

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 31st July, 1996

The House met at 2.30 p.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No.634

ARREST AND SUBSEQUENT DEATH OF MR. MANG'ORI

Mr. Muite asked the Minister of State, Office of the President, whether he could explain what urgent steps the Government is taking regarding an incident which occurred on 20th March, 1996, in which Mr. Nicodemus Mang'ori was arrested by Naivasha KANU youth wingers, taken to Naivasha KANU office, and therein tortured to death on the same day.

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

Two suspects were arrested and charged with murder in the Senior Resident Magistrate's Court, Naivasha. The case is still pending before the court, hence the matter is *sub judice*.

Mr. Muite: Mr. Deputy Speaker, Sir, respecting the *sub judice* rule, could the Assistant Minister confirm whether the two suspects who have been arrested are, indeed, KANU youth wingers from the KANU office in Naivasha or not?

Mr. Awori: Mr. Deputy Speaker, Sir, I have no evidence in one way or the other. They could very well be so. I have not got any evidence that they were youth wingers from that office.

Mr. Muite: Mr. Deputy Speaker, Sir, we have had many cases of this nature where suspects are initially arrested and taken to courts. And as soon as the public outrage is attracted, the Attorney-General is quick to discontinue the proceedings. Could we have an assurance from this Government that in this particular case, these suspects will be prosecuted for either conviction or acquittal by the court and that somewhere along the way the Attorney-General is not going to enter a *nolle prosequi*?

Mr. Awori: Mr. Deputy Speaker, Sir, to my knowledge, the Attorney-General has not entered any *nolle prosequi*.

Mr. Deputy Speaker: What he wants to have is very simple assurance.

Mr. Awori: Mr. Deputy Speaker, Sir, the answer is "yes." I give the assurance that the Government has never at any time condoned murder.

Mr. Deputy Speaker: Next Question, Mr. Leshore.

Question No.419

GERMAN FUNDED PROJECTS IN SAMBURU

Mr. Leshore asked the Minister for Agriculture, Livestock Development and Marketing:-

(a) if he is aware that the German funded Samburu District Development Programme (SDDP) has not initiated any tangible project in Samburu East Constituency since 1993;

(b) is he further aware that the programme has closed down the offices at Wamba because of administrative bias; and,

(c) could he outline how the German Technical Co-operation (GTZ) funds channelled to SDDP have been utilised in the various projects in Samburu East to date.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Mr. Maundu): Mr. Deputy Speaker, Sir, I beg to reply. I will seek the indulgence of the House because it is a fairly lengthy answer.

(a) I am not aware that the German funded Samburu District Development Programme has not initiated any tangible project in Samburu East constituency since 1993. On the contrary, the SDDP has initiated several projects in the District including Samburu East Constituency.

Indeed, this particular project has been extended for further three years since January this year on the basis of positive review by the Government and donor on the request of the District Development Committee (DDC). The various projects and activities undertaken in Samburu East since 1993 are listed in part "c" of the Question.

(b) I am not aware that the programme has closed down the offices at Wamba because of administrative bias. I am, however, aware that the project has two different phases; one, before 1992 and the other one after 1993. The first phase is an integrated food security project and has its headquarters based in Wamba as the project covered only Wamba division. This was the area of Samburu District that suffered successful famine conditions in 1982, 1984, 1986 and 1988, and the objective of the project was to prevent massive loss of human life.

In November, 1992, a review carried out by the Government and the donor agreed that the food security situation should be improved in Wamba area. As result, there was a proposal to start phase II, a rural development project, covering the whole district.

In May, 1993, the DDC elaborated a planning document for the establishment of a rural development district work project covering the whole district. It was then that the project headquarters were moved from Wamba to Maralal District Headquarters on the request of DDC. This was necessary for better co-ordination as the programme now covered the whole of district. The project, however, still has offices in Wamba, Warsa and Barchoi.

(c) My Ministry has prepared an outline on the German Technical Co-operation funds channelled to SDDP and all have been utilised in various projects in Samburu East to date.

I beg to lay the same on the table.

(Hon. Maundu laid the document on the Table)

Mr. Leshore: Mr. Deputy Speaker, I would like to ask the Assistant Minister to say which projects and activities have been undertaken as had he said that they are listed in part "c" of the Question because on the ground there is nothing. Can the Assistant Minister tell the nation that funds which were allocated by the German Government have been put into proper use in Samburu East?

On Monday, we had a DDC meeting in Maralal and one of the agenda of the meeting was about SDDP projects in Samburu East and I challenged them to go to the ground. Can the Assistant Minister tell us how much money has been spent since 1993 by SDDP in Samburu District? And which particular projects have benefited out of it instead of coming to tell us lies in this House?

Mr. Deputy Speaker: Order! Hon. Leshore, can you withdraw that one word "lie."

Mr. Leshore: I withdraw the word "lies!"

Mr. Maundu: Mr. Deputy Speaker, Sir, if hon. colleague took advantage of the document I have laid on the Table, it does in very specific terms outline the amount of money which has been spent within his constituency and what is being spent within the district, and it is all on this document. I think it will take a lot of time for me to go through it, but we have itemised these activities.

Mr. Leshore: On a point of order, Mr. Deputy Speaker, Sir. Could he tell the House specifically which projects are in Samburu East and not entire Samburu District because they are only involved in three communities in Samburu East. Tell us which projects?

Mr. Maundu: Mr. Deputy Speaker, Sir, do I have really to go through this document? I think it is available for him to consult, but we have this particular project that has spent not less than Kshs13 million in that area. It is all on this document and he can look at it, peruse it and confirm or find out if he can follow it. It is on the Table.

Mr. Leshore: Mr. Deputy Speaker, Sir, we are tired of hearing Ministers quoting amounts of money and claiming that projects have been initiated. Wananchi have not benefitted from that Kshs13 million. This project is fond of taking Civil Servants to Safariland Hotel in Naivasha, Sarova in Isiolo District to enjoy for one week or more. It has spent many millions of shillings doing Public Participation Rural Appraisal (PPRAs) in Samburu District and yet no tangible projects have been initiated. Could the Assistant Minister now re-direct his staff to initiate tangible projects in Samburu East?

Mr. Maundu: Mr. Deputy Speaker, Sir, whatever projects are being initiated in this particular area, go through the District Development Committee (DDC). I believe, and very sincerely so, that my hon. friend, does

attend DDC meetings to agree on what projects should be undertaken within his particular constituency. So, if for any reasons, there are matters that he does not seem to agree with, I think they are on that document and they can be discussed later on.

Question No. 195

GRADUATES OF TEACHERS TRAINING COLLEGES

Mr. Murungi asked the Minister for Education:-

- (a) how many people graduated as teachers from all the Teachers' Training Colleges in 1994;
- (b) how many of the people in (a) were from Meru District;
- (c) how many graduated from:
 - (i) Meru Teachers' College, and
 - (ii) Igoji Teachers' College, in 1994; and,
- (d) how many of the people in (c)(i) and (c)(ii) above were from Meru District.

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

- (a) A total of 8,293 teachers graduated from all Teachers' Training Colleges in Kenya in 1994.
- (b) 131 of these were from Meru District.
- (c)
 - (i) 520 teachers graduated from Meru Teachers' Training College in 1994.
 - (ii) 501 teachers graduated from Igoji Teachers' Training College in 1994.
- (d)
 - (i) The number of teachers from Meru District, who graduated from Meru Teachers' Training College was 15.
 - (ii) The number of teachers from Meru District who graduated from Igoji Teachers' Training College was 9.

Mr. Murungi: Mr. Deputy Speaker, Sir, this is a great shame and embarrassment for the Ministry of Education. We in Meru, were very embarrassed last year, when His Excellency the President came to Kinoru Stadium and a crowd of about 100 Kalenjin girls, from Meru Teachers' College, singing Tugen songs went to welcome the President. Can the Assistant Minister explain to this House what steps the Ministry is going to take to ensure that more Meru people attend these Colleges, which are situated in Meru District, because the figures of 15 and nine are very low?

Mr. Komora: Mr. Deputy Speaker, Sir, the hon. Member may be happy to know that, in fact, the bigger Meru District, before it was divided, had a surplus of teachers and we are now training the untrained teachers from Meru. We will make sure that Meru District or all Districts in this Republic get trained teachers.

Mr. Maore: Mr. Deputy Speaker, Sir, the Assistant Minister has just avoided answering a legitimate Question in the sense that: Out of the 1,021 graduates in the two colleges situated within Meru, only 24 come from Meru.

The question is this: What criteria was the Minister using in over-crowding the two colleges with these over 100 girls? You can imagine, there must have been a similar number of boys who were entertaining the President in Meru. What criteria was he using?

Mrs. Ngilu: On a point of order, Mr. Deputy Speaker, Sir. I am not sure that the 100 girls, who were singing in Tugen were not actually Meru. Is it in order for the hon. Member here to claim that they were Tugen?

(Applause)

Mr. Murungi: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister has just said that only 15 students from Meru College were Merus. Surely, the crowd of 100 could not have been Merus singing in Tugen.

Mr. Komora: Mr. Deputy Speaker, Sir, while the hon. Members on that side may be concentrating on their tribal lines, we are training teachers to serve the nation. The fact that a Teachers Training College may be in Pokomoland, does not mean that it is necessarily for the Pokomos.

Question No. 646

TRANSMISSION OF EDUCATION PROGRAMMES

Mr. Kapten, on behalf of **Mr. Busolo**, asked the Minister for Education whether he could tell the House why the school and public radio programmes prepared by the Kenya Institute of Education (KIE) and the External Studies Department of the University of Nairobi, respectively, are no longer transmitted on radio.

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

The school and public radio programmes prepared by the Kenya Institute of Education and the External Studies Department of the University of Nairobi were discontinued by the Kenya Broadcasting Corporation (KBC) in September, 1995 because my Ministry was unable to pay an outstanding debt of Kshs10,371,611 owed to the KBC for the services rendered. My Ministry is clearing the debt by instalments, and it is hoped that once the debt is cleared, we will resume the programme.

Mr. Kapten: Mr. Deputy Speaker, Sir, parents and pupils all over the country have got---

Hon. Members: We cannot hear you.

Mr. Kapten: Do you want me to shout?

Hon. Members: Yes!

Mr. Kapten: Parents and pupils all over the country have bought radios because of this very important programme. Why was it necessary to spend money on less important programmes like the School Milk Feeding Programme instead of using that money to pay this debt? And when will this debt be cleared?

Mr. Komora: Mr. Deputy Speaker, Sir, I found it difficult to hear what the hon. Member was asking. Can he please repeat the question?

Mr. Kapten: Mr. Deputy Speaker, Sir, the Assistant Minister was not paying attention when I was talking. Can he now pay attention?

I said that parents all over the country and pupils have bought radios because of this very important programme. The Government has spent a lot of money on School Milk Feeding Programme. Why was it necessary for the Government to spend money on this programme instead of paying the debt for this important radio programme? And when will the debt be cleared? Have you understood now?

Mr. Komora: Mr. Deputy Speaker, Sir, the Milk Feeding Programme has nothing to do with the radio programme. It is our responsibility to make sure that we provide all the services required. While, in fact, the radio service was interrupted, we have intensified teacher training and we have reduced the untrained teacher element tremendously and, as far as we are concerned, the standards of education have not suffered because of the delay. But, we have undertaken to resume the programme when we finally clear with the KBC.

Mr. Kapten: Mr. Deputy Speaker, Sir, when will this debt be cleared?

Mr. Komora: Mr. Deputy Speaker, Sir, any day. Maybe, this year.

Mr. Achieng-Oneko: Mr. Deputy Speaker, Sir, in this House we budget every year for all Government Ministries. Can the Assistant Minister tell us when we ceased providing money for that department to be closed?

Mr. Komora: Mr. Deputy Speaker, Sir, I said that this programme stopped in September, 1995.

Question No. 762

PERSONNEL FOR EMOTORIKI HEALTH CENTRE

Mr. Sankori asked the Minister for Health:-

- (a) whether he is aware that Emotoriki Health Centre was built five years ago and that up to date no health personnel have been posted there;
- (b) whether he is further aware that the Director of Medical Services has directed the Medical Officer of Health, Kajiado District to post personnel, but in vain; and,
- (c) when he will post personnel to this Health Centre.

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

(a) I am aware that the construction of Emotoriki Dispensary was completed two years ago and the health facility has not been opened to the public due the lack of equipment and not personnel. The Ministry has set aside a total of Kshs256,480 for medical equipment and the community is supposed to provide basic furniture. It is also requested to assist in providing furniture for the health facility.

(b) I am not aware that the Director of Medical Services has directed the MOH, Kajiado District, to post personnel to the facility, but in vain.

(c) The required personnel for this dispensary have been identified and they will report to the facility as soon as the medical equipment and basic furniture are in place, which is estimated to be a month and a half from

today since our Vote was approved the other day.

Mr. Sankori: While thanking the Ministry for that very positive answer, it is actually five years and not two years ago as the Assistant Minister claimed. Can the Assistant Minister tell us what actual basic facilities which they want us to provide so that this dispensary can be opened as soon as possible?

Mr. Criticos: What I am talking about are basic things like chairs and tables. I can give the hon. Member a list of what we require in the course of this afternoon.

Mrs. Ngilu: The problems that exist in health centres and district hospitals in the whole country are enormous. This Question is about health personnel. In Kitui District, we have personnel and equipment. From yesterday's dailies and information which I got from Kitui District Hospital that a young woman who came to deliver in Kitui District Hospital was thrown out by the nurses and she delivered in the bushes near the hospital and assisted by passers-by so that she could board a matatu and go back home. Can the Assistant Minister tell this House why this is happening within the Ministry and more so, when people come for health care in the hospitals and health centres and yet we have voted money for this Ministry?

Mr. Criticos: Mr. Deputy Speaker, Sir, that is a different question. However, we had a meeting this morning at 10. a.m. in our Ministry to discuss that particular issue. We have dispatched a team of people from our Ministry this afternoon to go and investigate this case.

Question 677

BOYCOTT KIGUMO MARKETS

Mr. Mwaura asked the Minister for Local Government:-

(a) whether he is aware that members of the public who normally sell their produce at Muthithi, Kangari, Sabasaba and Kirero markets in Kigumo Division have boycotted these markets and are selling their produce elsewhere;

(b) whether he is further aware that this has been caused by the recent increase in market fees which is beyond their reach; and

(c) could he direct Murang'a County Council to revert to the old market fees until affordable rates have been worked out between the Council and the members of the public concerned.

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

(a) I am not aware

(b) I am not aware

(c) It does not arise.

Mr. Mwaura: Mr. Deputy Speaker, Sir, unless the Ministry of Local Government is not taking the business of this House seriously, the answer which the Assistant Minister has given to the House is not the same as the written answers which I have

here with me. The answers which I have read as follows:

Part (a), "I am not aware."

But part (c) reads "The recent increase in market fees is within the reach and it is being paid by the members of public. The revised fees and charges of 1996 were approved by the Ministry in February 1996 and after implementing them, some businessmen, mostly traders voiced their feelings and protested. The only area where there is resentment is Muthithi and Kirero Markets." The Assistant Minister has come here and used only three words. Is he in order to mislead the House? Can he give the correct answers?

Dr. Wameyo: Mr. Deputy Speaker, Sir, I was asked whether I am aware and I said I am not. In part (b) I said I am not and in part (c), I said it does not arise because I do not want to direct the Murang'a County Council, because there is no much problem. It only the two places which he has mentioned where there is agitation and there is nothing real.

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

Mr. Deputy Speaker: Order! Order, hon. Mwaura! Dr. Wameyo, with all due respect, legally we will have to go by the answers which you have given from the Floor of the House. But I think courtesy demands that when you give a written answer to an hon. Member in advance, it is important that it is correct. If you change your answers later, I think courtesy demands that you inform him. Is that not so?

Dr. Wameyo: This is the answer which I have and I am the Assistant Minister for Local Government and not him.

In part (a) it says: "No, I am not aware."

In part (b), he is asking me, "Is he further aware that this has been caused---?" and the answer is: "I am not aware that that has been caused by the recent increases."

In part (c) It says that I should direct Murang'a County Council." I am saying that does not arise because I am not aware.

Mr. Mwaura: The Assistant Minister should realise that hon. Members of Parliament do not ask questions here because they want to ask them. They ask them because their constituents are in trouble. I have raised this Question because the Murang'a County Council has not only increased charges for cows and goats being sold in the market which are given here as kshs50 and Kshs30 respectively. I would like the Assistant Minister to tell the House what are the current charges for bananas, mangoes and vegetables?

Dr. Wameyo: I am aware of the current charges for cows, sheep and goats which I have given as Kshs50 and Kshs30 respectively. If a cow is being sold at Kshs13,000 and a goat or a sheep Kshs1,800, then the amount charged by the County Council is very little. Therefore, the traders should pay instead of engaging in a debate.

Mr. Kamuyu: On a point of order, Mr. Deputy Speaker, Sir. I know that the Assistant Minister is not aware of parts (a) and (b). But, now, that he has been made aware by an hon. Member of Parliament, indeed, His Excellency the former ambassador, can he now answer this Question much more seriously in a manner that will benefit his constituents and also himself?

Dr. Wameyo: I have already accepted that the charges for the cows, sheep and the goats is Kshs 50 and Kshs 30 respectively.

Mr. Achieng-Oneko: On a point of order, Mr. Deputy Speaker, Sir. Is it only cows that are sold at that market? Does that market not sell bulls and donkeys?

