point that I would like to stress is that the Northern and North Eastern parts of Kenya are undergoing a very severe drought, and livestock is dying. If livestock, which is the life-line of the people of North Eastern Province and part of Eastern Province is dying, then we are sure that the people themselves are also suffering.

Mr. Temporary Deputy Speaker, Sir, I take this opportunity to appeal to the Minister of State, Office of the President, in charge of relief food to make sure that food is given to those people in large quantities. Currently, what is taken to those districts as relief food is peanuts, for example, 2,000 bags of maize without transport included is peanuts in those areas. Once again, I would like to take this chance to appeal to the Minister of State, Office of the President, to make sure that those people in those provinces; North-Eastern and part of Eastern Provinces, in particular Isiolo, Marsabit, Moyale, Garissa and part of Mwingi District are given enough food.

Along with that, Mr. Temporary Deputy Speaker, Sir, the parents of those children in schools depend on livestock for their livelihood. If that is the situation, due to the drought, we are sure that the schools will not open fully. So, I am appealing to the Ministry of Education to increase the school feeding programme to those schools.

As of now, most schools are half opened, children have not gone back to school as result of parents having moved with their livestock in search of pasture areas. I appeal to the Ministry of Education, under the same category, that the bursaries given to those needy areas, especially North-Eastern Province be increased. Currently, with that kind of a situation, parents of those children cannot pay school fees. That is my fourth appeal.

I would also like to take this opportunity, since Ewaso-Nyiro River which actually starts down in Nyandarua District to those areas passing through Samburu, Isiolo, Marsabit, Meru and Wajir has dried up now as a result of heavy irrigation schemes downstream, I would like to take this opportunity to appeal to the Ewaso-Nyiro Catchment Board to make sure that the usage of water upstream is controlled to the maximum. If not, those people who rely on that river downstream, especially Wajir, Isiolo, Marsabit, Meru and Samburu will have problems. Right now, as I am talking, in the history of that river, it has never dried up as it has this time. As I am talking now, it is drying up and that means that there is no control by the Board. The usage of that river upstream, especially irrigation of the big scheme, should be controlled. That is my fifth appeal to Ewaso-Nyiro River Catchment Board to make sure that that water is used bearing in mind that there are people who are relying on that river downstream.

I would also like to take this opportunity to appeal to the Treasury to give more funds to the Ministry of Land Reclamation, Regional and Water Development, especially the water officers in those districts. Right now, there is need for rehabilitation of boreholes in those areas because those are the only places where the first chance are available now. And actually, we need to rehabilitate all the boreholes and the engines of those boreholes. We need standby engines, not only one at the boreholes site.

Mr. Temporary Deputy Speaker, Sir, with those in mind, I am sure if there is hope for to people will survive to the next rain season which is six month time to come, I would also like the officers who are dealing with drought recovery not necessarily to rely on the report from the districts, but to go and see those areas personally.

With those few remarks, I beg to support.

Dr. Kituyi: Thank you very much, Mr. Temporary Deputy Speaker, Sir. I wish to start from where hon. Kibaki left on the question of quality seeds.

To those of us who come from areas where agricultural activities are an investment, it is very important to us that we have the guarantee of the kind of quality seeds that we use on our farms. A question was raised before this House about a private company which is buying seed maize from farmers and which have paid farmers for what it considered was not seed maize and it paid them at commercial rates. Either that company is fleeing the farmers by paying them less than what they deserve to be paid or the company is buying commercial maize and selling to farmers as seeds. It is the responsibility of the Ministry of Agriculture, Livestock Development and Marketing that even under the guise of the liberalisation it does guarantee the farmers of this country the kind of packages we buy as seeds are quality controlled seeds.

Having said that, I wish to visit the matter of the Youth Development Fund. Earlier on, at the start of this Session, I raised concern before this House about the Youth Development Fund. Two problems arise: Why has it been the KANU Government has been 33 years in power before it discovered that there were unemployed youth in Kenya? Why has it been the case that the Government has been demolishing kiosks, frustrating hawkers? Government has been destroying employment opportunities for many young men and women in this country, And all of a sudden, in the run-up to an election, this Government is falling on itself to say how much it cares about unemployed youth?

Mr. Temporary Deputy Speaker, Sir, the Leader of Government Business did say in this House in response to my Question that the Government did explain clearly its position in a paper to the Conference of World Summit on Social Development regarding, its commitment to a programme for youth development. I have since then acquainted myself with the contents of the official document to the World Summit on Social Development by the Kenya Government. The only mention of youth affairs in that document is on page 55. If you look at page 55, the only "prescription" about what Government is going to do about youth in Kenya are two things; it will increase vocational training and it will encourage family life training. To the best of my knowledge, none of those two initiatives entailed establishment of a fund for youth development and he who was insisting on this is a university professor and he talks about intellectual honesty.