Dr. Wameyo: Mr. Deputy Speaker, Sir, I have mentioned cows, sheep and goats because the people who deal in those animals are the ones that are causing agitation.

Mr. Mwaura: On a point of order, Mr. Deputy Speaker, Sir. Could the Assistant Minister consider ---

Mr. Deputy Speaker: That is a point of order but not a question. Ask a supplementary question!

Mr. Mwaura: Could the Assistant Minister consider asking the Inspectorate Department to investigate the correct charges and advice the public in my area before these charges are implemented?

Dr. Wameyo: Mr. Deputy Speaker, Sir, I will consult the Member of Parliament on specificity.

Mr. Deputy Speaker: Next Question, Mr. Ruhii.

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

Mr. Deputy Speaker: Prof. Mzee, I have called the next question which is number 296 by hon. Ruhii.

Question No. 296

CLOSURE OF DANDORA DUMPING SITE

Mr. Ruhii, asked the Minister for Local Government what urgent measures he was taking to ensure that the dumping site in Dandora is closed as it has become a health hazard to the residents.

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

I am aware. The council is in the process of identifying alternative sites which can be acquired as new dumping sites.

Mr. Ruhii: Mr. Deputy Speaker, Sir, this is a very serious matter indeed. The Dandora dumping site is a health hazard to the residents of Dandora and the neighbouring areas. I have done my research and there are terrible things that are dumped at this site which pose a health hazard. Among them is contaminated human blood, expired syringes from hospitals, expired drugs and vaccines and what the Kikuyu sometimes call "elephants" from maternity hospitals. Can he assure this House that he is very soon going to identify alternative dumping sites and ensure that, that site in Dandora is closed forthwith?

Prof. Mzee: On a point of order, Mr. Deputy Speaker, Sir. I would like to know what he means by "elephants?"

Mr. Deputy Speaker: Order! That is not a point of order. Proceed Mr. Ruhii.

Prof. Mzee: But it is a very important issue.

Mr. Deputy Speaker: Find out from the library. Order! Order! Hon. Members we have twelve questions and we have been very strict but we are still behind schedule. I appreciate the spirit in which you raised your point of order but I think you will spare us from spending more time on that. Please.

Mr. Kamuyu: On a point of information, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Mr. Assistant Minister, are you not replying to the question?

Dr. Wameyo: Yes, I wanted to reply to the question but there are very many points of order---

Mr. Deputy Speaker: Then you should proceed!

Dr. Wameyo: Thank you very much. I would like to assure the hon. Member that all efforts will be made to get a new dumping site because this is a health hazard for the residents of Dandora.

Mr. Ruhiu: Mr. Deputy Speaker, Sir, I want to know how soon they are going to close this dumping site in Dandora, because if they do not close it by the end of the year, I shall tell Dandora residents to make sure that they burn all those vehicles that dump that rubbish there

Hon. Members: Because the "elephants" are there! Are you fearing them?

Dr. Wameyo: Mr. Deputy Speaker, Sir, it will be closed very soon.

Question No. 449

CONSTRUCTION OF NYERI-NAIVASHA ROAD

Mr. Deputy Speaker: Is Mr. Mathenge not here? The Question will be stood over for the moment. Next question, No. 819, by Mr. Tola Kofa.

Question No. 819

PAYMENT OF MR. MARO'S TERMINAL BENEFITS

Mr. Kofa, asked the Minister for Labour and Manpower Development:-

(a) whether the Minister is aware that the General Manager of China Road and Bridge Engineering Company in Tana River District illegally terminated the services of Mr. George T. Maro on 6th February, 1993; and,

(b) if he is further aware that Mr. G.T. Maro has not been paid his terminal dues; and,

(c) whether the Minister could ensure that he is paid his dues.

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

(a) Yes, I am aware.

(b) Yes, I am aware.

(c) The employer has been taken to court.

Mr. Kofa: Thank you Mr. Deputy Speaker, Sir. What steps is the Minister going to take to ensure that Mr. George Maro is paid his dues?

Mr. Masinde: Mr. Deputy Speaker, Sir, I hope the hon. Questioner understood my reply to "c". I have said that I have taken this man to court.

Mr. Deputy Speaker: Just give him the case number.

Mr. Masinde: The case number is SRM/CR1099/96.

Mr. Kofa: In which court is that?

Mr. Masinde: It is in Malindi.

Mr. Kofa: Mr. Deputy Speaker, Sir, these consultants are fond of employing and terminating workers services at will or without any proceedings. Could the Minister assure this House that this company is going to employ and terminate staff services as per the proceedings, so that the employees are secure?

Mr. Masinde: Mr. Deputy Speaker, Sir, it is part of my duty, as the Minister for Labour, to ensure that all workers who are employed are paid a fair wage and they have better conditions of employment. Anybody who is not paid or whose employer breaks the labour laws, we take action and that is why we have taken action in this case. The employer indeed refused to pay the employee and my officers went and demanded the payments which the employer refused to pay. We then took him to court and we hope that the court will help to make sure that this workers' terminal benefits are paid.

Mr. Deputy Speaker: Next Question No. 449 for the second time. Mr. Mathenge is still not here?

(Question dropped)

QUESTIONS BY PRIVATE NOTICE

KANGAROO COURT AT KANYERIA POLICE POST

Mr. Gitau: Mr. Deputy 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 Kanyeria Police post in Kamwangi Division, Gatundu Constituency, has been operating as a *Kangaroo Court* where the offenders are arrested and locked up for days without being taken to court and finally a demand is made on their relatives who pay heavily for their release?

(b) If the answer to "a" above is in the affirmative, and considering the harassment and frustration the residents are subjected to by the police officers, at this police post, what immediate action is the Minister taking to rescue this grave situation?

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

(a) No, I am not aware.

(b) Arising from my answer in "a", part "b" does not arise.

Mr. Gitau: Mr. Deputy Speaker, Sir, this casual method of answering questions is very dangerous. First of all, there is a typographical mistake here. It is Kanjeria Police Post and not Kanyeria. However now that the Assistant Minister has been made aware by the sitting Member of Parliament for Gatundu what would be his comment on the harassment by the police, of Gatundu residents or rather in Kanjeria area. These are people who are arrested on trumped-up charges and sometimes, because of brewing illicit beer and minor assaults and they are not taken to any court at all. They are locked in the police Post while the same police officers demand money by menaces from their relatives ranging from Kshs 5,000 to Kshs 10,000. What is the Assistant Minister going to do about this now that I have made him aware?

Mr. Awori: Mr. Deputy Speaker, Sir, when we received the Question, even though it was by Private Notice, we made investigations to see whether there had been any complaints at all from the area, but we found none.

Mr. Gitau: Mr. Deputy Speaker, Sir, we know how these investigations are carried out. The investigators are the same who are asked whether there are complaints. Would the Assistant Minister, then table the names of the investigators? Can you table their names here or tell us who these people are?

Mr. Awori: Mr. Deputy Speaker, Sir, just as the Questioner did not table any names of those people that were harassed, in the same way, I am not going to table any names of the officers here.

An. hon. Member: Sawa sawa, dawa ya moto ni moto!

Mr. Gitau: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister really in order to ask me to table the names while he knows very well that I cannot do that? Can I be given time to bring the names tomorrow?

Mr. Deputy Speaker: Very good, yes. You can table the names tomorrow. Next question, Mr. Ojode.

FORCED HARAMBEE CONTRIBUTIONS IN NDHIWA

Mr. Ojode: Thank you, Mr. Deputy Speaker, Sir. I beg to ask the Minister of State, Office of the President the following Question by Private Notice:-

(a) Under what law did the Chief of North Kabuoch Location of Homa Bay District attach household goods of some residents of his Location who failed to contribute money towards Rarage Secondary School Harambee held on 29th June, 1996?

(b) Is the Minister also aware that the residents of the same Location are being forced by the same Chief to contribute towards the National Youth Development Fund?

(c) What action is the Minister taking to discipline this Chief and to have all the attached household goods released to their owners?

The Assistant Minister, Office of the President (Mr. Awori): Mr. Deputy Speaker, Sir, I regret to state that to-date I have not received the answer from my officers in the Province.

Mr. Ojode: Mr. Deputy Speaker, Sir, you will bear me witness that the Assistant Minister wants to evade this Question. This Question was not asked yesterday, but it was asked two weeks ago. Could the Assistant Minister come out clean, because he knows very well that we are going on Recess tomorrow, and he wants to evade this Question? Could he confirm to this House when he is going to bring an answer to this Question, before the Recess?

Mr. Deputy Speaker: What is your Question?

Mr. Ojode: Mr. Deputy Speaker, Sir, you are aware that this Question was postponed for today.

Mr. Deputy Speaker: What did the Assistant Minister say? He has no answer?

Mr. Ojode: The Assistant Minister wants to evade this Question, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Please give him more time and he will bring the answer.

The Assistant Minister, Office of the President (Mr. Awori): Mr. Deputy Speaker, Sir, I have answered more explosive questions than this. Why should I avoid answering this Question?

Mr. Deputy Speaker: What was your answer?

The Assistant Minister, Office of the President (Mr. Awori): My answer was that I have not received the information required from my officers in the Province.

Mr. Ojode: On a point of order, Mr. Deputy Speaker, Sir. Could the Assistant Minister confirm to this House when he is going to bring this answer, because I know very well that he wants to evade this Question? Furthermore, if I were the Head of the Government, I would have sacked this Assistant Minister because my people are suffering. They do not have even stools to sit on or beds to sleep on. The Assistant Minister is trying to evade this Question. Could he come out very clean and tell us when he is going to bring an answer?

Mr. Deputy Speaker: When will you bring the answer, Mr. Assistant Minister?

Hon. Members: He should bring it tomorrow!

The Assistant Minister, Office of the President (Mr. Awori): Mr. Deputy Speaker, Sir, I cannot say whether the answer will be ready tomorrow.

Mr. Ojode: Then when will he bring the answer?

Mr. Deputy Speaker: Order! Order, Mr. Ojode! Really it is unfortunate. Mr. Assistant Minister, I think you have to be helpful. If the Question has been asked and it is a legitimate Question, I think you have to be helpful. Why do you not say that you will bring the answer tomorrow, if possible?

The Assistant Minister, Office of the President (Mr. Awori): Mr. Deputy Speaker, Sir, I cannot do that because I depend on people. I depend on a lot of things. How can I be sure that it will be ready tomorrow?

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

Mr. Mulusya: Mr. Deputy Speaker, Sir, my point of order is that, this is the same attitude we witnessed this morning. Does the Assistant Minister expect the hon. Questioner to be able to get the answer from the Province, so that the Assistant Minister can be able to answer when he knows very well that we are going on Recess tomorrow and he needs to answer, this Question here? Can he not telephone those officers in the Province and bring that answer to this House or use another police helicopter?

The Assistant Minister, Office of the President (Mr. Awori): Mr. Deputy Speaker, Sir, I have telephoned and also used every method at my disposal. We are waiting for the answer.

Mr. Ojode: On a point of order, Mr. Deputy Speaker, Sir. I would request the Chair to indulge in this matter because as I am talking to you, the residents of North Kabuoch Location are living without their household goods and bed, because they have been attached and this is the same Government which talks of Love, Peace and Unity. On sympathetic grounds, Mr. Deputy Speaker, Sir, why do you not compel the Assistant Minister to bring the answer tomorrow without any failure, because this a Private Notice Question, and yesterday, it was postponed for today? Why do you not rescue my people from this Assistant Minister?

Mr. Deputy Speaker: Order! Order! Well, I can only assure you of my sympathies, Mr. Ojode. It is a Private Members Question and the understanding is that it should be answered in the shortest possible time. Mr. Assistant Minister, I think you ought to answer the Question. I do not think it is proper for you to tell us that you cannot give us the answer and you cannot even give us the courtesy that you would try to answer it tomorrow. I think you had better bring the answer tomorrow. Next Question, Mr. Icharia.

SHARE HOLDING IN KCC

Mr. Icharia: Mr. Deputy Speaker, Sir, I have not received a written answer to my Question. However, I wish to ask the Minister for Agriculture, Livestock Development and Marketing the following Question by Private Notice:-

(a) Could the Minister give a break-down of the total and percentage share holding of groups listed herein which comprise the ownership of Kenya Co-operative Creameries Ltd. (KCC): Individual large scale farmers; Co-operative Societies and others?

(b) What losses did KCC incur per year between 1989 and 1995?

(c) What proposals does the Minister have for strengthening the KCC and the dairy industry in general?

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Mr. Deputy Speaker, Sir, it has been confirmed from the Ministry that this Question was not received, and the relevant Ministry is the Ministry of Co-operative Development because at that time, KCC was registered as a Co-operative Society. The Question should be directed to that Ministry.

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

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Mr. Deputy Speaker, Sir, it has been confirmed that the Question has not been received.

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

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Mr. Deputy Speaker, Sir, the Ministry has confirmed that the Question was not received. Further to that the Question should be directed to the Ministry of Co-operative Development.

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

Mr. Wamae: Mr. Deputy Speaker, Sir, this is a very serious matter because it was only last week, the hon. Nyachae, Minister for Agriculture, Livestock Development and Marketing, was chairing a meeting between the Directors of KCC and the Dairy Board. He also mentioned about the issues of KCC in Nakuru and Machakos. If it is not his responsibility, why has he been making public statements about KCC and calling them for meetings?

(The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Mr. Deputy Speaker, Sir, the Ministry of Agriculture, Livestock Development and Marketing, is in charge of the overall dairy industry development in this country. The operators or processors of dairy products range from individuals, co-operatives and companies. As I have said, KCC was registered as a Co-operative Society.

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

Mr. Nyagah: On a point of order, Mr. Deputy Speaker, Sir. Thank you very much indeed. In view of what the hon. Member for Mathira has said, which I quite agree with, the Chair last week ruled that any Question that is put on the Order Paper, goes through two offices; the office of the Clerk and the Speaker's office. In this case, I am sure the Chair was fully satisfied that this Question ought to be answered by this Ministry. Is he in order to evade what the Speaker, the Clerk's office, the hon. Members of Parliament have deemed fit for the right Ministry to answer?

Mr. Shikuku: What do we do now?

Mr. Deputy Speaker: Order! Yes, before the Question is put on the Order Paper, it goes through the office of the Clerk, and then the Speaker himself then approves the Question. The Clerk's office will then send it to the Ministry which is deemed to be appropriate for answering the Question. If the particular Ministry feels that in fact, the Question does not fall within the ambit of its jurisdiction, we expect the Ministry concerned to return it to the Clerk, with the utmost speed indicating that the Question should be answered by some other Ministry. To the best of my knowledge, I understand this has not been done. Therefore, we are entitled to assume that the Question is properly put on the Order Paper expecting the Minister for Agriculture, Livestock Development and Marketing to answer it. Mr. Assistant Minister, do you have anything to say?

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Mr. Deputy Speaker, Sir, since the Ministry did not get the Question, I request that this matter be re-routed through to the Ministry of Co-operative Development through official communication from the Ministry.

Mr. Deputy Speaker: Order! I think there is no point of us wasting time on this any more. As I said, if the Minister feels that it is not the appropriate department or Ministry to answer the Question the Permanent Secretary in that Ministry should transfer the Question to his colleague in what **[Mr. Deputy Speaker]** he considers to be the appropriate Ministry, with a copy to the Clerk. The Clerk's office has not been notified of this. I would wish now to direct that the Minister sees to it that his Permanent Secretary immediately today, transfers the Question to the Permanent Secretary in the Ministry of Co-operative Development and they do the necessary consultation and whoever answers it, the Question will be put on the Order Paper for tomorrow and it will be answered tomorrow.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): I do agree Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Next Order! I beg your pardon. Hon. Shikuku, Member of Parliament for Butere, please ask Question No.4 by Private Notice.

Mr. Shikuku: Mr. Deputy Speaker, Sir, I beg to ask the following Question by Private Notice.

(a) Is the Minister aware that Title Deed KISA/IKOMERO 1210, with an approximate area of 1.1 acres, which belongs to Mr. Wellington Ongaya Oluleka, ID/058406/63 of Shilombe Sub-Location of Kisa West Location in Khwisero Division was sub-divided by the Assistant Chief, Mr. Joseph Andika Ndong'a, and parts thereof allocated to M/s Matendechere Okunda and Samuel Owili?

(b) If the answer to "a" above is in the affirmative, could the Minister tell the House what steps he has, so far, taken against the Assistant Chief for illegally carrying out the sub-division and allocation of Mr. Oluleka's land?

The Assistant Minister for Lands and Settlement (Mr. Sumbeiywo):

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

(a) I am not aware that the title deed KISA/IKOMERO/1210 with approximate area of 1.1 acres which belongs to Mr. Wellington Ongaya Oluleka, ID/058406/63 of Shilombe Sub-Location KISA West Location in Khwisero Division was sub-divided by Assistant Chief, Mr. Joseph Ndonga, and parts thereof allocated to M/s Matendechere Okunda and Samuel Owilo.

(b) The answer to "a" is negative, and I, therefore do not intend to take any action against the Assistant Chief, Mr. Joseph Ndonga.

Mr. Shikuku: From that absurd reply Mr. Deputy Speaker, Sir, is the Assistant Minister aware that the honourable Questioner is a very senior Member in this House and to be "senior" means that you know the problems of the people, and the that "I" "senior" Member of Parliament in this House have gone there personally and witnessed that this land is being cultivated by the people I have stated in this House. I never chase shadows.

Mr. Sumbeiywo: Mr. Deputy Speaker, Sir, I appreciate that the hon. Member for Butere is a very senior Member of Parliament and he participated in the struggle for Uhuru in this country. He was in Lancaster House. But there is a well established procedure in law for the sub-division and transfer of registered agricultural land like the one we are referring to, which is KISA/IKOMERO/1210. The law requires that such transaction must go through Land Control Board for consent. Both parties must physically appear and be present or be represented before the Board. It is after the consent of the Board that a transaction on the land can be registered and the land register should bear a green card, amended accordingly by the Land Registrar. In this particular case, there is no record of transaction in the Land Registry in Kakamega and the records show that the said parcel of land still belongs to Mr. Wellington Ongaya Oluleka. Indeed, he collected the title deed on 22nd May, 1991. The Assistant Chief has no powers under the law, even the hon. Minister in this House who is in charge of lands with distinguished record of service to this land for 44 years, EGH, DSM, has no powers to alter any title deed under the law, forget about the Assistant Chief.

(Several Members stood in their places)

Mr. Shikuku: A rising from that reply, Mr. Deputy Speaker, Sir, I am telling him, and I am sure what he is reading before this House is the defence of those involved - Could he take it from me that I physically went there and I found these two other people cultivating the land and the guy has got the title deed and this matter has never been before the Land Control Board? I stopped the fight between the clansmen of the owner of this land and those who are taking the land. Does he want to ask them to defend their man and his land physically so that the Minister can be aware?

Mr. Sumbeiywo: Mr. Deputy Speaker, Sir, I would like to assure the hon. Member for Butere that if there is such a case, he should advise his constituents not to take the law in their own hands but to hand over the matter to us. We will investigate and make sure that the title deed, if there is one be restored to the original owner of the land.

POINT OF ORDER

MINISTERIAL STATEMENT ON WATER PROJECT

Mrs. Ngilu: On a point of order, Mr. Deputy Speaker, Sir. I would like to ask the Minister for Land Reclamation, Regional and Water Development to make a Ministerial Statement to this House on the Masinga-Matuu-Kitui Water Project that apparently appears to have stalled. This is a project that should have been started and ended up in Kitui but, incidentally, it would appear like now it is only scheduled to cover Masinga and Matuu in Machakos and Kabati and not Kitui. This project has been financed by the Australian

Government.

COMMITTEE OF SUPPLY

(Order for Committee read being 9th Allotted Day)

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

Vote 13 - Ministry of Public Works and Housing

(The Minister for Public Works and Housing on 30.7.96)

(Resumption of Debate interrupted on 30.7.96)

Mr. Biwott: Thank you, Mr. Deputy Speaker, Sir. The Ministry of Public Works and Housing is charged with the responsibility that influences the activities of this country economically to such an extent that if there is no good road, there is no development.

I would like to congratulate the Minister for Public Works and Housing for the effort he has been doing in trying to rehabilitate our roads by way of resurfacing, recarpeting, realigning and also developing new roads. We know that his development has been hampered by lack of funds but I believe that with time, he should be able to catch up with the demand of--

Mr. Anyona: On a point of order, Mr. Deputy Speaker, Sir. This hon. Member is misleading the House in two respects. In the first respect, he is misleading the House by saying that this Ministry is doing a commendable job when it is not the case. Secondly, in both sides of the House, the Galleries are full of school children who have come to learn parliamentary English and this hon. Member talks about the effort the Minister is taking. That is not English!

Mr. Deputy Speaker: Order! I think that was civilized, but I will allow him to get away with it.

Mr. Biwott: Mr. Deputy Speaker, Sir, I think the hon. Member is so used to making noise that he cannot keep quiet unless he takes an opportunity like this to make frivolous comments on an otherwise good and effective contribution.

Mr. Deputy Speaker: Order! Hon. Biwott, Members do not make noise. They are very honourable.

Mr. Biwott: Mr. Deputy Speaker, Sir, I believe now hon. Members will give me an opportunity to contribute on my share of the Kerio South entitlement in this House.

I was saying that the Minister for Public Works and Housing has done a good job in his work, and I believe that he will continue to do so as funds become available. I would, however, wish to encourage the hon. Minister to concentrate more on rural access roads because they are vital in tapping the resources of areas which would otherwise be left behind if we concentrate on the trunk roads only.

Most of the roads suffer where they are vulnerable and these are the valleys where culverts are essential for keeping them dry and passible. I would like him to concentrate more on culverts and on ensuring that roads are kept in good serviceable conditions so that the flow of traffic is assured throughout the year. We should also concentrate on the quality of the work that is being done and more so on ensuring that the roads are attended to before they deteriorate to an extent that they cannot be serviced easily.

We have few roads in my own district which need attention. We have the Kipsaos-Kapchorwa-Kimwarel-Cheploch Road which has been done for sometime, and I believe that the time that has been taken in construction that road and resurfacing it has been much. There are also roads that were earmarked for tarmacking between Nyaru-Iten with a possible extension of the tarmac to Kapenguria and to Endo and eventually to Marich Pass. There is also the road that is essential for the security in the Kerio Valley, that is Beretwa-Tot and Marich Pass. Those roads should be attended to.

The most important aspect of the road at the moment is the safety which was deliberated on recently when a Motion was debated in this House. I believe that with the passage of the amended Motion, the Minister might find it appropriate at this time to institute Road Safety Authority in order to ensure that adequate legislation is enacted in order to ensure that all the hazardous tracks are removed and stored in a bay away from the centre of the roads. You will find that most of the road accidents that occur do so because of the trucks that are broken

down and are left on the side of the roads unattended. We, in the Kaptagat area and the forest, generally in Keiyo District, find that the tracks that are operated by the Webuye Paper Mills cause enormous damage to our roads. They create pot holes and break all the culverts making the roads totally unserviceable. I think it is time the Minister introduces a cess so that Webuye Paper Mill pays a cess to facilitate reconstruction of those damaged roads. They should also pay for the damages that they have been causing over time. They should ensure that the axle load limit is kept and ensure that heavy vehicles do not pass on the roads that are not meant for them. Other than that, I believe the Minister for Public Works and Housing is very sensitive to the wishes of wananchi. He responds to the request of the wananchi and attend promptly to the problems.

Mr. Achola: On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Biwott in order to claim that the Ministry of Public Works and Housing is doing a commendable job when he knows that most of the work being done by his company; H.Z. Young & Company, is of very poor standard? I think he should declare his interest in this Motion?

Mr. Biwott: Mr. Deputy Speaker, Sir, if the man is infuriated with the H. Z. Company, he can take appropriate action and not in this particular contribution. We are discussing the Estimates of the Ministry of Public Works and Housing and not private companies or the performance of each company in road construction. I believe that the hon. Member is so bankrupt that he can only think of introducing frivolous points which have nothing to do with the Estimates.

Mr. Achola: On a point of order, Mr. Deputy Speaker, Sir. Did you hear the language that hon. Biwott has used? He has said that I am so bankrupt? He has said that I am so bankrupt of ideas. At least, I am not a killer and I cannot be vulnerable. I am very clean.

Mr. Deputy Speaker: Carry on, hon. Biwott!

Mr. Biwott: Mr. Deputy Speaker, Sir, I said that he is bankrupt of ideas and that is why he is not contributing. You can see that he is very clean, but he is devoid of beneficial ideas which can help in the development of this nation.

Mr. Deputy Speaker, Sir, ---

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

Mr. Deputy Speaker: What is your problem hon. Ojode?

Mr. Ojode: Did you hear the hon. Member---

Mr. Deputy Speaker: Order! Order! Order, hon. Ojode! You are utterly out of order. That is frivolous and feckitious. Carry on, hon. Biwott.

Mr. Biwott: Thank you very much, Mr. Deputy Speaker, Sir, for---

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

Mr. Deputy Speaker: It is disallowed.

Mr. Biwott: Mr. Speaker, Sir, if the hon. Member could wait for his own time to contribute, I will be very grateful. This is because I do not disturb anybody when he is contributing. I believe that everybody's contribution would help this nation.

Mr. Deputy Speaker, Sir, in today's newspapers, my name was mentioned and a cartoon of me drawn carrying a huge debt of about Kshs1.9 million. I was not aware of such a debt. If there is such a debt owing--- Mr. Nicholas Biwott pays his debts. I would like whoever claims that I owe them this money to present an invoice, and I will see to it that it is duly paid. This is because it is not my habit not to honour my obligations. I believe that those who are keen to introduce the matter here, were doing it for other reasons. This is because if it a question of payments, I would like hon. Shikuku to come to me with that invoice and I will make sure---

Mr. Shikuku: On a point of order, Mr. Deputy Speaker, Sir. Before I start, could you ask the hon. Member to resume his seat as required by Standing Order No. 68?

Mr. Deputy Speaker, Sir, he has imputed improper motives on the Minister who gave the reply to this House. Is he in order to impute improper motives on the Minister who was asked to lay the list on the Table, which shows that he owes money to this Government? He should be ashamed!

Mr. Biwott: I was not aware of any pending debt of anybody.

Mr. Deputy Speaker: Who is the Chief Whip of FORD(A)? I think it is hon. Ndicho. Carry on, hon. Ndicho.

Mr. Ndicho: Mr. Speaker, Sir, I am the Chief Whip of FORD(A).

Hon. Members: He has canvassed for the chance from the Deputy Speaker!

Mr. Gitau: Yes, I saw them consulting!

Mr. Deputy Speaker: Order! Order! Order, hon. Gitau! Maybe, but in a very intelligent cunning manner. What happened is that hon. Ndicho came to the Chair and introduced himself as the Chief Whip of

FORD(A), and I hope he is, and said that FORD(A) got a very raw deal yesterday. So, when hon. Members stood up in their places, I thought I did not see anyone from FORD(A).

Hon. Members: There were!

Mr. Deputy Speaker: Order! Order! The first to shoot up was hon. Ndicho. Although I said that there was nobody from FORD(A), I think hon. Gitau and somebody else stood up. But I do not think it was canvassing for hon. Ndicho, but canvassing for FORD(A) and fortunately, it landed on him. Carry on, hon. Ndicho.

Mr. Ndicho: Thank you very much, Mr. Deputy Speaker, Sir, for considering FORD(A) this time round because yesterday, in fact, FORD(K) got the biggest share of time in debating this Motion. I hope that this time round, everybody in FORD(A), FORD(K) and DP will get a chance. I thank you for giving the hon. Member for Juja this chance to say something concerning the Ministry of Public Works and Housing.

(Mr. Deputy Speaker left the Chair)

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

Mr. Temporary Deputy Speaker, Sir, when hon. Biwott commends the Minister for Public Works and Housing for doing a commendable job, we are very discouraged. This is because with regard to all the roads in this country, irrespective of whether they are in KANU or Opposition zones, people are complaining.

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Ndicho, you are not debating the views of hon. Biwott. Just give your own views.

Mr. Ndicho: Mr. Temporary Deputy Speaker, Sir, when I stood on a point of order, I was told to wait for my time. So, I am complaining that for hon. Biwott to commend that Ministry is a very big blunder for the people of Keiyo South. Is it Keiyo South or Keiyo Central? For his constituents to hear their Member of Parliament commending the Ministry for maintaining roads, when roads in that constituency are in a deplorable condition, is not correct.

Mr. Biwott: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to mislead this House, and indeed those who will read newspapers tomorrow by saying that when I commend the Minister for Public Works and Housing, that is prejudicial to the interests of my own people, yet my complimentary is in relation to the efforts the Minister is currently "doing"? At the moment, he is repairing our roads and my own people are very happy about it.

Mr. Ndicho: If that is being done, then he is very lucky. We hope that roads in the Opposition areas and Kambaland will be done by this Ministry. We doubt whether they are going to do that. I want to talk about Government houses---

Mr. Orengo: On a point of order, Mr. Temporary Deputy Speaker, Sir. I was wondering whether hon. Anyona heard what hon. Biwott has just said. We had just had a lesson in English and he was talking about "doing effort" instead "making effort". I am just wondering whether hon. Anyona heard that.

Mr. Ndicho: Mr. Temporary Deputy Speaker, Sir,---

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

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

Mr. Ndicho: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for protecting me.

I wish to talk about Government houses. We only talk about roads and we forget that Government houses fall under this Ministry as far as maintenance is concerned. We had Nyayo House, which was the dirtiest and darkest among all Government houses. It took the intervention of none other than the "Government" himself to complain that Nyayo House was in a deplorable state. You could not walk in the staircases of that house because of darkness. There were no lights. People were fearing that they could be waylaid by thugs in the stairs of this House. I wish to thank the "Government" for speaking out about the state of affairs of that house.

On the backside of the Office of the President, it is very dirty. There are broken window panes and doors and yet this is the office where the top man in this land sits. The Ministry of Public Works and Housing must maintain the Office of the President to those standards that when one visits that House, he sees it as really the Office that our President occupies.

Mr. Temporary Deputy Speaker, Sir, even right here in Parliament, it is a very big shame for Kenyans to come and see Parliament. Those in the rural areas think that if you go to Nairobi and you go to Parliament Buildings, you are going to see houses similar to those which are in heaven. But when they come here, what do

they see? A building with broken footpaths with peeling roofs that does not measure to the standards of a Parliament in the commonwealth. Though this Ministry has been commended by the "Total Man", it must wake up and maintain Government houses. It is not only those buildings in Nairobi, but if you went to the countryside, the houses and offices that house district commissioners, officers, chiefs and DOs, you would be ashamed that these are houses and offices that house a government that calls itself the ruling Party government. It is a very big shame.

Mr. Temporary Deputy Speaker, Sir, there is also a tendency of condemning Government houses in Nairobi and in the rural areas under the guise of facilitating grabbing. The whole of Nairobi has lost Government houses to grabbers who have condemned these houses in writing. The "Government" itself was complaining that there is nobody who should condemn a house except a qualified engineer from this Ministry, but any grabber in Nairobi and in the countryside will just go, take a piece of paper and condemn a Government house in order to grab it. Nairobi has now lost all its houses and senior Government officers are now hiring houses to live in. They have no houses. In fact, I was surprised when the former P.C from Central Province was transferred to Nairobi. He formerly used to live in a house on a five acre land, when he came here, he was looking for a Government house to live in and he was told, "sorry, Mr. Musoga, we have no house left in Nairobi, they are all gone." The Government is spending millions and millions of shillings paying house rents for senior Government officers. In Thika, for example, the House of the Chief of Thika Location/Municipality was condemned three months ago, razed down, all the stones were taken away and now there is somebody who is putting up a new house in the area where the Chief of Thika was residing. Now he is going to his rural area in Gatundu whereas somebody just went and condemned that house. Three acres of land were hived off from the residence of our District Commissioner and sold by a former DC from Thika at a cost of Kshs3 million. I am now fearing for the house where the Thika DC stays which was built in the colonial times which may be condemned and grabbed. Soon we are going to have the Thika DC hiring a house in Makongeni or in Kiandutu slums because his house is going to be grabbed. There was one Provincial Commissioner who was transferred and when the new PC came around, he was told, "sorry you cannot get into this house, it is no longer Government house, it is now private and if you are going to stay in this house, you are going to pay rent." It took the intervention of the President to cancel and tear off the title deed just because a PC had condemned a house, grabbed it and then another one had to hire a house elsewhere. This is very serious. So your Ministry, Mr. Minister, - do not look at me like that - should take the responsibility of protecting Government houses from being grabbed. It should not condemn them. Even if they are condemned, let them be condemned, razed down by the Government and new ones put up.

Mr. Temporary Deputy Speaker, Sir, I do not need to talk about roads. Everybody in the KANU zones or in the Opposition is complaining about roads.

Mr. Temporary Deputy Speaker, with those few words I beg to thank you very much.

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Ligale): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this important Motion. The Ministry of Public Works and Housing does control a very large part of Government revenue and resources. It is important and vital in terms of opening up this country and providing infrastructure for the future development of our resources. Yet, although we had a very good infrastructural base in the early 1970s and the late 1980s our record in the recent past in this Ministry has not been very good. It is of course not entirely the mistake of the Ministry, we do know what has happened in the last two or three years. We do know that because of the freezing of vital external resources, this Ministry probably suffered more than most other Ministries and that is why major trunk roads like Mombasa-Nairobi Road were not maintained. Our friends across the other side would do well to commend the Government that now we are finally seeing light at the end of the tunnel and that contracts hopefully will be given in the near future to maintain some of those roads.

However, I want to mention two important aspects with regard to road construction and maintenance. In the first instance, in the distant past, the standard of construction of our roads used to be very good. A road was constructed and it could last at least 10 years before major potholes developed. For some reason, these days, no sooner does the road get completed than the potholes begin to appear and you begin to wonder whether the standard of specifications by our consultants and our own engineers is sub-standard or is it a question of ensuring that those standards are in fact kept by the contractors who are awarded the contracts? We must go back to the standards that we were used to in the past where road construction was to a high standard that would last for quite sometime before we began to see a lot of potholes developing. Even where those roads have been constructed and where we have had a lapse in maintenance, the repair works that are done are appalling. It is amazing that you would find that we even at times have to use soils to fill up potholes. Of course when it rains, the soil cannot hold. The next day you have potholes. We must try and attempt to maintain our roads to high standards.

(Loud consultations)

The Temporary Deputy Speaker (Mr. Wetangula): Order! Order, Ojode!

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Ligale): Mr. Temporary Deputy Speaker, Sir, when we have had the Ministry of Public Works and Housing staff themselves do maintenance or do any construction, some of the standards that they have maintained have been very bad. I have two cases in mind in my district where from the end of last year to this year, ballast for Majengo/Maseno Road has actually been stolen and taken away. Sometimes it has been taken away even by Government lorries. We do not know where it was being taken to! It was carried away at night and yet, it was supposed to be used to maintain that road. That work has not been completed, although somebody could probably be saying somewhere that the road has been refilled. In fact, the ballast that had been put there was carried away and wananchi were asking us, as their representatives: "What is happening to this ballast? It is being carried away and yet it was brought here to be used in maintaining this road!"