We know that Government is saying one thing at national level and doing another thing at grassroots level. This Government has not made any serious attempt to stop members of Provincial Administration, particularly chiefs and assistant chiefs, who are harassing wananchi over what is supposed to be a voluntary fund. At any rate, the normal way of doing things is this: if this is a Government fund, let the Government bring a Motion to Parliament---

The Minister for Labour and Manpower Development (Mr. Masinde): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Member to mislead the House to say that the Government has not taken any action to prohibit chiefs and assistant chiefs from collecting funds forcefully when it has been clearly stated so?

Dr. Kituyi: Mr. Temporary Deputy Speaker, Sir, when the hon. Minister reads papers tomorrow he will

understand what exactly I said. I have not disputed Government statement that it is a voluntary Fund. I am saying that Government has not shown by action that that statement is what is happening on the ground. And we who represent the people know that some chiefs and assistant chiefs are harassing wananchi by collecting their property over what is supposed to a voluntary Fund.

I wish that this Government could start speaking with one voice on matters of public policy. Since the despicable incidence when the Minister for Agriculture, Livestock Development and Marketing announced the banning of importation of sugar and two days later the President announced unbanning of the importation of sugar, we have seen a drama, a theatre of the absurd where one Minister says one thing and another Minister says another thing. While Mr. Criticos praises *Pearl Omega* and Mr. Angatia condemns *Pearl Omega*. We are now seeing the same on the critical question of maize.

The Temporary Deputy Speaker (Mr. Wetangula): Order! *Pearl Omega* is in court, no more discussion on it.

We are seeing the same with maize where one Minister tells us there is sufficient stock of maize in Kenya and another Minister says that there is a shortage of maize in Kenya. At one level we are exporting and at another level, we are thinking of importing. This is not governance, this is an inability to see how to manage public affairs, and it is not deserving of a group that should be called a government.

Mr. Moiben: Thank you Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute in supporting the Motion of Adjournment.

In my contribution, I would like to bring to your attention and that of this august House the plight of the Kenyan farmer. This year, the Kenyan farmer, particularly the maize farmer, was completely unable to plough back the proceeds from the sale of maize. This happened because the prices of maize fell far much below the expectation of the farmer. In fact, if you go to a place like Trans Nzoia, you will find that 50 per cent of the agricultural land is fallow because it was not possible for the farmers to plant the maize. My fear is this: In this country, maize is the staple food for most Kenyans and if we do not have enough food, then there is a problem. As you all know, "a hungry man knows no law". My plea to the Government is that though they have liberalised the production of seed maize, the Government should take precaution because some companies might come up and say that they want to contract some farmers to grow seed maize, whereas they do not have the facilities. Then we will eventually end up having sub-standard maize seed in the market and the Kenyan people will be the losers.

I think there should be some control of some sort so that, before a company is contracted or given a go ahead to process seed maize, the Ministry should first check its facilities and make sure that it has all the necessary facilities. For example, in Trans Nzoia, the Kenya Seed Company has all the facilities and other companies coming up should also have facilities. It is not possible for a group of two or three people without facilities to end up contracting farmers to grow seed maize. You have to have the driers, the sorting machine and all the infrastructure, even the processing zones. You have to have somewhere to serve like a factory. If the Government was careful enough, and I hope the Ministry concerned is listening, it would know that it is important to have good seeds in this country.

In this august House, people have been talking of land grabbing. I believe that this is a sort of piece-meal allegation because the greatest land grabbing that we all know of was done by the Colonialists and we are all witnesses. It was in those days that the Maasai community lost the entire Rift Valley, and they were pushed to dry areas like Kajiado, all the way to Narok. I believe the Government should be able to do something with a view of correcting this. Take an example like here in Nairobi where we all Kenyans should reside peacefully. The Maasai do not have a place even to sell anything. There are no Maasai shopkeepers in this City of Nairobi. The Maasai should also be around here and also in Nakuru as a remembrance that Nakuru was once their place.

An hon. Member: Are you sure there are none?

Mr. Moiben: There are none. We do not even have Sabaots in Kitale and yet that is their ancestral home. I believe the Government should be able to correct this by making all Kenyans participate equally in nation building, so that Kenyans respect each other. I believe we are all willing to be peaceful so as to co-exist. In order to do so, the first thing that we have to do is to partake of the national cake equally. For example, all communities should be exposed to business.

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

(Ms. Wanjiru was applauded as she walked to the microphone)

The Temporary Deputy Speaker (Mr. Wetangula): Order! Shall we hear Ms. Wanjiru in silence?