Mr. Temporary Deputy Speaker, Sir, Stand-Kisa/Khumusalaba Road was supposed to be constructed by staff of the Ministry. They took two years and nothing happened. Luckily, I now understand that we are likely to get a private contractor, who will have to construct this road. Hopefully, some efforts will be put into the project and we will be able to see some progress. But I still maintain that some of the contractors that we have, particularly those in Western Kenya--- There is one particularly notorious contractor who seems to get most of the contracts from this Ministry, but whose standard of construction is very bad. It is really appalling and the Ministry should delete that particular contractor from their list of contractors. We do not mind where the contractor comes from, but we want a high standard of construction, instead of the standard we are used to seeing, where a road is constructed and then within a year it is gone.

Let me now talk a little about the maintenance of Government buildings. This point has been touched on by many hon. Members who have spoken here. There is no point in the Government continuing to put up new buildings, new office blocks and new workshops when we cannot maintain them. A coat of paint once every five or even 10 years will maintain a building. But if we put them up and allow the stair ways to get dirty because we cannot even sweep them or apply a coat of paint, and the walls start peeling off, this does not give the Government a good name. We must allocate some resources for maintenance. I know that the Government does not have a lot of money to put aside, but when we are doing budgeting for any new construction and every year when we are doing our Budget rationalisation, we must put aside some money for maintenance of Government buildings. This is important, particularly in the case of those buildings which come into contact with the eyes of the public on a daily basis.

We have a Mechanical and Electrical Department in this Ministry. This Department is supposed to help the Government in maintaining the plant and equipment that is used on a daily basis. Whether it be vehicles, tractors or trailers and whatever other plant and equipment that is used by the Government, that Department is not doing a good job in maintaining them. If you go to Government offices, be they district commissioners' or police backyards, you will find that they are grave yards for a lot of disused plant and equipment. Sometimes the damage is very slight, but we would rather put it away and go and ask the Treasury for more money to buy new plant and equipment. What is use in doing this? We must use our resources judiciously and prudently. If we can maintain the existing plant and equipment we will not need to go to the Treasury every year to ask for money to buy plant and equipment. In any event, I believe that we have over provided for vehicles and other plant and equipment. We sometimes do not even have the money to run them. There is no point in having many vehicles in a Ministry when we cannot fuel or get them to go out and give service to wananchi. I am suggesting that we rationalise and use our current plant and equipment a little better than we are doing at the moment. We should try and ensure that we have adequate funding for operation and maintenance. This is better than all the time running all over the place, trying to purchase new equipment which we do not need on a yearly basis.

Mr. Temporary Deputy Speaker, Sir, let me also say something about the National Housing Corporation (NHC), which also belongs to this Ministry. That Corporation is on the decline, and this Ministry must evaluate its role. It is no longer playing the role it was supposed to. It is implementing a retrenchment scheme without giving the staff golden handshake payments. I do not know whether it has been listed for retrenchment, and if it has any resources to give to those boys and girls who are being forced to retire early. In any event, their programmes, be they tenant purchase, rural housing or whatever other type of housing are all virtually on decline or are virtually at the dead end. We must evaluate the Corporation to see whether we still need it and if it has any role to play at all.

With those remarks, I support.

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, I want to start by saying that this Ministry has

simply not given any consideration for the entire Eastern Province, and Ukambani in particular. I want to caution the Minister against giving misleading information to this House. Yesterday, he said that the road between Wote and Konza is going to be done during this financial year. I have looked at the estimates and seen that no single cent has been allocated for it. The Government was supposed to have put down its 10 per cent contribution for this road during the last financial year so that work on that road could start. The Government has not done that and the Minister should stop misleading this House and the people of Ukambani because there is nothing in the estimates for this road. There is a road from Kibwezi to Kitui for which there should have been money in the estimates for this financial year. There was money for it in the estimates of the last financial year. That money was diverted, but wherever it was taken, only the Minister can tell us.

Makueni District Headquarters project has stalled for many years. It was constructed half way and now, there are shells of houses standing there. If you go to that place and you are told that it is a district headquarters, you will find it shameful. Money should have been provided in this year's estimates for this project, because those half built houses continue to stand there. There is a rural electrification programme for that area for which money should have been provided, but it has not been provided. This is the case and yet if you read today's *Daily Nation* you will see a Minister who is castigating other Ministers from Ukambani because they have said that their people are not getting their rightful share of national resources. I want to tell that Minister, whether he is for Foreign or Internal affairs, that it will be very wrong for Gen Mulinge and Mr. Makau to take a delegation to State House to go and pledge royalty to the Head of State and say that the Kamba are getting their rightful share of national resources. They are planning to do so next week but we condemn that plan. Let them not go there and talk in terms of the Kamba people! Let them go there and talk about their own stomachs!

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for hon. Mulusya to divert our attention from the Estimates and discuss some hon. Ministers?

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, I am talking about roads. There is a road which was supposed to have been tarmacked to connect Mwingi-Garissa to Kitui town, but there is no money---

The Assistant Minister for Foreign Affairs and International Co-operation (Mr. Muchilwa): Mr. Temporary Deputy Speaker, Sir, I really do not like interrupting the hon. Member, but is he in order to bring in Ukambani politics in this august House?

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, what I am saying is that the Ministry is not considering Wakamba people. And those who want to go and pledge loyalty, let them pledge it as individuals. Let them get what they are going to be given and let them forget about Wakambas. God will help us when this regime goes!

I want to state here in this House that the Minister for Public Works and Housing is not the Minister who is administering the Road Maintenance Levy. I repeat it loud and clear that the Minister for Public Works and Housing is not the Minister who is administering the Road Maintenance Levy.

Dr. Oburu: On a point of order, Mr. Temporary Deputy Speaker, Sir. Can the hon. Member substantiate that the Minister for Public Works and Housing is not in control of the Road Maintenance Levy?

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, I do not want to be provoked. What I am talking about and I am prepared to prove is that early in this month, the Ministry of Public Works and Housing loaned the Ministry of Health Kshs7.19 billion.

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

Mr. Mulusya: Mr. Ojode, please for the benefit of your people!

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Ojode, you are out of order. You know he is replying to a point of order by your colleague sitting next to you.

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, what I am talking about is that the Ministry of Health using the Ministry of Public Works and Housing, paid out monies amounting to Kshs7.19 billion through vouchers number to C312204-312205. Those vouchers were payment made in favour of Equip Agencies Limited of P.O. Box 18093, Nairobi, in respect of the medical supplies to the Ministry of Health. Can this Minister tell us now who is in charge of Road Maintenance Levy? That money is being used by other Ministries. It is illegal for that type of borrowing which does not come to this House to be sanctioned by this House. Even this company, Equip Agency Limited, I have done a research and established that it is not a registered company to supply drugs to the Ministry of Health. It is not registered by anybody and this is the biggest rip-off this country has ever witnessed!

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Mulusya, are you interested in getting information?

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, I can get the information while I table the document.

(Hon. Mulusya laid the document on the Table)

Mr. Orengo: Mr. Temporary Deputy Speaker, Sir, the issue raised by hon. Mulusya maybe taken as a joke by some hon. Members, but it is a very serious matter. This money actually is not even going to the medical supplies, this is another way of this Government trying to get money for 1997 elections through the Road Maintenance Levy. And I know that there is a Mr. Kulei who is administering this whole rip-off. There is somebody in State House called Mr. Kulei who is managing this rip-off. He has done that before and I am grateful to hon. Mulusya.

Mr. Nyagah: Do you want further information?

Mr. Mulusya: Yes, allowed!

Mr. Nyagah: Mr. Deputy Speaker, Sir, whereas I concur with what hon. Orengo has said, this must be taken seriously. This Mr. Patel, Mr. Kulei and his team, are not only giving this money to go for control of malaria, it is a fact and we would like the Ministry of Health to prove to Kenyans that they do have the drug for the control of malaria because they do not and what they have is lime that is going to be given to Kenyans. We challenge the Minister and his Ministry to prove as to which company they are buying this medication from?

Mr. Kariuki: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Member to bring in matters which are not concerned with the Ministry of Public Works and Housing at all?

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, the Road Maintenance Levy is an account which is supposed to be managed by the Minister. Indeed, this Minister is the most frustrated Minister! He is very straightforward, very clean and he is a professor. He has been a Speaker in this House. He is so clean yet he is trampled upon like a small person, yet he is a professor and he can teach all those who are thieves!

The other thing that I want to talk about is that money which is meant for the Government projects is being paid to professionals through fraudulent means. The Government is spending so much money paying professionals.

With those few remarks, I beg to support.

The Assistant Minister for Information and Broadcasting (Mr. Nassir): Bw. Naibu Spika wa Muda, nafurahia mhe. Shikuku kwa kusema "*wallahi akbar*" huenda pengine akageuka na kuwa mfuasi wa dini ya Islamu.

(Loud consultations)

The Temporary Deputy Speaker (Mr. Wetangula): Order! Hon. Members! Hon. Mulusya, if you become a nuisance of attraction you do it out of here. We want to hear what other hon. Members are saying as well.

Mr. Mulusya: Hon. Members love me!

(Laughter)

The Assistant Minister for Information and Broadcasting (Mr. Nassir): Bw. Naibu Spika wa Muda, kila mhe. Mbunge ana wajibu kuzungumzia kwa kila mahitaji ya upande wake na kazi zake ili ijulikane kama amechaguliwa kufanyia kazi sehemu yake ya uwakilishi Bungeni.

Wizara hii ya kazi zake ni nyingi sana kwa sababu ya wingi wa kazi mambo mengi madogo madogo hupotea huko na kule kwa sababu Wizara hii ndio Wizara inayohusika na nyumba za Serikali, inajishughulisha na kodi, kujenga nyumba za wananchi na kadhalika. Wizara hii ina kazi kubwa, kupitisha pesa za kufanya kazi ndio wajibu wetu. Wizara ikifanya makosa mimi huenda mpaka ofisi ya Wizara na kusema nataka hivi na nimeona hivi ni vibaya nataka mtengeneze.

Makadirio ya pesa za Wizara hii ni lazima yatazamwe kulingana na idadi ya wilaya. Katika Mkoa wa Pwani, sisi tunaleta pesa nyingi katika Serikali yetu ya Kenya. Tuna bandari inayoleta pesa chungu nzima. Tuna watalii ambao wanatuletea chungu nzima ya pesa. Na wakati wa kugawanywa hizi pesa za kupelekwa kutengeneza barabara utaona ya kwamba---

Mr. Munyasia: On a point of order, Mr. Temporary Deputy Speaker, Sir. I think the hon. Member, who is praising this Ministry, should be honest and declare his interest first, according to Standing Order No. 75.

What particular interest does he have in this Ministry, especially, that section that condemns houses before he can continue his address?

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Nassir, do you have any conflict of interest?

The Assistant Minister for Information and Broadcasting (Mr. Nassir): Bw. Naibu Spika wa Muda, hayo ni mafikira yake. Unajua Upinzani una fikira nyingi. Waache waendeleo tu.

Prof. Mzee: On a point of order, Mr. Temporary Deputy Speaker, Sir. We all know that Mr. Nassir has the highest number of condemned houses allocated to him and these houses are condemned by the Ministry of Public Works and Housing. Therefore, he cannot just brush this question away. He has declared himself that he has received more than 96 plots.

Hon. Members: Declare your interest!

The Assistant Minister for Information and Broadcasting (Mr. Nassir): Bw. Naibu Spika wa Muda, ninataka mtu aseme vile anataka kusema. Lakini nimeona watu waliochukua mali--- Kama Prof. Mzee angekuwa hodari wa kusema, angesema kwanza upande wa Upinzani walichukua mashamba mangapi halafu aulize upande huu walichukua mashamba mangapi.

Mr. Shikuku: On a point of order, Mr. Temporary Deputy Speaker, Sir. Either we go by the Standing Orders of this House or we do not. Standing Order No. 75 clearly states:

"If you have an interest on any matter, now before the House, you are required to declare."

The Question has been raised as regards the hon. Member---

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Shikuku, you heard me clearly ask hon. Nassir whether he had any conflict of interest and he said no, and the Chair will take that to be an honest answer.

An hon. Member: He is lying!

The Temporary Deputy Speaker (Mr. Wetangula): Order! He is an hon. Member of this House and I do not think he will deliberately tell the Chair an untruth.

The Assistant Minister for Information and Broadcasting (Mr. Nassir): Bw. Naibu Spika wa Muda, ninafurahi watu wakitaja maneno yangu. Lakini mimi sitataja wenzangu kwa sababu matendo yao ni machafu zaidi kushinda wanavyonifikiria mimi.

Nilikuwa nikisema kwamba tunaleta pesa nyingi kutoka Kilindini, utalii na kila kitu. Lakini leo, ukitoka kiwanja cha ndege cha Port Reitz kwenda Mombasa, hiyo barabara ni mbovu, hata hao wageni wakija hupata taabu sana. Kwa hivyo, nilikuwa nikiomba kwamba wakati Wizara hii inatoa pesa za kupeleka katika kila wilaya, watizame zile wilaya zilizotoa pesa nyingi kwa manufaa ya Wizara ili waweze kutusaidia. Si sifu Wizara, lakini ninaiomba iendeleo na kazi nzuri zaidi. Uhitaji wa nyumba uko chini ya Wizara hii. Ni lazima Wizara hii isikilizane hata na Wizara ya Fedha kuhusu namna watakavyo kuchukua pesa zaidi, kujengea maskini nyumba ili nao maskini wapate nyumba. Watazame zaidi mambo ya kodi kwa sababu kuna matajiri wengine ambao kazi yao ni kufukuza watu katika manyumba kwa sababu ya kodi nyingi. Yangu ni kusema kwamba barabara ambazo zinaleta pesa nyingi zitazamwe. Kwingine, hata ninafikiri marafiki zangu watanisaidia--- Barabara nyingine zina fly-overs lakini kule kwetu haziko, na watu wengine hawaoni. Kama ndugu zangu kutoka Mombasa hawaoni yale yaliofanywa, lakini wanamtazama Nassir.

Bw. Naibu Spika wa Muda, pia mini ninataraji niwe na nyumba 96 kama vile ilivyosemwa hapa. Kumwomba mtu awe maskini ni kumuua, mwombe awe tajiri. Wakiniombea niwe tajiri nipate kusaidia watu, nipate kutoa harambee, kwa sababu hao hawatoi harambee, zao zikiingia mfukoni hazitoki, zina lala humo humo. Mimi zangu nikizipata, ninazitoa na kuwapatia wananchi.

Ninataka Wizara pia ichunguze, na ndungu wangu Waziri na maofisa walioko hapa-- Kila Wilaya, tukigawanya kazi, tuwapatie kidogo wale watu wa hiyo Wilaya. Hicho ndicho kilio kikubwa. Kwa sababu hata zile taabu zilizotokea kule Mkoa wa Pwani, kama kuna wafanyakazi huko, wanaweza kusaidiana ili kazi iwe rahisi. Mimi yangu ni kuomba kwamba maofisa wa Wizara wawe wakienda katika District Development Committee (DDC) katika kila Wilaya na kila Mkoa. Wakifanya hivyo, utaona taabu za Wizara zikipungua. Huko katika DDC, ndiyo taabu zetu zote zinazungumziwa. Ofisa moja wa hii Wizara aende katika DDC ya kila Wilaya ili ajue ni aina gani za taabu ziliko huko, iwe ni upande wa barabara, nyumba au kodi. Hii ikiwezekana, kazi itakuwa rahisi sana. Lakini ningewaomba, ijapokuwa mnafikiria kwamba ninapendelea Wizara, ninasema hivi: Huu sasa ni mwaka wangu wa 25 katika Bunge hili, na sijawahi kuuliza swali lolote. Nikiwa na taabu, ninaenda kwa ofisa anayehusika na kumweleza taabu zangu, na ananisaidia. Sitaki kutolewa katika magazeti wala katika radio. Hata magazeti huandika "Nassir naye alisema---". Hawasemi niliyosema.

Kwa hayo machache, ninaunga mkono.

Ms. Karua: Thank you, Mr. Temporary Deputy Speaker, Sir. I rise in support of the Motion but, unfortunately, the funds that are being requested, for the development and maintenance of the roads, are not

evenly distributed. I come from a constituency that has a lot of cash crops, including horticultural produce, that bring revenue to this country. I have in mind tea and coffee, french beans, tomatoes and the like. I do not see why we should contribute so much by way of taxes and get nothing in return from this Government.

Gichugu Constituency has less than 15 kilometres of tarmac. So, during the rainy season, our roads are impassable. During a season like this one, it is impossible to reach some parts of the constituency. I wonder why money is not allocated to grade the roads in Gichugu Constituency or to have them tarmacked. In 1983, this House voted for the tarmacking of the Rukenya-Kimunye road. To date, it has not been tarmacked, although people with farms bordering the roadside have long received compensation. The Minister for Public Works and Housing should tell us where the monies voted for the tarmacking of this road went to and why it has not been tarmacked. Thirteen years later, we are still struggling on an impassable road during the rainy season.

It is obvious to everybody in this country that there are some districts with more than their fair share of tarmac roads. It appears that political considerations are given by the Ministry of Public Works and Housing when it comes to priority on which roads to tarmac. The criteria should be the usefulness of a particular road and if, indeed, this was the criteria, then all the roads in Gichugu should be tarmacked or made all-weather roads. During the rainy season, tea leaves cannot reach Mombasa for export because the roads are impassable, the horticultural products go to waste because they cannot reach the markets. As a result, this country loses a lot of revenue. It therefore makes good sense to have the roads in Gichugu improved.

Mr. Temporary Deputy Speaker, Sir, I can see that there is no any money voted for development in Kirinyaga District. I notice that the only road earmarked for development in Kirinyaga is Kibirigwi-Baricho-Kagio Road. This road is already tarmacked and unless the Ministry is talking about monies owed to constructors, it means that in terms of development, Kirinyaga District is not getting anything from the Ministry of Public Works and Housing this financial year. This is unfair because the district is among the leading districts when it comes to contributing the revenue that we are now being asked to approve for use by the Ministry of Public Works and Housing.

On the general state of our roads in this country, it is obvious that most of our roads are full of potholes which are contributing to the high rate of accidents. I do not see any justification for the collection of the various levies and especially the Petroleum Levy Fund being collected from motorists in this country for the repair of roads because it is not ending up in the maintenance of our roads. As pointed out by the hon. Member for Kangundo, Mr. Muluya, it appears that money meant for the maintenance of our roads and collected through the Petroleum Levy Fund is ending in the hands of a few politically correct individuals under the guise that they are supplying the Ministry of Health with drugs. The Minister should tell this House what the Ministry of Public Works and Housing has to do with the supply of malaria drugs. It appears that public funds are deliberately being diverted into the pockets of a few politically correct individuals at the expense of the maintenance of our roads and at the expense of the lives of Kenyans which are continuously lost through road accidents.

On the policy of housing, it is lamentable that the Government is no longer building houses for civil servants. The Government used to have a policy of increasing the number of houses that are available for housing civil servants. Today, it is the reverse. The Government is quickly disposing of the few houses they have through dubious condemnation of these houses and once again allocation of the condemned houses to few politically correct individuals. We want to see a return to the good old policies of increasing the number of Government houses so that they may be allocated to civil servants who are among the worst paid workers in Kenya and who can ill-afford to pay for private houses. It is obvious that the policy of this Ministry is far from sound.

It is time the Ministry sat down and seriously planned for what can be of benefit to Kenyans. We would want to see a policy where the Ministry aims at making all the access and all the roads in this country all-weather roads so that we do not have communication hampered by bad weather as is the case today. It is regrettable that over 30 years after we attained our Independence, we still cannot use most of our roads when there is bad weather.

This country has a lot of resources and if they are properly directed, we should be able to get all-weather roads in this country.

The Ministry of Public Works and Housing should stop giving priority to roads that are not being utilised.

Priority must be given to those roads that are bringing revenue to the country. These are roads located in areas where our tea is passing when it is being taken for export in Mombasa, where our coffee is passing and where our horticultural products are passing. This does not appear to be the criteria of the Ministry of Public Works and Housing. The other criteria which the Ministry should be using is to see that each constituency and each district has a fair share of tarmac roads. As I pointed out, my constituency has less than 15 kilometres of tarmacked road and there is no explanation as to why this state of affairs should be so and why we should be unable to deliver our tea leaves when it is raining. We should also ensure that the little money that is collected from tea and coffee cess is stopped from going through the office of the District Commissioner's office and instead it should be

directed through the county councils. This may appear to be the problem of the Ministry of Local Government, but when we are talking about roads, the Ministry of Public Works and Housing should be in the fore front in ensuring that any little money available for roads, including the rural access roads is properly utilised. Therefore, we should have to go back to the old policy of county councils maintaining the roads without interference from the District Commissioner's offices. As it happens today, we are losing the cess money through the District Commissioners and when it comes to money for the major roads we are losing it through bad planning and policies of the Ministry of Public Works and Housing. We do hope that the Ministry will take seriously the contributions made by hon. Members in this House to rectify the situation. Otherwise, it may be reasonable for Kenyans to start refusing to pay taxes if we cannot get returns. We see no justification as to why we should continue paying these taxes if we cannot get returns. It is not enough to say that we are going to create a Road Safety Authority to curb accidents on our roads. If you want to curb accidents and if you care for the lives of Kenyans, we should start with well maintained roads. This is one area where the Ministry has miserably failed. We all need good roads.

I beg to support the Motion with those few reservations.

Mr. Anyona: Mr. Temporary Deputy Speaker, Sir, I wish to join all hon. Members who have contributed on this Vote yesterday and today in expressing general dissatisfaction with the performance of the Ministry of Public Works and Housing. The Ministry of Public Works and Housing is one of the most important Ministries in this country. Without roads and infrastructure, there is nothing that a country can do. We cannot have development without essential well-planned and well maintained infrastructure.

This Ministry has a responsibility of developing the road network. As far as I know, since Independence, there has not been any development of the road network in this country. There has been selective construction of roads in certain areas where certain political vested interests reside. The social function is for this Ministry to maintain the already existing roads. In that respect, this Ministry has not done what they are supposed to do. This Ministry is supposed to supervise the construction and building, but in this country today, there are buildings that are falling down and others that have become a public risk because there was no supervision at the time when they were under construction. Therefore, this Ministry is not carrying out its responsibility in that respect. This Ministry has allowed Government houses to be grabbed. It is the responsibility of this Ministry to keep custody of public property in terms of buildings and yet, that does not happen. The Minister has to explain to us what has happened to Government property in terms of houses. Under what policy have all these buildings been grabbed by well-placed individuals and politicians? We have been told about the Petroleum Levy Fund. Previously we had the Toll Levy which was also a total rip-off of the public. Funds were raised but there were no roads that were maintained or developed. We changed this particular system because we thought it will be seen. Now, there was mention of some money that was apparently loaned by the Ministry of Health to the Ministry of Public Works and Housing. I do not think that is correct. The correct position, as I understand is this; that the Ministry of Health was due to carry out a malaria control programme and they sent out invitation for tenders. Somewhere midstream, the Ministry of Public Works and Housing took over the process and started the procurement of the chemicals. The first question which I would like this Minister to tell us today is: why had this to happen in that manner and yet this is the responsibility of the Ministry of Health? Why was it the responsibility of the Ministry of Public Works and Housing to acquire these chemicals and equipment? I raised the question here earlier on to the Ministry of Health about this and they denied it, inspite of the fact that I produced evidence before this House. As I understand it, what has happened is that it was accepted that the corruption process would not be perfected if they did not go through the Ministry of Public Works and Housing. They must have an expert there in corruption. We were told of some documents here and I want to give you some more.

Mr. Temporary Deputy Speaker, Sir, as I have said, the Minister must explain to us why he is carrying out responsibilities that belong to the Ministry of Health by procuring malaria control equipment and chemicals. Why is it so because in terms of policy that does not come under his Ministry? How did that come about? But, I would like to tell this House that on the 17th of July, 1995, the Ministry of Public Works and Housing issued some 19 Local Purchase Orders (LPO's) for procurement of malaria control equipment and on the 23rd of May this year, they also issued another LPO No. S/4420. Now that is the 20th one. The other 19 were issued on the 17th of July, 1995 and their numbers were S/4420 and the first 14 LPOs numbers C/312204 to 312217 totalled Kshs 7,20,000,17-65 If you include the other six the total amount of that exercise came to Kshs 7,196,927,565. This process did not go through the Central Tender Board. Government requirements dictate that a purchase of this kind must go through competitive biddings which also was not done. We want the Minister to explain whether this money was from the Ministry of Health or whether it was from the Petroleum Levy or where this money was from.

Mr. Temporary Deputy Speaker, Sir, the second thing that we were told was that this Ministry is misusing the Levy. The other day there was a Question here and we were told by the Assistant Minister of this Ministry that this money is in the Consolidated Fund Account and yet Section 99 (2) of the Constitution of Kenya says that it is illegal to put money for a special fund in the Consolidated Fund. Can the Minister explain why that was done?

Mr. Temporary Deputy Speaker, sir, I would like to mention now briefly about the functions of this Ministry in Kisii and Nyamira districts. Nyamira District does not have a single tarmacked road. Now we have this famous road, which has now become infamous, called Kisii-Chemosit Road C21 which was supposed to have been tarmacked in 1965. To this day, it has never been tarmacked. We brought a Motion here last year asking this Ministry to tarmac that road which the Ministry agreed to. I brought a Question here earlier on just before the Budget and I was told some provision of Kshs 330,000,000 was going to be made in the Budget for the completion of this road. When the Printed Estimates came out, all we had in that account is some K£ 300,000 which is a mere Kshs 6,000,000. This means, therefore, that this Ministry does not take this House seriously. I know that there is a provision in the Standing Orders which forbids an hon. Member who is not a Minister to use the name of the President to support his argument but I am not going to use that name as an argument. I am going to ask this Minister to explain-and he is not listening even now-to explain why, despite the fact that he has been ordered twice by his boss to tarmac that road he, has not done it? As we said before, if this road is not tarmacked by the next Election, we are telling this Government, KANU and our Members of Parliament from Kisii that they can forget about any votes in Kisii for KANU.

The Minister for State, Office of the President (Mr. Kones): Is that true?

Mr. Anyona: It is true. You can ask hon. Nyachae, hon. Onyonka and all of them. The people of Kisii have told them so because the President has come there and ordered that the road be done and the road has not been done. It means that there are more powerful people in this Government than even the President. So, what is this for us to waste our votes, voting for a party that cannot honour its promises to the people.

Mr. Temporary Deputy Speaker, Sir, I would like this Minister to also explain another issue. In Kisii District we have a road called Kisii-Kilgoris Road. Now, there is only K£ 100,000 earmarked for that road. That is the only tarmacked road that there is in Kisii District and yet there is no sufficient money for it at all. I want the Minister to also explain why there is no money in this budget for bridges in Kisii and Nyamira. We have got a bridge which has collapsed. We cannot reach Nyamira because the bridge has collapsed. We have Kiambege bridge and Kensongo bridge going to Suneka which has not been completed since long time ago. This Minister must explain why we must support this Government.

I beg to oppose.

The Assistant Minister, Office of the President (Mr. Awori): Thank you Mr. Temporary Deputy Speaker, Sir. Most of the contributors yesterdays and half of this afternoon ---

Mr. Anyona: Mr. Temporary Deputy Speaker, Sir, I did mention that I have some documents. In our Standing Orders, if you do so, you are obliged to lay them on the Table. May I do that right now?

The Temporary Deputy Speaker (Mr. Wetangula): Go ahead.

(Mr. Anyona laid the documents on the Table)

The Temporary Deputy Speaker (Mr. Wetangula): Go ahead Mr. Assistant Minister.

The Assistant Minister, Office of the President (Mr. Awori): Mr. Temporary Deputy Speaker, Sir, from yesterday contributors appeared to have been quite rough on the Ministry of Public Works and Housing and with good reasons. We know that roads do affect all aspects of life of wananchi. In a free country like Kenya, people tend to travel quite a great deal and they need to have good roads.

Mr. Temporary Deputy Speaker, Sir, yesterday the seconder of this Motion mentioned very, very eloquently that roads do affect every Ministry in our Government. If education has got to succeed, there must be good roads. If health services have to go to wananchi, there must be good roads, and to improve agriculture, there must be good roads. In other words, roads are a key to the lives, both individually and as a Government. They do affect the performance and the services that the Government has got to give our people, and in particular, good roads help to enhance the economy. It is only when the economy is vibrant, when there is circulation of funds in the country, that true freedom, of which our forefathers fought for, will be realised. Security of this country depends on roads. Those of us who live along the borders appreciate this when facing daring thousands of people from other countries, who do not mean well for us. Without good roads, it is very difficult to pursue them. Our roads really have gone to the dogs.

They are really bad and all of us ask ourselves, why are our roads so bad and pathetic, not only in the countryside, but in the townships as well? Are we saying that we are so incapable of looking after our roads? Are we saying that we are so much unable to take care of our own affairs? Do we not have these days a Roads Maintenance Unit? How we all long for the good old days of the Public Works Department (PWD), when there were roads maintenance units after every so many miles in a situation or a time when the technology was nothing to talk about.

The maintenance units were very vigilant on the areas they were looking after. What has happened to that Roads Maintenance Unit? Many tarmacked roads in various places have disappeared completely. In fact, it is much better sometimes to drive on roads that are purely gravelled rather than a road that was once tarmacked. Why do we have to wait until the road has gone completely off before we start patching it up? In the old days, there were maintenance people who almost, on a daily basis, covered the areas they were responsible for and they did the repair before the situation got worse. I will really have preferred that attitude that we had in the past comes back again. Who do we have to blame? In the old days, it was the normal people in the countryside that were employed to do the maintenance and they used to have supervisors and engineers.

They are the same people who are there. Why are we unable to maintain our roads the same way we used to do? The country's development is gauged mainly by its communication network, and in the communication network, the major factors are roads. The roads must be well planned and they should be well maintained. Why have we put all these things on hold? It is almost as if the Planning Section in the Ministry of Public Works and Housing and the Maintenance Unit also went away. In other words, these very important factors have been put on hold. We can no longer talk of lack of funds. The question of lack of funds is not good enough. What we need is vision and imagination. Why can we not borrow a leaf from history? In Italy, during the period of Mussolini, when their economy had gone haywire and there were so many people unemployed, they utilised the unemployed personnel to build what has come out to be the best roads in the world. In Germany, in 1928 and 1931, when the unemployment crisis was very high, they utilised the unemployed to build dams, that are today the pride of Germany. In the United States of America, again, during the depression President Franklin Roosevelt utilised the unemployed to do a lot of public works. Why can we not do that? There is no reason at all why we should say that because of lack of funds, we cannot have good roads? Roads require to be planned nationwide. I want to support a contributor who said that we must stop this patch-work planning of selecting certain areas to have good roads. We need to plan for the whole country. We want plans which will see good roads from Mombasa to Busia and from Kehancha to Mandera. We want roads to be planned looking ahead, knowing that every day, the technology changes, that the demands of people change and that the population increases.

Today, Mr. Temporary Deputy Speaker, Sir, we should be constructing dual carriage ways on the major trunk roads. Mombasa to Nairobi must be a dual carriage way.

Mr. Temporary Deputy Speaker, Sir, contractors are a great shame to this country. Why is it that we always give contracts to contractors that are incapable? Four years ago a contract was given for the construction of a road from Busia to Mumias. That road was supposed to be completed in three years, but it is more than three years now and that road has not gone beyond 10 kilometres. Even where the preparation has been done, they even never put tarmac on top of that preparation until it is re-prepared again. In the end, you will find that that will be requiring more than three times the amount of the money required to complete it. Why? Does it mean that there are fewer and fewer qualified road contractors? I really would not want to hazard the reason, but we continue to wonder, why? The same contractor has been given a contract to repair what was properly the best road constructed in this country, the road from Yala to Busia. Had it been properly maintained, that road could have lasted for ever. For some reasons the same contractor who has been unable to do a road from Busia to Mumias, has been awarded the contract of repairing the road. Instead of using the proper materials, they are sealing with soil, and when the rain comes, it washes it away. We must ask ourselves, why?

Mr. Temporary Deputy Speaker, Sir, it is high time that we considered very, very seriously the question of privatising roads. Recently, I had the pleasure of accompanying His Excellency the President to Malaysia, and I saw first hand the system of roads which have been privatised. If that is done here, there would be a great deal of improvement. Talking parochially of a road C30 from Kuyonzo passing through Kakamega, Busia---

The Temporary Deputy Speaker (Mr. Wetangula): Order! Mr. Minister, it is time to reply.

An hon. Member: He is not ready.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Minister, are you ready?

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

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

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Speaker, Sir, I wish to thank all the hon. Members who have had the opportunity to contribute to the very lively debate that has ensued. Right from the outset, I want to say that there has been a very heated discussion which is a result of Members' interest in the issue of roads in this country. That is as it should be. However, there have been quite a number of misunderstandings, misconceptions and debate based on sheer ignorance in some cases, I must say, and I will demonstrate this. For instance, one Member was talking about the potholes in Nairobi. He said that a car comes out of a pothole as if it is coming from river. But the truth of the matter is that, the roads in municipalities such as Nairobi and others, are not under the Ministry of Public Works and Housing. These are roads undertaken by the Ministry of Local Government and the Member should have known, already World Bank has given Kshs6 billion for that kind of work. I must assure the House, because the Government is one, anyway, that as time goes by, the implementation of works with that money will show a complete improvement of these roads.

Mr. Temporary Deputy Speaker, Sir, there are also some misunderstandings in another respect. Hon. Members have blamed this Ministry for, allowing Government houses to be condemned and to be taken by people.

I must say that there is some ignorance there. There is one person in the whole Government system who has power to give out land, and that is the Commissioner of Lands, and the Commissioner of Lands can give out land, regardless of whether it is developed or undeveloped. What has been happening is that, the Commissioner gives land for whatever reason, and legally to an individual. It so happens that, that piece of land has a house. When that is being done, there is a laid down procedure that must be followed and it has nothing, whatsoever, to do with the Ministry of Public Works and Housing. We do not have the authority to give out land and, that is why even Questions in this House have always been answered by the Ministry of Lands and Settlement.

Mr. Ndicho: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister is misleading the House because we are all crying that, Government houses are being condemned and we do not know who condemns them or who is supposed to condemn Government houses. Now, he is saying that there is only one person who should give out land. Could the Minister tell this House, whether there is anybody in his Ministry who should condemn Government houses and what is the procedure?