Ms. Wanjiru: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute to the Motion of Adjournment. I think it is high time we took ourselves seriously and, maybe, took a lot of trouble in restraining our emotional feelings in the House.

The message I have for today from God is that there is a looming crisis of famine which is supposed to come because of the insufficient rain. That requires Kenyans to pray to God sincerely to ask for good harvest. The other message is that, for those who are doubting my messages, God has told me to repeat here again that I see him face to face.

(Loud consultations)

Mr. Temporary Deputy Speaker, Sir, the other issue is on my Constituency, Kinangop. I would like to request the Minister for Public Works and Housing to---

Mr. Ndicho: On a point of order!

Hon. Members: No!

The Temporary Deputy Speaker (Mr. Wetangula): Order! Continue, hon. Ndicho.

Mr. Ndicho: Mr. Temporary Deputy Speaker, Sir, I am rising on a point of order.

The Temporary Deputy Speaker (Mr. Wetangula): You are perfectly correct.

Mr. Ndicho: Thank you, Mr. Temporary Deputy Speaker, Sir. Is hon. Wanjiru in order to mislead this House that she sees God face to face when the Bible says if you see God's face, you cannot live? Is she in order?

Ms. Wanjiru: Mr. Temporary Deputy Speaker, Sir, I am not the one who judges, I only deliver messages as God directs me to. So, if there are any two women that God loves, I am one of them. That is why he has given me the courage to come and deliver the messages here fearlessly.

Coming to the point concerning my Constituency, and I am especially referring to the Ministry of Public Works and Housing, we have had the privilege of having a road constructed through the courtesy of His Excellency the President; the Haraka-Karagatha road. It has stalled because of the vehicles which have broken down and only about four kilometres are remaining for the road to be complete. I was there over the weekend and I would like the guidance from the Ministry as to how the major commercial transporters could be requested to make good use of the access roads. I met three 60-tonnes trucks on the very road which is under construction. I think that is detrimental to the road because it is not even complete and yet these heavy trucks are plying on the road. This makes it impossible for the contractor to complete the construction work. I think it is high time we had the classification of the vehicles and the roads they are supposed to use so that we can protect the rural access roads from destruction by these heavy commercial vehicles.

The other issue is that there are several bridges which have broken down, especially between North Kinangop and Engineer Town. The bridge is completely broken down and I would like the Minister to look into that. The other issue is on a health centre called Karagatha Health Centre which needs rehabilitation because it does not even have a water tank. The roofs are leaking and the maternity wing is even closed. It is even under-staffed.

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

Mr. Manoti: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute on this Motion.

As we are preparing to go on recess, I would like to ask my colleagues here to greet their constituents when they go back home. While we appreciate the good work which the Government is doing by creating divisions, locations and sub-locations, in most of the newly created divisions, the DOs have no vehicles. It has become very difficult for these officers to do their work as required. For example, Nyacheki Division in my constituency which was created about four years ago, to date, the DO has no vehicle and this division is along the border where you heard of a story this afternoon about the clashes between the Maasai and the Kisii. Whenever there is such a problem, it becomes so difficult for these Government officers to move around and assist the communities solve it.

I am therefore, asking the Government, through the Office of the President to make sure that divisions such as the ones that are along the border have vehicles which will enable them to do what they are supposed to do. This also applies to the chiefs. They should be given motorcycles because some of them have got very big areas to cover and yet they are expected to do their work effectively which is not possible. So, as the Budget is about to be read, there should be a provision for chiefs to be given motorcycles, because the DOs, whenever it is

possible are given Land-Rovers. What is difficult in giving chiefs motorcycles?

Along the Kisii-Maasai border, we have three police posts: namely Nyamaiya, Nyangusu and Masimba. These police posts are manned by very few policemen and also they do not have vehicles, especially at Nyamaiya. As we are talking now, the OCPD of that area cannot move because the Land-Rover which is there is unserviceable and that applies to Nyangusu also. Masimba has none. Whenever we have such a problem, how do you expect these people to help in such a situation? So, we are asking the Government to make sure that these officers working along the border are given serviceable vehicles.

A number of things have been discussed in this House, year after year. We budget money for development of our areas but I can say that most of us do not see this money. We have a project in Kisii - Kisii Sewage, which was supposed to cost Kshs70 million. The project is not going on, the contractor is not on site, we do not know where the money went to and now the waste is being emptied into the river! I am asking the Ministry concerned to make sure that this money is available. After all, this project was funded by ADB. If the money was given out before the contractor went on site, then, where has that money gone to? We are very much concerned about this project and we are asking the Government to make sure that the contractors are paid, so that this project can continue.

There is the issue of the National Hospital Insurance Fund. The contributors are not benefiting and especially those whom I know from Kisii District. Most of the Hospitals in Kisii which were stopped from using that scheme do not assist NHIF contributors.