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Speaker, Sir, I am saying that if the hon. Member bothered to find out what goes on in the Government system, these queries would not arise. I have said that the Commissioner of Lands has power, not only to give out land, but also to acquire land from individuals.

(Several Members stood up in their places)

The Temporary Deputy Speaker (Mr. Kariuki): Order! I know what you are asking. Mr. Minister, you should say who condemns those houses. That is what the Hon. Members want to know.

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Speaker, I am coming to that. I am saying that the Commissioner of Lands can allocate land which is developed or undeveloped. The one which is developed is the one which has a house. In fact, when the Commissioner of Lands gives land, he does not give out the house. He only allocates the land and it is the house on the land--

Mr. Shikuku: On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Minister is intentionally and knowingly trying to mislead this House about--

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker: Order! Proceed Shikuku.

Mr. Shikuku: Thank you, Mr. Temporary Deputy Speaker, Sir. He should be told that, under Standing order No.68, point of order is to be heard in silence by all Members. The Minister is intentionally and knowingly trying to mislead this House that, the Commissioner of Lands is the one who gives the land plus the house. Houses are normally condemned and boarded by his Ministry. Is he in order to try and put the blame on the Commissioner of Lands?

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Speaker, Sir, if hon. Members can bear with me, I will explain and they see the point. What I am saying is that, the only person authorised to give out land by law is the Commissioner of Lands. What normally happens is that, for whatever reason, either because an individual applies to the Commissioner of lands to be given land which is undeveloped

or which has a House --- When that is done, and the Commissioner of Lands decides to give out the land, he writes to our Ministry saying that "the Government has given this piece of land on which there is a house, now proceed and evaluate the state of the house." So that when the Commissioner of Lands is giving Land plus the house, the money equivalent to the value of the house can now be recouped by the Government. This is what I am trying to say.

(Several hon. Members stood up in their places)

The Temporary Deputy Speaker (Mr. Kariuki): Order, Hon. Members!

Prof. Anyang Nyong'o: On a point of order, Mr. Temporary Deputy Speaker, Sir. Could the Minister clarify to this House whether, indeed, it is the procedure in his Ministry, that they first condemn the house so that the house is no longer an encumbrance on the land to enable the Commissioner of Lands thereby to allocate the land?

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

[Mr. Deputy Speaker took the Chair]

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Deputy Speaker, Sir, this is exactly what I am trying to explain. The procedure is, that the Commissioner of Lands can give out a piece of land to an individual whether that land is developed or not. If it is developed, that is, there is a house on it, the Commissioner of Lands communicates to our Accounting Officer, saying that, he has an intention of giving out that piece of land to a private developer or to a company or whoever it is. The Commissioner of Lands demands to know the value of the property that has been developed. It now requires the formation of what is called---

(Several hon. Members stood up in their places)

Mr. Deputy Speaker: Order! I think it will be fair if you give him time to reply.

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Deputy Speaker, Sir, because Members do not seem to---

Mr. Nyagah: Mr. Deputy Speaker, Sir, thank you very much for giving me this opportunity. We would like the Minister to be serious about this matter. How does the Commissioner of Lands know that a house is due to be condemned unless the Minister tells him that this house is due for condemnation can you then allocate it to another person? Secondly, His Excellency the President has banned the giving out of these houses. Why do we still continue to have these houses being given? Last week, when I was travelling near State House, I found a Government house being allocated to the Managing Director of National Irrigation Board. This allocation was being done by a friend of mine; it cuts right across a Government building and they did not know what to do. Why do you keep on giving out these buildings, and I know a lot of you are beneficiaries of it?

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Deputy Speaker, Sir, what is allocated is not the house, what is allocated is the land, and this is what I am saying. Yes! You can study the procedure.

Mr. Deputy Speaker: Order! I think hon. Nyagah asked his Question very clearly and I think the Minister is entitled to give his version or the Government's version as he represents it as the Minister. I think it is only fair that you allow him to give his explanations rather than shoot up when he has uttered two words. At this rate, I do not think he will be able to respond to the debate.

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Deputy Speaker, Sir, I was saying that after the Commissioner of Lands has given out the piece of land with the house, then he communicates with us to set up a board of survey to evaluate the space of that house, and we do that and send this information to the Treasury.

Mr. Ndicho: What comes first?

The Minister for Public Works and Housing (Prof. Ng'eno): What comes first is the intention to allocate the land. The intention to allocate the land is communicated by the commissioner of land to us.

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

Mr. Deputy Speaker: Order! I think the Minister is entitled to respond to the debate, but at this rate

you are not allowing him to respond to the queries which were raised in the debate.

Hon. Members: The hon. Member is misleading the House.

Mr. Deputy Speaker: Often, Members on both sides end up misleading the House so long as their view is not agreeable to the other side. I think we should allow him as the Minister for Public Works and Housing, to respond to the debate on the Vote.

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

Mr. Deputy Speaker: Order! You know, many of these matters are indeed subject to questions. You had all the opportunity in the course of debate to tear him down. The question which hon. Ndicho is asking, was asked very eloquently by hon. Nyagah. I think it is fair that we give him the time to respond.

Mr. Orenogo: On a point of order, Mr. Deputy Speaker, Sir. I am just seeking your guidance because the manner in which the Minister is expressing his views is contrary to the manner in which the Government operates especially the Cabinet. There is the doctrine of collective responsibility and the way the Minister is trying to shift the blame to the Commissioner of Lands is not consistent with the principle of collective responsibility. I think he should see this as a serious matter.

Mr. Deputy Speaker: I should think you should be very happy when you see him being that inconsistent because it is your business to bring out inconsistencies in him.

Mr. Orenogo: But he is replying to a very very important sector of his responsibility and now this late, when we have already given our views, he is trying to shift blame to the Commissioner of Lands, and we know that the position is otherwise.

The Minister for Public Works and Housing (Prof. Ng'eno): That is the fact and not the shifting of the blame. I am simply saying that the only person authorised by law in this country to give out land is the Commissioner of Lands and he has been giving intentions to do so, but he sometimes requires the co-operation of certain other arms of the Government such as my Ministry, when it comes to the evaluation of the property which is on the land before he proceeds to give out the land. I do not want to dwell on that because there are so many other matters that we must deal with.

Mr. Ndicho: On a point of order, Mr. Deputy Speaker, Sir. I am seeking your guidance on whether what the Minister is telling us is consistent with a directive which has already been given by the President that Government houses should not be condemned and should not given to people with or without Gachanja.

Mr. Deputy Speaker: That is not a matter for the Chair to guide. It is for the Minister to answer.

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Deputy Speaker, Sir, I was clarifying some points, and it appears that I may not have time to reply to the queries by the Members.

I was coming to another point which is the use of the fuel levy fund. During the contribution, some Members deliberately gave wrong information. Yesterday, I said that we can account for all the fuel levy fund and yet some Members continued to say that some of this money has been used to construct Eldoret Airport, LPG and all kinds of things. I must say that the purported document that was laid by hon. Mulusya is a bogus one. You can see that there is no Head shown here where money is being drawn. The number shown here belongs to the Ministry of Health - 326, 1110 is the station and 133 is the item that was to be purchased and it not even a drug. Here the man who is supposed to authorise ---

Mr. Mulusya: On a point of order, Mr. Deputy Speaker, Sir. Can the Minister confirm or deny that those documents are not signed by his PS.

Mr. Deputy Speaker: Order! Mr. Mulusya, that is not a point of order but a question. I am afraid we are not in Question Time.

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Deputy Speaker, Sir, I am saying that this document is bogus. There is nobody authorising any one to draw money. Where it should be signed there is no signature and all hon. Members can read the document. So, no money has been drawn from this bogus document. You can see some of the debates maybe really directed at the Ministry because they see it as the one that is building the image of the Government and particular Members of the Opposition want to oppose it because of that and not because of anything else.

Hon. Mulusya during his contribution said---

Mr. Anyona: On a point of order, Mr. Deputy Speaker, Sir. The Minister is talking about documents that were laid by hon. Mulusya and he says that they are not genuine. I did lay documents on the table at the same time, 20 LPO and a two page document analyzing the whole process. Why is he evading that one and hiding in this other one?

The Minister for Public Works and Housing (Prof. Ng'eno): In fact, the documents that hon. Anyona laid are the same as those laid on the table by hon. Mulusya. They are not signed and they cannot be genuine.

They have to be bogus.

Mr. Mulusya: On a point of order, Mr. Deputy Speaker, Sir. Would I be in order to invite the Chair and the whole House to scrutinise those documents to ascertain whether they are signed? We are not quacks!

[Mr. Deputy Speaker left the Chair]

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

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Speaker, Sir, I said yesterday that the Ministry of Public Works and Housing has raised, through fuel levy, Kshs2.2 billion. Hon. Mulusya laid documents purported to have drawn Kshs7 billion which we do not have. How come that out of the fuel levy, we have given Kshs 7 billion which we do not have?

Mr. Kapten: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister is saying that the documents are not signed. Do you agree that these documents came from your Ministry?

The Minister for Public Works and Housing (Prof. Ng'eno): What I am saying is that where they are supposed to be signed, they are not signed and nobody knows about the stamp which is on top there.

Mr. Anyona: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister is trying to evade issues. This time round, he will not succeed. He has been misled by the team of civil servants there, and he wants to come and mislead the House as well.

I laid 20 LPOs and 17 of them were issued on the same date, and that is 17th of July, 1995. One of them was issued on 23rd May, 1996. The tender quotation reference number is S/4420, Ministry of Public Works and Housing. The ones I laid here---

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Anyona, what is your point of order? You have resulted into arguing.

Mr. Anyona: My point of order is this: The Minister has said that the money was not taken from the Fuel Levy Fund and my question was for him to explain to us where that money was taken from, but he is trying to evade that.

The Temporary Deputy Speaker (Mr. Wetangula): Order! To the best of my recollection, the documents that hon. Mulusya tabled here related to the Ministry of Health. Did they?

Hon. Members: No!

The Temporary Deputy Speaker (Mr. Wetangula): Order! To the best of my recollection, they related to the Ministry of Health. Hon. Kapten has showed me the documents and if they are copies of the same documents, there is a stamp and an impression of a signature showing the Permanent Secretary, Ministry of Health. I do not see how the Minister for Public Works and Housing should be required to provide strict proof about the signature or the authenticity of the documents that do not relate to his Ministry.

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Speaker, Sir, I wish they can allow me to say that the confusion came about because of the fact of Supplies Branch.

Mr. Anyona: On a point of order, Mr. Temporary Deputy Speaker, Sir. That is precisely why I laid my own set of documents. My documents have on them a stamp of the Ministry of Public Works and Housing. I refer to a situation where earlier, I had asked the Ministry of Health why the drug procurement was being carried out by the Ministry of Public Works and Housing, rather than the Ministry of Health. Those other documents implicated the Ministry of Health. Mine refer to the Ministry of Public Works and Housing. Can the Minister explain?

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Speaker, Sir, what I was getting at, and this is going to answer hon. Anyona's question, is that the Ministry of Public Works and Housing is there because of the Supplies Branch which is in the Ministry. But it is the Supplies Branch which serves the whole Government system. It does not mean that because the Supplies Branch is in the Ministry, it is there because of the money collected from the Fuel Levy Fund or the Ministry alone. It is not.

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

The Temporary Deputy Speaker (Mr. Wetangula): Out of order! Prof. Ng'eno, can you wind up your speech? You are running out of time.

The Minister for Public Works and Housing (Prof. Ng'eno): I am running out of time, but I am happy to say that we will continue to serve this country. I am happy to say that although some hon. Members do not

seem to realise, but today, we have done much more than has been done before. Even the donor community is very happy. We have correspondence which indicates that our new system of targeting money for a specific road and setting up inspectorates to go and make sure that the money is used is a new idea which is paying dividends. Within the next two years, most of this country will be fully served and most of the roads improved.

I was very happy when hon. Ligale said, which is a fact, that just two years ago, this country was suffering from lack of finances. Therefore, roads had deteriorated for many years. It is not possible to turn that around in a span of two years. We must be given more time. I am happy to say that in spite of what some hon. Members are saying here, the wananchi out there are very happy when I visit them. It is not true to say that the roads are being done in one particular province. Some hon. Members have said that roads in certain areas are the only ones being done. I have travelled to many places, and when I go from Bungoma to Teso I see that there is a new tarmac road there. When I go to South Nyanza, the road from Rudi Kopanyi to Kalungu Bay---

Mr. Ojode: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister is misleading this House because he said that the LPOs should have come from the Supplies Branch. Supplies Branch does not have anything to do with drug related cases. The LPO should have come from the Medical Stores Control Unit (MSCU). Is he in order to mislead this House?

The Minister for Public Works and Housing (Prof. Ng'eno): As I said earlier, these documents have nothing to do with drugs. They involve something else. I ask the hon. Member to scrutinise again. Anyway, I want to say that we will continue to give services.

Finally, I want to take this opportunity to thank His Excellency the President for guiding this country and more particularly, for the role he played in leading the Kenyan Delegation in Istanbul. It is his presence that made it possible for the world community to change its mind and allow Habitat and UNEP to continue remaining in Nairobi, and also for the international community to generate additional and new resources to enable the United Nations offices in Nairobi to continue with their work. We must thank His Excellency the President for that.

Mr. Anyona: On a point of order, Mr. Temporary Deputy Speaker, Sir. It will be very unfortunate, if we go through this Vote without this matter coming out very clearly. We have said here before, that the procurement of chemicals and equipments for the control of Malaria Programmes was to be carried out by the Ministry of Health. The Ministry of Health invited quotations and some quotations were submitted. Then, the whole thing was cancelled because the tenders through the Ministry of Health were cheaper than those which were carried out by the Ministry of Public Works and Housing. What we are asking this Ministry to explain is why they got involved because in all other procurements for the Ministry of Health, it goes through MSCU. So, what is so special about this?

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Speaker, Sir, what I have said here is that these are not drugs. They are insecticides relating to so many Ministries and they are purchased through our Supplies Branch.

The Temporary Deputy Speaker (Mr. Wetangula): Order, Prof. Ng'eno! There seem to be so much agitation about these documents. Can you make it very clear to the House what they are all about, and what is worrying this side of the House?

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Speaker, Sir, first of all, these documents were brought here in order to prove that the Ministry of Public Works and Housing is using its Fuel Levy Fund to the tune of Kshs7 billion to purchase bogus things like drugs and so on. I am saying that this is not true because the documents laid here do not relate to drugs. They relate to insecticides and they are procured on the basis of common-user items which fall under the Supplies Branch, which happens to be in the Ministry of Public Works and Housing. That is what I am saying.

With those few remarks, I beg to move.

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

The Temporary Deputy Speaker (Mr. Wetangula): He has already finished!

Prof. Mzee: When we began, he said that these documents are bogus. To prove that they are not bogus, can he withdraw that remark? He indicated that very clearly.

The Minister for Public Works and Housing (Prof. Ng'eno): In so far as the Fuel Levy is concerned, these documents are bogus and I maintain that.

Therefore, I beg to move.

Mr. Munyasia: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister said very clearly that these documents were not even signed and they are bogus. Now, he is admitting that they are from his Supplies Branch.

The Minister for Public Works and Housing (Prof. Ng'eno): I am saying that as far as the Fuel

Levy---

The Temporary Deputy Speaker (Mr Wetangula): Order! Whether the documents are bogus or not is neither here or there. What I have seen on those documents is a stamp showing Permanent Secretary, Ministry of Health, with a signature. As to the authenticity of the documents, I do not know. It is up to the Minister to explain.

(Question put and agreed to)

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

IN THE COMMITTEE

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

Vote 13 - Ministry of Public Works and Housing

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, I beg to move:-

THAT, a sum not exceeding K£135,428,360 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1997 in respect of:-

Vote 13 - Ministry of Public Works and Housing

(Question proposed)

RECURRENT EXPENDITURE

SUB-VOTE 130 - GENERAL ADMINISTRATION AND PLANNING

Head 380 - Headquarters Administration

Mr. Orengo: Mr. Temporary Deputy Chairman, I wish to move a reduction of K£1 in Head 380 - Headquarters Administration Services, Item 00 - Personal emoluments.

Mr. Temporary Deputy Chairman, Sir, I really do not wish to take a lot of time on this. Members have expressed their disappointment and dissatisfaction with the manner in which this Ministry has undertaken its work in maintaining roads and Government buildings. It is not just the Opposition, but the entire House, that has expressed utter dissatisfaction with the Ministry. The reason why I am moving that this sum of K£1 be deducted from Head 380, Item 00, is because, it is the Permanent Secretary and those that are manning the headquarters of this Ministry who are accountable not only to this Parliament, but to the whole of the Kenyan nation in the manner in which they disburse funds which are used by this Ministry from the Consolidated Fund.

Mr. Temporary Deputy Chairman, it is obvious that over the years, as you watch and observe those who have worked in this Ministry either as Permanent Secretaries, architects or engineers, and if you want to know what has happened to NSSF building which is up the road here, you will know who the architect was, he was at one time the Chief Architect in this Ministry and his position---

The Temporary Deputy Chairman (Mr. Ndotto): Mr. Orengo, you have Moved what you wanted to move. I do not think you should take this opportunity to debate the Vote again. Could you please wind up?

Mr. Orengo: Mr. Temporary Deputy Chairman, I will wind up, but from the Order Paper it is clear that when we are in Committee, I am entitled to speak for 10 minutes. I do not want to use that time, but this is there, so, I should not be asked to wind up.