With those few remarks, I beg to support.

Mrs. Asiyó: In supporting this Motion, I would like to sincerely appeal to the Government to step up the registration exercise for the Second Generation Identity Cards. Karachuonyo has only had about 4,000 out of a population of over 100,000 people who have attained the age of 18 years and above, registered

Dr. Lwali-Oyondi: The consultations in the House are so loud that we cannot hear what the hon. Mrs. Asiyó is saying.

The Temporary Deputy Speaker (Mr. Wetangula): Order! Order, hon. Members. Shall we hear hon. Asiyó in silence?

Mrs. Asiyó: Thank you, Mr. Temporary Deputy Speaker, Sir, for protecting me from hon. ole Ntimama.

The registration exercise for the Second Generation Identity Cards is not doing well. Only about 4,000 people out of 100,000 people in Karachuonyo who have attained the age of 18 years and above have received the new generation identity cards up to now. I would like to ask the Ministry concerned to establish three additional teams to be based in West Karachuonyo, in Kanyaluo, Kendu Bay and Rakwaro areas to serve the 19 locations and 52 sub-locations in Karachuonyo Constituency. Otherwise, at the rate at which we are going, it will take another seven years before all the 100,000 people get their second generation identity cards.

Karachuonyo Constituency was due for rural electrification five years ago. Up to today, there is nothing which has been done. I have seen the

Minister for Energy and I have also seen Mr. Gichuru, the Managing Director of Kenya Power and Lighting Company and I am not getting any satisfactory answers. A few people have invested in small-scale industries and also installed electricity in business houses. I want to appeal, again, to the Government to find some money somewhere so that the electrification of Karachuonyo Constituency is done. This is not a social service. The people who get electricity will pay for it. It is business and a good one in fact, and the Government should look at it that way.

Tsetse flies have invaded the upper parts of Karachuonyo Constituency and parts of Kasipul in Koder Forest. I would like to appeal to hon. Nyachae to send a team there immediately, to spray the bushes along the River Awach as well as the Koder Forest to clear the tsetse flies because very many cows in that area are getting miscarriages and quite a few of them have died already. This is a very pathetic situation.

I would like the The Ministry of Culture and Social Services to make the Beijing Platform for Action document available to all Members of Parliament, so that we can acquaint ourselves with the provisions in this document and help in its implementation, both at constituency and the Government level.

The tarmacking of Homa Bay/Kendu Bay Road is long overdue. For some strange reason, the tarmacking was done from Katito and ended suddenly at Kendu Bay. Can the Minister for Public Works and Housing, who is in the House now, take some urgent action and also repair the road, E26, from Kendu Bay to Oyugis which is now impassable. Karachuonyo is a semi-arid area and yet, we have not been included in all the programmes for semi arid and arid areas of this country.

Mr. Temporary Deputy Speaker, Sir, when the mhe. from Kajiado was talking I did not even hear him mention Karachuonyo, and yet, we do not get any rain. The only problem is that a lot of rain comes only for one

month and then it disappears. So, when they go to the rain-gauge, they say, "Oh! You have had more than enough rains." But we have not had it for long enough for the crop to mature.

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

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Ligale): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this important Motion of Adjournment.

Mr. Temporary Deputy Speaker, Sir, as we go to recess for this short period I would like to wish all my colleagues good health. Mr. Manoti wished all of you greetings. I would like to wish all of us God's breath and good health, so that we come back all in one piece. I say that because we, as hon. MPs, have become something of an endangered species. As I speak right now, two or three of our colleagues, I believe are unwell and I wish them the very best of luck and quick recovery so that they can join us, so that we can continue to build this nation.

Mr. Temporary Deputy Speaker, Sir, I would like to encourage all of us, to take our health a little more seriously, not only to take care of loose spots, but also get medical check-ups fairly regularly. We should not wait until we fall sick so that we can go for medical check-ups. We work so hard here for this country and for the people that we represent and we need to be checked regularly so that we feel we are healthy. I would like to encourage my colleagues that we should go for this regular medical check-ups.

Mr. Temporary Deputy Speaker, Sir, I would also like to suggest that while we are driving to our constituencies, particularly those of us who come far from Nairobi, that we drive safely. Our roads have become a major killer and every time we have a major catastrophe, we talk about it, but very soon, we forget it and go back to the normal until another disaster comes. There is no replacement of enforcing the law. If you drink, you do not drive, and if you drive, do not drink and do not over-speed. The Government has decided to instal speed governors in public service vehicles (PSV), and I think the Ministry concerned should insist on this, so that the speed governors are fitted in PSVs, so that we can reduce the speed on our roads. It is not always true that the bad roads are the ones that leads to accidents. In fact, the smoother the road, the faster the speed and the worst the accident when it happens. I would like to encourage my colleagues to drive safely to reduce road carnage in this country. It has become a major killer and too many people are being maimed. Apart from those who die, many are staying in the hospitals. This is becoming a major drain on our resources and also a major problem to people who should help us in this country. I hope that we as leaders can preach this message to ensure that our roads become safe for all of us. It is important that we remain alive to be able to continue to represent our people.

I would like to encourage all of us wherever we may be to preach peace and not to incite people to violence. We want to preach peace because we all have a stake in the interests and peace of this country. And I would like to suggest that we preach peace wherever we go. I know that if we ask for permits properly, we shall get them to be able to address our constituents. Let us not turn funerals into political rallies. Let us use proper channels so that we can get proper permits to continue to talk properly wherever we are supposed to.

Mr. Muluya: And what about Mr. Jirongo?

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Ligale): I have not talked about Mr. Jirongo, anywhere. Mr. Temporary Deputy Speaker, Sir, can you protect me from Mr. Muluya.

Mr. Temporary Deputy Speaker, Sir, in concluding I would like to request my colleagues on that side, the Opposition Alliances and the various factions, to please sort out your houses during the recess period and come back when you know who is the Leader of the Opposition and who leads which Alliance so that we continue to work peacefully.

With those few remarks ---

*(Several Members of
the Opposition stood up)*

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Ligale): Mr. Temporary Deputy Speaker, Sir, I have not finished my time. My time is still there and I am still talking. I do not know why they are so anxious.

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

Mr. Ruhii: Thank you Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute towards this Motion of Adjournment. For those three weeks that we shall be away, that will be the time when those Members who are limping into this House will be given a chance to heal their wounds. I believe we are five

Members who had mishaps during holidays. I go to my constituency a very sad man because there is a culture in my constituency whereby roads, street lights, drainage and sanitation are breaking down at a very fast rate.

I have been talking about this situation in my constituency. Since 1993 and when I talk about that, it appears that what I say falls on deaf ears. I would like to appeal to the Minister for Local Government, who is in this House today to prevail upon the City Council to repair roads in my constituency and especially in Kayole, Umoja and Dandora. Kenya Bus Services are no longer using some of these roads because they are impassable. Even some people are contemplating buying tractors in order to travel through my constituency.

Mr. Temporary Deputy Speaker, Sir, I would like to also appeal to the Minister for Local Government to ensure that a clinic and a maternity hospital built with World Bank Funds and the City Council in my constituency are completed, because they have never been made operational. I have written to the City Council several times telling them that there is a donor who is prepared to make this maternity hospital operational, without any response. I would like to say that I feel rather perturbed over this state of affairs.

When I come to the question of land grabbing, it is very endemic in my constituency because the only land which is left in Embakasi is very little. I would like to appeal to most of you who come prowling in Embakasi with maps under your armpit and looking at open spaces to grab land to keep off. That land belongs to my people.

Secondly, Mr. Temporary Deputy Speaker, Sir, I would like to say that anytime you open a newspaper you find land grabbing headlines where a Judge's house has been allocated to a private person; a High Court Judge's house has been grabbed. I would like to appeal to the Government to ensure that these civil servants houses are privatised. They should be sold to those civil servants who are living in them, they should not be allocated to private developers. Civil servants should be given priority.

Thirdly, Mr. Temporary Deputy Speaker, Sir, we have a market for Maasai and other indigenous arts and craftsmen and women who were relocated to a place which is very sloppy next to the Central Police Station. I would like to appeal to the Minister for Local Government again, because this is a market and people come all the way from countries abroad to buy these handicrafts, to think of relocating this market at the centre of the big round-about on your way to Ngara, instead of dumping them in a place where they cannot do proper trade.

Now, I would like also to appeal to the Minister for Local Government or the Minister for Public Works and Housing to ensure that Outering Road which is congested every time of the day should be converted to a dual carriage-way. It is a very important road from the Airport, which is a gateway to this country and it cuts across to Thika Road.

I know that Government has been given some grants to rehabilitate roads in this country and I would like that road to be given the first priority in my area.

The Temporary Deputy Speaker (Mr. Wetangula) Mr. Lengees!

(Laughter)

The Assistant Minister for Environment and Natural Resources (Mr. Lengees): Mr. Temporary Deputy Speaker, Sir, let me thank you so much, after my fellow friends laughed, for giving me this opportunity to contribute to this very important Motion of Adjournment.

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

[Mr. Speaker took the Chair]

Mr. Speaker, Sir, recess although short, is a very important period of time given to the Members of this House to go round and visit their constituents at the village level, conduct meetings at the District levels and implement or initiate some very beneficial and helpful projects to the communities.