I am just pointing out why I am saying that other than reducing this amount from any other Head, it should be reduced from the salaries of these Civil Servants that we are seeing here, because this is the headquarters of all the vices that have happened in that Ministry. If they were doing their work properly and the engineers in that Ministry were doing their work properly, the roads in Kenya would not be in this state. We

need to send a word across Parliament that we are dissatisfied, we are unhappy and we are not going to give them the money they need, we must reduce that amount, otherwise---

The Temporary Deputy Chairman (Mr. Ndotto): Order! Mr. Orengo, I want to remind you that you are not entitled to 10 minutes, can you wind up please. Mr. Orengo, you have already made your point, can you please wind up?

Mr. Orengo: Yes, but I should not be intimidated in Parliament. In Parliament, it is wrong for Mr. Speaker, the Chairman or anybody to intimidate me. You should defend my right to say what I want to say. So, I want to leave it at that, but I think this should not be seen on a party basis. Last week when the President was in Siaya, one of the things that was quite evident, is that, everybody was not happy with situation on the roads and I personally was hoping that during his visit there, probably I would benefit by his presence, and I can see hon. Nyachae laughing, but it is not a laughing matter.

Mr. Temporary Deputy Chairman, I urge both sides of the House to show the dignity of this House, to show the dignity of this House that where civil servants are not doing their work properly, we can show them that this Parliament can act, by reducing whatever they are asking us to give to them. I can see them sitting here like hyenas, the way they look, they are just hoping!

I beg to move.

(Loud consultations)

The Temporary Deputy Chairman (Mr. Ndotto): Order! Order, Shikuku! I want to propose---

Mr. Shikuku: On a point of order, Mr. Temporary Deputy Chairman. You cannot propose the Question before the Motion is informally or formally seconded. You are being misled!

The Temporary Deputy Chairman (Mr. Ndotto): It is not necessary at the Committee Stage for the Motion to be seconded.

The Temporary Deputy Chairman (Mr. Ndotto): It is overruled. I will now propose the Question

(Question of the reduction proposed)

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Temporary Deputy Chairman, Sir, I stand to vehemently oppose this Motion. It is a Motion which has no substance whatsoever. The reasons which have been advanced in support of it are entirely trivial. In any case, it is extremely difficult to believe that the hon. Member who has moved this Motion is serious. I say that because if you look at the current Budget---

Mr. Orengo: On a point of order, Mr. Temporary Deputy Chairman, Sir. I was elected to this House before hon. Saitoti ever dreamt of coming to Parliament. For him to say that I am not serious--- He has been imputing improper motive on everything that I have done in this House!

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Temporary Deputy Speaker, Sir, I am amazed that the hon. Member himself is questioning my presentation when he has already acted contrary to the Standing Orders by referring to the civil servants in the House as hyenas. This is a comment which he must withdraw!

Hon. Members: It is you and not them!

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Temporary Deputy Speaker, Sir, if it were not for the fact that we respect your ruling, we were to demand a total withdrawal of the abuse by hon. Orengo. Having said that, let me say this: Not too long time ago, these Members of the Opposition were the ones--- These people are not Kenyans at all! Look at them! These people should be ashamed of themselves!

Hon. Members! Shame on you! Shame on you!

The Temporary Deputy Chairman (Mr. Ndotto): Order! Hon. Members, I am going to send out anybody who is going to delay the discussion on this vote. We should respect each other in this House. If the Vice-President is saying something which you do not like, so long as he has not violated any Standing Order of this House---

Mr. Achieng-Oneko: On a point of order, Mr. Temporary Deputy Chairman, Sir.

The Temporary Deputy Chairman (Mr. Ndotto): Order! Hon. Achieng-Oneko, you are a senior Member of this House and I expect you to wait until I finish and then you can raise your point of order.

Let us finish the business before the Committee and if the Vice-President and Minister for Planning and

National Development is saying something which is not "sugar", please wait until he finishes saying it. Therefore, I will allow him to continue making his comments on Mr. Orengo's Motion.

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Temporary Deputy Chairman, Sir, democracy demands that one must be heard!

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

The Temporary Deputy Chairman (Mr. Ndotto): Disallowed, Mr. Munyasia.

Mr. Achieng-Oneko: On a point of order, Mr. Temporary Deputy Chairman. I am standing on a point of order in connection with the remark made by the Vice-President. We shall only call him the "hon. Vice-President" if he respects us, but when he calls us "these Members" we will call him "this man".

The Temporary Deputy Chairman (Mr. Ndotto): I am assuming that the Vice-President meant to refer to hon. Members, but this is up to him to clarify.

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Temporary Chairman, Sir, there is nothing to clarify because I referred to the hon. Members on the opposite side of the House. I want to say that it is not too long ago when hon. Members on the other side of the House went around urging donors not to provide this country with resources for development.

Hon. Members: On a point of order, Mr. Temporary Deputy Chairman, Sir.

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Temporary Deputy Chairman, Sir, they know very well that I cannot be cowed. They can make the noise but I will keep on standing here and talking. Nitawasomea!

The Temporary Deputy Chairman (Mr. Ndotto): Order! Order, hon. Members! If you want to contribute to this Motion, you must give each other time to finish what they are saying. If you do not want to contribute, the best I can do, if you continue this way, is to put the question. But I am willing to give one or two hon. Members a chance to comment on this Motion. But you have to give each other time to finish their remarks. Yes, hon. Saitoti.

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Temporary Deputy Chairman, Sir, the main reason why there is this opposition is because in the current budget of the Ministry of Public Works and Housing, there are substantial resources which are going to be used for the rehabilitation of our roads. The allocations for urban roads and main highways are reflected. It is these same Opposition Members who have been telling the donors all over, that no funds should be provided to this country. Now, that they see that the funds have been provided, they want to oppose this particular vote. I would like the House to reject, in the strongest terms, the Motion which has been brought here and which is has no substance whatsoever.

With those words, I beg to oppose.

Mr. Obwocha: Mr. Temporary Deputy Chairman, Sir, the Mover of this Motion---

Mr. Anyona: On a point of order, Mr. Temporary Deputy Chairman, Sir. I have been standing up but you decided to turn your eyes to the other side. I do not why.

But the point is this: As far I am concerned, and I was here earlier than the Vice-President, when an issue arises in the Committee stage about a vote as it has now, it is the Minister responsible for that vote who answers it. That is my first point. That has been the tradition. The second point is that the Vice President stood up to challenge the right of hon. Orengo to bring this Motion. It is possible that in the Sixth Parliament, there was never a practice like this one. But we want to tell him that this is the normal practice of Parliamentary business everywhere in the world. I also want to tell him where this issue is provided for in the Standing Orders. It is Provided for in Standing Order No. 142(3), which reads as follows:

" A Motion to reduce the amount of a Vote in the annual estimates shall be so framed as to propose a reduction in the total amount of that Vote and shall be moved when the sub-head to which it relates is under consideration by the Committee".

So, what is the Vice-President and the Minister for Planning and National Development challenging? We are acting properly!

The Temporary Deputy Chairman (Mr. Ndotto): Order! Order! That is exactly what we are doing and I think the best thing I can do is to put the Question.

(Loud consultations)

Order! Hon. Members, I would like you to give each other a chance to say what they want. So long as you are going to do that, I will allow you, but if you---

Order! Hon. Members. Mr. Obwocha, what are your remarks?

Mr. Obwocha: Mr. Temporary Chairman, "For the Welfare of society and just Government of men."

The spirit of this Motion is that the state of roads in this country is terrible. I am talking about a road which was started in 1965 from Chemosit to Kisii, up to this date it has never been completed.

The Temporary Deputy Chairman (Mr. Ndotto): Order!

DIVISION

(The Division Bell was rung)

[Question of the reduction put and the House divided]

[Question defeated by 53 votes to 32]

AYES: Messrs. Achieng-Oneko, Achola, Akumu, Aluoch, Anyona, Gitonga, Gichuki, Githiomi, Karan, Kareng'e, Kiliku, Dr. Kituyi, Dr. Lwali-Oyondi, Messrs. Mak'Onyango, Maore, Mbeo, Mulusya, Mungai J.N., Munyasia, Murungi, Mutere, Mwiraria, Prof. Mzee, Messrs. Ndwiga P.N., Nthenge, Nyagah, Prof. Anyang'-Nyong'o, Mr. Obwocha, Dr. Odinga, Messrs. Ogeka, Ojode, Onyango.

Tellers of the Ayes: Messrs. Falana and Githiomi

NOES: Messrs. Abu, Achuka, Badawy, Barmasai, Biwott, Chebelyon, Cheserek, Falana, Dr. Godana, Messrs. Gumo, Imana, Kaino, Kalweo, Kamotho, Kamwithi, Kamuren, Kariuki, Keah, Col. Kiluta, Messrs. Kirwa, Koech, Komora, Kones, Kosgey, Lengees, Leshore, Lotodo F.P.L, Lotodo J.D., Magwaga, Makau, Dr. Manduku, Messrs. Manga, Masinde, Dr. Misoi, Messrs. Mohamed, Morogo, Moiben, Muchilwa, Gen. Mulinge, Mr. Ndotto, Mrs. Nyamato, Messrs. Osogo, Rotino, Saina, Prof. Saitoti, Messrs. Salat, Sambu, Shabaan, Shidiye, Sunkuli, Sumbeiywo, Dr. Wako, Mr. Wetangula.

Tellers of the Noes: Messrs. Leshore and Ogeka.

The Temporary Deputy Chairman (Mr. Ndotto): Order! I had already proposed Heads 380, 381, 382 and 419.

Mr. Obwocha: Mr. Temporary Deputy Chairman, Sir, under Head 419 which is on Supplies Branch, Item 199, the Minister proposes to write off Stores and Services Fund. Could he tell this House what this is? The Minister is not following what I am saying. I will give him a lecture again. It is under Head 419 which relates to the Supplies Branch, page 649, Item 199. I do not know whether he has followed even now.

The Minister for Public Works and Housing (Prof. Ng'eno): What is your question there?

The Temporary Deputy Chairman (Mr. Ndotto): Order! Prof. Ng'eno, are you with the hon. Member?

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, there are stores which have made losses over the years, and we need to write them off and settle losses because of this.

Mr. Obwocha: Mr. Temporary Deputy Chairman, Sir, could the Minister be louder enough? I did not get what he said.

The Temporary Deputy Chairman (Mr. Ndotto): Can you repeat what you have said, Prof. Ng'eno?

The Minister for Public Works and Housing (Prof. Ng'eno): I said that there are stores which are no longer serviceable and there are losses which have been incurred as a result of their non-serviceability. Therefore, we need to write them off.

(Heads 380, 381, 382 and 419 agreed to)

(Sub-vote 130 agreed to)

SUB-VOTE 132 - BUILDINGS AND WORKS

(Heads 400, 401, 402, 409 and 413 agreed to)

(Sub-vote 132 agreed to)

SUB-VOTE 133 - OTHER SERVICES

Head 418 - Government Housing Section

Mr. Obwocha: Mr. Temporary Chairman, Sir, we plead with you to realise that we are in the Committee Stage and we want to scrutinise these requests one by one.

Under Head 413, Item 251, the Minister is asking for K£210---

The Temporary Deputy Chairman (Mr. Ndotto): I am now on Heads 399, 418, 545, 546 and 547. That is where we are now.

Mr. Obwocha: Can I ask a question on Head 418 then?

The Temporary Deputy Chairman (Mr. Ndotto): Yes, proceed, hon. Obwocha.

Mr. Obwocha: Under Head 418, Item 181, the Minister is asking for K£17,000,600. Why is he asking for that amount and yet in the previous Vote, which I have just touched, he is requesting for an additional K£1,500 for payment of water conservants?

The Minister for Public Works and Housing (Prof. Ng'eno): During the 1996/97 Financial Year.

Mr. Obwocha: Mr. Temporary Deputy Chairman, my question is, if we have provided you with the money for rents and rates, why are you asking for different amounts again?

The Minister for Public Works and Housing (Mr. Ng'eno): Mr. Temporary Deputy Chairman, I am saying that last year--- Because he is asking the reason for the difference between this year and last year and I am saying that we are renting additional accommodation this year.

Dr. Kituyi: Under Head 505, Item 221 - Purchase of Spare parts, could the Minister explain if there is increase in the next Item 250 - Maintenance of Plant Machinery and Equipment by about Kshs0.5 million and why he has had to increase the previous one on purchase of spare parts by so much?

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, the funds will be utilised first to guarantee preventive maintenance of approximately 4,000 houses and the Ministry's machinery and assist in workshops.

Secondly, to facilitate the establishment of unit exchange scheme where broken down major components---

Mr. Obwocha: On a point of order, Mr. Temporary Deputy Chairman. I think we need to extend the time of the House!

The Temporary Deputy Chairman (Mr. Ndotto): No, you are now out of order! Proceed Minister!

The Minister for Public Works and Housing (Mr. Ng'eno): Mr. Temporary Deputy Chairman, these are things like engines, transmission units and the rest are brought to the central workshop and exchanged with reconditioned similar units for immediate fitting on machinery to have the same back on the road without undue delay.

Mr. Kiliku: On a point of order, Mr. Temporary Deputy Chairman. Unless you direct otherwise, it is now after 6.30 p.m.

The Temporary Deputy Chairman (Mr. Ndotto): Hon. Kiliku, I have already told Henry Obwocha on that same issue that it is not necessary to do so until 7.00 p.m. Why are you raising the matter again?

Dr. Oburu: Mr. Temporary Deputy Chairman, on the same Head 505, Item 250, I wonder on what items the Minister is spending this money on Maintenance of Plants Machinery and Equipment, because the equipment which is lying in disuse all over the country; in the yards of the Ministry of Public Works and Housing is never rehabilitated.

Does this money also go for rehabilitation of idle equipment?

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, these funds will be utilised for carrying out major overhauls and major repairs and the procurement of tyres, tubes and batteries.

(Heads 399, 418, 505, 506, 507 agreed to)

(Sub Vote 133 agreed to)

SUB VOTE 134 - HOUSING DEVELOPMENT

(Heads 411, 41 and 423 agreed to)

(Sub-Vote 134 agreed to)

SUB-VOTE 136 - ROADS

Head 385 - Other Roads

Mr. Nyagah: Mr. Temporary Deputy Chairman, Sir, I am on Item 283 - Maintenance of Minor Roads. There is a provision of K£32 million. With the creation of the new Mbeere District, which is not provided for at all in the whole development estimates, how does the Minister expect us to develop our roads in that district? It is not provided for at all, unless this book is written in Chinese!

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Chairman, Sir, because of the creation of the new Mbeere District, we will do what we have done in the other new districts before: There will be an equitable distribution of the money. The district development committees (DDCs) and works officers of the two districts will sit together and divide the assets between the two districts equitably.

Mr. Nyagah: Mr. Temporary Deputy Chairman, Sir, when we sit in DDCs we agree on priority roads to be worked on. How will two Government officials agree on this without the elected leaders?

The Temporary Deputy Chairman (Mr. Ndotto): Order! Hon. Nyagah, I am afraid to say that yours is a point of argument. This is not time for that.

Mr. Mak'Onyango: Mr. Temporary Deputy Chairman, Sir, under Head 385, Item 655 there is "produce levy" for which K£158 million has been provided. Could the Minister enlighten the House as to what particular use this amount is going to be put?

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, can he repeat his question?

Mr. Mak'Onyango: Mr. Temporary Deputy Chairman, Sir, I am referring the Minister to Head 385, Item 655. Here, there is "road use levy" for which the Minister is asking K£158,959,874. Could he enlighten the House as to what particular use he will put this sum of money?

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, this "road use levy" is actually another term for the "fuel levy".

Dr. Lwali-Oyondi: Mr. Temporary Deputy Chairman, Sir, I would like to draw the attention of the Minister to Head 385, Item 286 - Maintenance of Special Purpose Roads. Last year the Minister used about K£1.7 million but this year the amount has been increased to K£4.3 million. Which are these special roads? In view of the fact that money disappears mysteriously, could the Minister explain exactly where this money is going?

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, this money goes to tea roads, fish roads, coffee roads and so on.

Dr. Lwali-Oyondi: On a point of order, Mr. Temporary Deputy Chairman, Sir. Is the Minister in order to say that this money will go into the roads he mentioned? There have been many Questions raised on those roads because they are not being maintained now. Is he in order to mislead the House?

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, that is exactly why we have increased the Vote.

Head 391 - Grants to Municipalities

Mr. Anyona: Mr. Temporary Deputy Chairman, on Head 391, items 322 to 328, we have indicated here grants given to the Municipalities and these are listed as Nairobi, Thika, Mombasa, Kisumu, Nakuru, Kitale and Eldoret. I thought we have more Municipalities in this country than that, including Kisii. Can he explain the basis on which he gives these grants to Municipalities?

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, I do

not I quite understand the question of hon. Anyona. Can he repeat?

The Temporary Deputy Chairman (Mr. Ndotto): Hon. Minister, I think he wants to know on what basis you have allocated this money on items 322 to 328?

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, I have to consult--

Mr. Anyona: Mr. Temporary Deputy Chairman, I have listed the ones which have been given grants and I have said there are others which have not been given. So, we want him to explain the basis on which these were given grants and others were not given.

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, what happens is that it is not possible to give all the necessary grants to all the Municipalities. So, what happens is that you give a bunch this year and next year you give another bunch and so on, because we have to give sufficient money to be of assistance. If you just give this lump sum and then divide to all Municipalities, it will be so small and it would not help.

Mr. Obure: On a point of order, Mr. Temporary Deputy Chairman. My point of order is that the Minister talked of "fish roads." I have never heard of "fish roads," we have been demanding that. Is he not misleading the House by saying special roads include "fish roads?"