Mr. Speaker, Sir, for the time I have been in this House since the beginning of this multi-party Parliament, we have really undergone a lot of experience. We thought multi-partysm was a bad thing for Kenyans, but the way we take it now, it is important that we keep on with the system as long as our friends on the other side of the House, could look at the country as theirs and Kenyans as their brothers and sisters so that in future they do not use abusive or inciting language on the other side of the House. What we require so as to build this country is unity; a very united Parliament to better the living conditions of Kenyans, but not to come here and degrade the Parliamentary system by abusing and accusing ourselves as thugs, culprits and the rest. But we are thankful to God who has given us a good repose between the two sides. I urge my brothers on the Opposition side that, keeping along the line of unity is the only way we can solve our problems as Kenyans. When we come here

and talk of democracy, why can we not as Kenyans design the democracy that is based on our credentials, cultures and for the Kenyans and not entertaining ideas that could ruin us from the Eastern or the Western ideologies? Let us feel Kenyan and more African and design something that is better for the country and better for Kenyans.

Mr. Speaker, Sir, I also take this opportunity to thank His Excellency the President of this country, because he is a very brave man among all the Kenyans. He has been able to fight and see that even the Opposition side understands his own activities of trying to bring Kenyans together. So it is important for us to emulate his example of bringing unity to the country.

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Ligale): On a point of order, Mr. Speaker, Sir.

Mr. Speaker: What is it, Mr. Ligale?

The Assistant Minister for Land, Reclamation Regional and Water Development (Mr. Ligale): On a point of order, Mr. Speaker, Sir. Did you notice when hon. Shikuku just walked across? He did not even come back to bow! And that is a man who lectures us about the Standing Orders of this House.

Mr. Speaker: Well, I hope if I see him again I will teach him the Standing Orders!

The Assistant Minister for Environment and Natural Resources (Mr. Lengees): Mr. Speaker, Sir, I would like to take this chance once again to urge all of us in this House that let us take ourselves as important people in this Parliament. Let us first see that we love our country, for we came to this House for the benefits of the Kenyans.

On my own constituency and the Samburu District at large, we have a problem of roads. Although I still thank the Ministry of Public Works and Housing for gravelling the roads between Baragway and Maralal, I still say that after the rains, these roads are always washed off. The road between Maralal and Rumuruti, there has been a lot of rains in the last three four days and we thank God for that because the climate seem to be in our favour- I spent the last two days in the bush, from 7.00 a.m to around 2.00 p.m surrounded by the lions plus about nine vehicles stuck there. There is an impassable portion between Rumuruti and Maralal and I beg kindly the Ministry of Works and Housing to sent a tractor or order it from Maralal so that the people from Maralal and Nyahururu would have a gravelled road.

With these few remarks, I support this Motion of Adjournment.

Mr. Mwiraria: Thank you Mr. Speaker, Sir. As we go for recess, I cannot help looking back at what we have been discussing here and noting particularly the question of the review of the Constitution in its various forms, particularly the issue of constituency boundary review. I think it is true to say that most of us in this House are agreed that the Constitution needs to be reviewed. Most of us on both sides of the House are also agreed that we need an increased number of constituencies. Unfortunately, it looks as though we are not agreed on how to approach the issue. During the debate on the Motion moved by hon. Orengo yesterday, it was evident that Members on both sides of the House would like a Constitution review. We are only arguing about how we approach the subject. I would like to propose that during recess which we are embarking upon, the Government considers the possibility of establishing a Select Committee of this House to look at the review of the constituency boundaries and to advise the House before we take a final decision on what approach to take.

The second point I would like to make regards security or lack of it in this country. In recent months the security situation in my Constituency of North Imenti has deteriorated to such an extent that people today hardly sleep properly because they are worried of invasion by their neighbours.

Mr. Speaker, Sir, about one and half months ago, some people from Laikipia East walked across into Ngari-Ndari Market and without provocation at all, attacked several people of Kikuyu origin and killed five of them. This happened in broad daylight and the people who speared others were seen. However, as of today, nobody has been arrested for those murders. The excuse I get when I ask our security people in Meru about the issue is that the people who attack people in Ngari-Ndari ran back into Laikipia East. The question I want to put is: Has Kenya got districts which are almost independent states because even with the independent countries there are extradition treaties? People are brought even from abroad to stand trial here. Why can people who attack their colleagues across another district not be arrested by our Police Force? This is a serious matter as far as I am concerned. I do hope that during the recess, all of us will try to look into this question of security. Personally, I would like to appeal to the Member for Tharaka to get time so that between him, myself and our DC's we can sit with our people and preach peace so that we do not have this problem of people killing each other as it has been happening in the past.

With these few remarks, I beg to support.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Mr. Maundu): Thank you, Mr. Speaker, Sir, for recognising my presence at this moment. This is a very good opportunity for the

House to break, just before the next Budget, and perhaps the last Budget in this session. There are a number of issues that we have been able to discuss in this Parliament. So, we will be required to sit together and look at these issues and see what we can do about them within the three or so weeks that we are going to be on recess. I would like to appeal to the Minister for Finance, when he is formulating this year's Budget to consider very seriously very crucial areas of development in Ukambani. I may say with respect that in the previous Budgets, Ukambani has been forgotten. There are areas that we have been talking about for so long and yet they have never been thought about or even considered. Roads in Ukambani are in a pathetic situation and I would like to encourage the Minister for Public Works and Housing to consider traversing the whole of Ukambani to see for himself what is happening. If for instance, a road that has been discussed for the last 20 years cannot be considered even for simple marring and taking into account that we have bridges along it, I do not know what the Minister is thinking about. The road from Machakos, Katumani, Wote, which is the district headquarters, up to Makindu is a road which should have tarmacked more than 15 years ago. This road has not even been graded and there seems to be no provision for this road even in the coming budget. The road from Kibwezi to Kitui and then to Kagonde has not even been tarmacked and that is a road that serves Central Province, Embu, Meru and Mombasa. Does the Minister not consider it necessary to include these facilities so that economies of people who live in those areas are also improved?

Mr. Speaker, Sir, the other issue that I want to touch on falls under the Minister for Energy. Makueni District was established over five years ago, but there is still no electricity in it. Makueni District Hospital is a place where people are suffering seriously. Recently we had a very serious case of children dying in that hospital because there was no power to sustain the incubators. Survey for the electricity project for that area has been completed, but the provision of only Kshs10 million which has been made is not good enough to complete this project. I will request my colleagues, Assistant Ministers and Ministers, to move around Kenya and see for themselves what is happening. It is important for us to talk of things that we have seen and know rather than merely reading answers and statements in this House, because they do not convince anybody. With all due respect to my colleagues, it appears that we have not familiarised ourselves with Kenya. Therefore, this short period of recess, which comes just before this year's Budget, is a good opportunity for all of us, in the various portfolios that we hold in the Government, to move around Kenya and see for ourselves what is happening to ordinary Kenyans.

Most complaints that we get involve road infrastructure, water resources and health services. I think Ministers for key Ministries should be able to visit every district and see what is happening in them. I would like to see my colleagues who are in charge of public works, energy and water visit the whole of Ukambani. There is a long-standing project called "the Munyu Dam" in my district. The Kambas would not be asking for food relief this time, if the Munyu Dam had been developed. But we will continue to ask for famine relief for as long as this particular dam is not developed. It is a shame for people like the Kamba, who have reasonable water resources, to continue relying on famine relief for all these years. The Minister in charge of water resources and the Minister for Finance should take it as their responsibility to make adequate provision for this dam so that the people of Ukambani do not appear like they are perpetual beggars.

With these few remarks, I beg to support.

Mr. Farah: Thank you very much, Mr. Speaker, Sir. I will not say much about the looming drought in the country because this issue has been addressed by speakers before me. But we have a drought condition that is looming in the country. It looks like the long rains have failed and the so called arid and semi-arid (ASAL) areas will be worst hit. Our response to drought has always been subjective. We respond when the situation arises. We have had this problem time and again. What the Government needs to do, which it has not done in the past, is to have a proper drought monitoring and preparedness machinery in place, so that we can monitor and predict well in advance the possibility of a drought occurring in the country. The Government can then arrange to save the livestock of the pastoralists by establishing abattoirs in the right places.

(There were loud consultations)

Mr. Speaker, Sir, I cannot hear myself!

Mr. Rotino: On a point of order, Mr. Speaker, Sir. We cannot hear the speaker on the Floor because there are a lot of loud consultations in the House! Can hon. Members consult in low voices?

Mr. Speaker: Order! Order! Proceed, Mr. Farah.

Mr. Farah: I am saying that the Government has to have a drought monitoring and preparedness machinery in place. As it is now, what we need, as matter of urgency, is to have abattoirs in all pastoral areas. We also need to have refrigerated trucks to move livestock and have them slaughtered before they die as a result of

drought. In this way pastoralists will be able to convert their livestock into some other form of resources, which they can invest in other forms of earning livelihood.

Mr. Speaker, Sir, we have seen that every time we have a similar drought, we lose not less than 50 per cent of our total livestock population in those areas. We can save the pastoralists now, if we act well in advance.

The other thing is that in this country, we have got Coffee Marketing Board, Kenya Tea Development Authority, Horticultural Board and an authority to protect and promote the interests of farmers in different sectors of the agricultural economy. But we have never had a livestock marketing or development authority or board in this country. We need to have that because livestock is also a very major part of the agricultural production we have in this country.

Having said that, every other day, we read in the papers of this country about mob justice. We see grotesque and very brutal pictures of young boys and men being trampled on simply because they are suspects. They are not convicted criminals for that matter, but they end up being killed. Can the Minister of State, Office of the President who is in charge of the Provincial Administration and National Security make sure that mob justice, or mob injustice ceases once and for all?

The other thing is that we have a problem of water in this country. In many places in this country, you find that either there is a need to try to get water from very far or sink boreholes. There is no method which is not expensive when trying to avail water to the residents of a certain given area. In Garissa, we have a river which is right next to us. The Minister for Land Reclamation, Regional and Water Development comes from our own home district. Can the Treasury allocate sufficient funds so that we can have clean water in Garissa Town? The river is right next to us. Can the Minister concerned do that?

We have talked, time and again, about the problem of education in North Eastern Province. This year, we only managed to have 15 boys with grades sufficient to qualify them for admission in the public national universities here. It is almost six years, since anybody from the schools in the Province was admitted to do medicine or engineering. We have passed Motions in this House in regard to this situation. Can the Minister and the Government own up or stand up to its own responsibility to all Kenyans from all corners of this country?

It should make sure that areas like Lamu, Tana River, Turkana and North Eastern Province as a whole are given their fair share in terms of allocation of education facilities. It should also implement the quota system which we have approved in this House.

With those few remarks, I beg to support.

The Minister for Local Government (Mr. ole Ntimama): Thank you very much, Mr. Speaker, Sir, for giving me this opportunity. I know that I do not have very much time, but I have got one thing which I would like to make very, very clear, before the whole House.

Mr. Speaker, Sir, there have been a lot of activities and endeavours to create coalitions and political alliances in this country. I want to say here and now, that most of the people who have read history, know very well, that very few Governments that have gone on with coalitions, have succeeded. If you take the example of the Italian Government, they have had 55 Governments in 50 years, because the coalitions do not work and the alliances are not stable. Therefore, they cannot lead any Government. Mr. Speaker, Sir, if we are serious about democracy, we should know that it is the rule of the majority party. It is the rule of the Government that has won the elections. Some of these people "across the other side of the Isle" keep saying that it is the majority of the people who won, because they put three or four parties together. Even in Great Britain, no government has ever had over 45 per cent of all the electorate votes. Most of the governments that have ruled Great Britain, have never had more than 45 per cent of all the total votes. They must know that it is one party that rules and forms a government, and it is not a conglomeration of parties. I want to tell them here and now, and this one should be taken very seriously, that if they are fighting seriously, even within their own parties, how can they, when put together, give us the Government that is going to be stable in this country?

Mr. Speaker, Sir, it is important to note that the coalition Government has never won. I do not have much time, Mr. Speaker, Sir, please protect me.

Mr. Speaker: Order! Order! What is your point of order, Mr. Mulusya.

Mr. Mulusya: Mr. Speaker, Sir, my point of order is that is the hon. Minister in order to mislead this House and the nation that there is no necessity for a coalition Government while KANU is very busy wooing the Raila faction?

(Applause)

The Minister for Local Government (Mr. ole Ntimama): I have always refused completely to respond to hon. Mulusya's allegations because they are unintelligible.

Anyway, Mr. Speaker, Sir, the whole question is that the coalition will not succeed. We will not have a Government of coalition or alliances that will ever there is no way you can succeed if you are fighting into create a situation or forum for democracy and not create a forum for anarchy.

The other point that I want to bring up is the question of human rights. I have no objection for alliance that is going to rule this country? It must be your own parties. What hope do you have to create an succeed, and history can prove us right in this one. And the majority party, it must be the Government of the majority rule, and that is democracy. You are trying lawyers coming up together and forming very strong human rights organisations, but some people think that they have more rights than the others. They think that they have superior rights, they think that they have rights given by God to them while they do not even look for rights of the people who have been oppressed, people who have lost their land, people whose land has been "robbed."

I want to tell my hon. friends across there that when the whitemen came to this land, it was the Maasai who lost all their land and they never got it back. The Kikuyu only lost 2 per cent of the land and they got all of it back, and they even encroached on 60 per cent of other people's land. So, what are they complaining about? It is those rights of survival, those rights that must be followed when people have doctors and lawyers and some of us have been put into seclusion, and they think they---

Mr. Speaker: Order! Time up!

(Question put and agreed to)

ADJOURNMENT

Mr. Speaker: The House is, therefore, adjourned until Tuesday, 11th June, 1996, at 2.30 p.m.

The House rose at 6.30 p.m.