The Temporary Deputy Chairman (Mr. Ndotto): Order! Hon. Obure.

Mr. Munyasia: Mr. Temporary Chairman, the Minister told this House that for maintenance of roads, they now sent money to specific roads. They do not just send lump sum money to the district. Head 385, items 281, 282, 283, 284, 285 and 286, are not broken down either according to district or according to specific roads to which the money is being spent. Can the Minister tell us why this has not been done because the same thing was there last year and I have heard no roads except the one he used in March last year when he came for campaign that was graded? No other road has been graded at all.

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, we have the records of all these roads and money that is going specifically there. If the hon. Member wishes to know he can come and we can show him, but to put it in the Estimates it would make the whole thing too bulky.

*(Heads 384, 385, 386, 387, 391,
392, 482, 482 and 483 agreed to)*

(Sub-Vote - 134 agreed to)

DEVELOPMENT EXPENDITURE

SUB-VOTE 130 - GENERAL ADMINISTRATION AND PLANNING

(Head 419 agreed to)

(Sub-Vote 130 agreed to)

SUB-VOTE 132 - BUILDINGS AND WORKS

(Heads 400, 402, 406, 409 and 413 agreed to)

(Sub-Vote 132 agreed to)

SUB-VOTE 133 - OTHER ROADS

Head 404 - Planning and Research

Head 405 - Loans to National Housing Corporation

Head 507 - Staff Training

Mr. Obwocha: Mr. Temporary Deputy Chairman, Sir, we did ask this question last year on 404 - Planning and Research, Item No. 305 - Slum Rehabilitation. Could the Minister tell this House what projects he is rehabilitating in Mathare and whether the K£5 million we gave him last year was all used, and that he is now

asking for an additional K£2.5 million?

Where is he? Has he gone to Kericho?

The Temporary Deputy Chairman (Mr. Ndotto): He is making some consultations.

(The Minister consulted with his officers)

I think your Assistant Minister should be assisting you to get the information.

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, the hon. Member wants to know what the K£2.5 million was used for. It is used for on-going improvement of the Mathare 4A Project, and also the movement from Mathare 4A to Kibera.

Mr. Obwocha: On a point of order, Mr. Temporary Deputy Chairman, Sir. My question was whether the K£5 million we gave him last year has all been used and that he is now asking for an additional K£2.5 million.

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, this money was given by the German Government. So, that was---

The Temporary Deputy Chairman (Mr. Ndotto): Mr. Minister, he is not asking you for that. He is asking for a straightforward answer, yes, or no.

The Minister for Public Works and Housing (Prof. Ng'eno): No, Mr. Temporary Deputy Chairman, Sir.

Mr. Ojode: Mr. Temporary Deputy Chairman, Sir, could the Minister explain why we should spend so much money on minor roads improvement programme training, whereas the roads are so badly off. Why should he spend K£2.3 million?

An hon. Member: Which Item is that?

Mr. Ojode: Head 507, Item 458.

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, this is for training local contractors.

Mr. Achola: Mr. Temporary Deputy Chairman, Sir, on Head 404, Item 184, the Minister is asking for K£952,000 for contracted professional services. My question is: What does he need those services for when he has got a lot of professional people in his Ministry?

The Minister for Public Works and Housing (Prof. Ng'eno): You are not clear.

The Temporary Deputy Chairman (Mr. Ndotto): Order, Minister! He is on 405, Item 184.

The Minister for Public Works and Housing (Prof. Ng'eno): What is the question?

The Temporary Deputy Chairman (Mr. Ndotto): The question is: What are these professional services?

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, professional services, includes road designs, *etcetera*.

Mr. Achola: That is the question.

The Minister for Public Works and Housing (Prof. Ng'eno): I am saying that when we do not have enough personnel to do the work, we employ people from outside, and this money is used for this purpose.

*(Heads 147, 399, 404, 405, 410,
505, 506 and 507 agreed to)*

(Sub-vote 133 agreed to)

SUB-VOTE 136 - ROADS

Mr. Anyona: Mr. Temporary Deputy Chairman, I rise to move the following Motion:-

THAT, Vote 13, of the Ministry of Public Works and Housing be reduced by K£1 under Sub-Head 610 - Kisii District, Item 451 - Kisii-Chemosit (C21).

Mr. Temporary Deputy Chairman, I do not want to take very long on this one. It is a very sad affair. But I want to give the House a gentle background so that they understand why I feel this way. This road traverses through Kisii, Nyamira and Kericho districts.

Mr. Temporary Deputy Chairman (Mr. Ndotto): Order! Order, hon Anyona. I am not with you!

Mr. Anyona: Mr. Temporary Deputy Chairman, I was saying that Kisii District and a part of Nyamira District through which this road passes and the whole of Nyamira District has not received any tarmacked road.

This particular road was supposed to be the main road covering Kisii District as it was then and it was supposed to have been tarmacked in 1965. Indeed, in some books, it is being shown as having been tarmacked, but it was not tarmacked at all. So, in 1977, when I was in this House, I brought a Motion seeking that this road be tarmacked. As I was moving that Motion in this House, a conspiracy was hatched up so that hon. Members could stay away from the House. So, there was no quorum realised, the debate would be adjourned and when the House met again, I would not be in this House. I was to be arrested and detained. That was exactly what happened.

Between 1977 and 1995, nothing has happened. In fact, for the last ten years it was completely impassable. The construction of the road had initially started from Kisii towards Chemosit. Chemosit is in Kericho. Up to the time it stalled, it had covered about three-quarters of Nyamira District.

Now, when this Minister became the Minister for Public Works and Housing, he decided to change the order of construction of that road. Instead of continuing to construct the road from Kisii, he went back to his home district in Kericho, in his constituency, and started construction from there. He constructed the road up-to the border of his constituency and Kisii District and he stopped there and the road has stopped there to this day.

Now, Mr. Temporary Deputy Chairman, Sir, as I said before, I brought the Motion here asking the Government kindly to complete that road. That Motion was unanimously passed in this House and we were told that there will be money which will be set aside during last years Budget for the construction of this road. No money was set aside. All that was set aside was some K£ 250,000. Now, in the Supplementary Estimates, even that was slashed and only K£50,000 was left. But even the K£50,000 was not used to even maintain that road. Now, I came back here again and I raised the Question asking this Government to ensure that in this year's Estimates, there will be adequate provision for the completion of this road and the House was indeed told by hon. Mwamzandi that some Kshs 330 million would be set aside for the completion of this road.

The Temporary Deputy Chairman (Mr. Ndotto): Hon. Anyona, can you be brief please. Can you wind up?

Mr. Anyona: Yes, I am finishing. That was almost my last point. So, we eagerly waited for the Estimates. In the meantime, as I said earlier, there has been a visit to Kisii and Nyamira by the Head of State and he directed this Minister three times to complete that road. So, we thought that this order having come from the top leader of the Government, it will be done. Nothing was done and today there is only K£300,000 earmarked for this road. Now K£ 300,000 is a far cry from K£330 million.

The Temporary Deputy Chairman (Mr. Ndotto): Order! I do not want to cut you short hon. Anyona. Can you please wind up?

Mr. Anyona: No, Mr. Temporary Deputy Chairman, Sir. I thought that I have ten minutes by right. I thought so and in any case, we intend to stay until midnight.

(Applause)

The Temporary Deputy Chairman (Mr. Ndotto): Order! Order! I think you have already made your point and I shall propose the question.

Mr. Anyona: Mr. Temporary Deputy Chairman, Sir, I have not finished but I was winding up. I have not moved ---

The Temporary Deputy Speaker (Mr. Ndotto): Order! Order! hon. Anyona. Are you not on this Motion?

Mr. Anyona: Mr. Temporary Deputy Chairman, Sir, I was winding up that Motion.

The Temporary Deputy Chairman (Mr. Ndotto): You mean were on this Motion?

Mr. Anyona: Yes, Mr. Temporary Deputy Chairman, Sir, I was winding up on that Motion.

The Temporary Deputy Chairman (Mr. Ndotto): Okay can you now finish so that I can propose the question?

Mr. Anyona: Now, sincerely what I was saying is that even inspite of the promise by the Head of State to the people of Kisii, three times, nothing has happened. In this year's Budget as I said, there is only Kshs 6,000,000 which is a far cry from Kshs 330 million. So this road will not be done. We stand by what we have said that the Kisii people have decided that they have had enough now and even that money will not be enough for the road. So, let us take away K£ 1 because it will not make any difference just like the Kshs 6,000,000 will not be adequate but it is going to make one difference. I am challenging my colleagues from Kisii today that they must stand up and be counted, all of them, including the Ministers, that if this road is not done then one difference it will make is that KANU is finished in Kisii and it is dead.

(Question of the reduction proposed)

PROGRESS REPORTED

The Temporary Deputy Chairman (Mr. Ndotto): Hon. Members, before we proceed, we have to seek the leave of the House to continue and, therefore, I will put the question.

*(Question that the Committee do report
progress put and agreed to)*

[The House resumed]

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

REPORT

VOTE 13 - MINISTRY OF PUBLIC
WORKS AND HOUSING

Mr. Ndotto: Mr. Temporary Deputy Speaker, Sir, Order!

(Laughter)

Mr. Temporary Deputy Speaker, Sir, I wish to report the progress of the Committee and seek leave to sit again today.

(Question put and agreed to)

The Temporary Deputy Speaker (Mr. Wetangula): The aptitude of that is that we will sit until we complete the Business of the Day.

Order! Order, Mr. Lotodo! We will now go back to the Committee.

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

IN THE COMMITTEE

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

The Temporary Deputy Chairman (Mr. Ndotto): Order! Order! We are now on Mr. Anyona's Motion and I had already proposed the Question. Those who want to contribute on the Motion, are free to do so.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Chairman, Sir, I would not like to oppose the Motion by my friend, hon. Anyona. But I would like to say that if any road needs money, it is the Chemosit-Ng'oina-Nyamira Road. I think having been in Kericho District, I would like to say that that is a very important road. But I would like to make a small correction that it was not hon. Prof. Ng'eno, who was the Minister for Public Works and Housing, when the work commenced again from the point that it was left at Buret. It was, in fact, I believe hon. Magugu. There was nothing particularly personal about the construction of that particular road. That road started well and I think it is really progressing well. If it is given even more and more funds, I think that road will be of benefit to many people within Kericho, Nyamira and Kisii Districts.

I think that is not the proper step to take, and I would like to ask my hon. colleague to withdraw that particular Motion because it is not in the interest of that road for any single pound to be reduced. In fact, I would have thought that the hon. Member for Kitutu Masaba should actually request for an extra pound to be able to

make the road tarmacked because I think what the road needs is an extra pound.

Mr. Temporary Deputy Chairman, Sir, I, therefore, oppose.

(Applause)

The Temporary Deputy Chairman (Mr. Ndotto): Hon. Members, I expect you to be very brief on this Motion, if you want others to, at least, make their own contributions.

Mr. Kiliku: Mr. Temporary Deputy Chairman, Sir, I am supporting the Motion because the Government has made a lot of promises, almost everywhere in all the constituencies, to tarmac roads. Everywhere the Government goes, it has promised to tarmac roads, but nothing has been done so far. I went to Kisii District last month, and where Kisii District borders Kericho District, the tarmac ends there. When you enter Kisii District just a short distance from the tarmac, it is another world. I witnessed that. But this is not only happening in Kisii District, but almost everywhere. The Government through the Minister for Public Works and Housing, has made promises to tarmac roads throughout the country, but nothing has been done, not even in the so-called KANU Zones; everywhere. The Government should implement these promises or should stop forthwith promising wananchi that it will tarmac roads.

I beg to support.

The Assistant Minister for Finance (Mr. Keah): Mr. Temporary Deputy Chairman, Sir, I stand to oppose this Motion that this Vote should be reduced by K£1. I would like Kenyans to hear this, all our roles if anything, need want more and more money. And this manner of showing disagreement with the officers is really an unfortunate manner. We should be asking Parliament to increase money for these Votes, not to reduce. I beg to oppose the reduction of that K£1.

Mr. Obwocha: Mr. Temporary Deputy Chairman, Sir, I am going to be very brief. I wholly support hon. Anyona on this Motion, because as he says, this road has been in the books and we have had promises from the Government that they are going to complete this road. Up to now, nothing has been done. Unfortunately, the road passes through the constituency of the Minister for Public Works and Housing who is presenting this Vote here. Recently, they wanted to repair a bridge on that road, Kipsonoi Bridge, and the amount of money that was allocated--- They went there with an unknown amount of cement and within five days, that bridge had collapsed again. We want to reduce this Vote because we want to censure the Government---

(Question put and negatived)

An hon. Member: Division!

An hon. Member: They are not enough!

Mr. Wetangula: They are only 19; they are not enough!

The Temporary Deputy Chairman (Mr. Ndotto): Order! Hon. Members, I am afraid, you are not enough and therefore, we cannot vote. Order! I am sorry, you are enough. Therefore, ring the Division Bell.

(The Division Bell was rung)

The Temporary Deputy Speaker (Mr. Ndotto): Order, hon. Members!

DIVISION

(Question put and the House divided)

(Question defeated by 58 votes to 27)

AYES: Messrs. Achieng-Oneko, Achola, Akumu, Aluoch, Anyona, Kamuyu, Karan, Kiliku, Kimani, Dr. Kituyi, Dr. Kopyio, Dr. Lwali-Oyondi, Mak'Onyango, Maore, Mbeo, Munyasia, Mwangi W.G., Mwangi Githiom, Prof. Mzee, Ndwiga P.N., Mrs. Ngilu, Messrs. Nyagah, Obwocha, Dr. Oburu, Ojode, Orengo, Shikuku.

Tellers of the Ayes: Messrs. Leshore and Maore

NOES: Messrs. Abdullah, Badawy, Barmasai, Biwott, Falana, Dr. Godana, Gumo, Imana, Kaino,

Kalweo, Kamotho, Kamuren, Kamwithi, Keah, Kiluta, Koech, Komora, Kosgey, Lengees, Leshore, Lotodo F.P.L., Lotodo J.D., Magwaga, Makau, Dr. Manduku, Manga, Masinde, Maundu, Mbela D.M., Dr. Misoi, Mohamed Abu, Mohamed H.M., Moiben, Dr. Momanyi, Morogo, Muchilwa, Mulinge, Musyoka S.K., Mwamzandi, Nang'ole, Nassir, Ndilinge, Ndotto, Ndzai, Ngala, Prof. Ng'eno, Rotino, Mrs. Nyamato, Osogo, arap Saina, Prof. Saitoti, Sambu, Shabaan, Shidie, Sumbeiywo, Sunkuli, Dr. Wako, Mr. Wetangula.

Tellers of the Noes: Messrs. Falana and Obwocha.

The Temporary Deputy Chairman (Mr. Ndotto): Order!

Mr. Munyasia: Mr. Temporary Deputy Chairman, Head 489, item 433---

The Temporary Deputy Chairman (Mr. Ndotto): We do not have such a Head, hon. Munyasia.

SUB-VOTE 507 - STAFF TRAINING

Head 384 - Major Roads

Head 385 - Other Roads

Mr. Nyagah: Mr. Temporary Deputy Chairman, on page 550, Head 384, item 431 and also Head 385, item 448 and items 438 and 442.

The Temporary Deputy Chairman (Mr. Ndotto): Mr. Nyagah, ask one question at a time.

Mr. Nyagah: Yes, Mr. Temporary Chairman, Sir, I may not get a chance to speak again. You mean I should speak slowly?

The Temporary Deputy Chairman (Mr. Ndotto): Yes.

Mr. Nyagah: Mr. Temporary Deputy Chairman, Sir, yes, I will do exactly that. The first one is on page 550, Head 384, Item No.431. The second one, is on page 552, Head 385, Item No. 448 and lastly, page 554, Head No. 489, Item No. 442.

The Temporary Deputy Chairman (Mr. Ndotto): What is your question?

Mr. Nyagah: Mr. Temporary Deputy Chairman, Sir, my question is: On the first one on page 550, Head 384, item 431, can the Minister explain to this House as to the development which is taking place along Makutano-Sagana Road, which I passed through yesterday and they are only going through a patching process? I notice that during the last financial year, and this financial year, K£2 million has been allocated. Is the Minister satisfied that the kind of patching which is being done will be completed by this money or was it for re-carpeting this road? My second question is on page 552 on Embu-Kianjokoma-Mutunduri Road.

The Temporary Deputy Chairman (Mr. Ndotto): Order, hon. Nyagah, let the Minister answer that one first.

The Minister for Housing and Public Works (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, we are doing the patching and then we will do the re-carpeting.

Mr. Nyagah: Mr. Temporary Deputy Chairman, Sir, the next one is on Head 385, Item No.448 on Embu-Kianjokoma-Mutunduri Road. Money has been allocated to this road ever since we came to this House. The road has not been gravelled, murrammed or tarmacked, and yet we are talking of very big money. Three weeks ago when I was going to church in a place called Kianjokoma, I left the road at the base of Mutunduri and walked eight miles to the church for a confirmation service which was being conducted by the Bishops. What is the Minister doing to ensure that the officers on the ground are not going to "eat up" this money, and that it will be used on this road which goes to a very important college, called Kigari Teachers' Training College? Besides that, it goes to open up the big road---

The Temporary Deputy Chairman (Mr. Ndotto): Mr. Nyagah, I think that, that is enough. Minister, will you please respond?

The Minister for Housing and Public Works (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, we are doing improvements on the road.

The Temporary Deputy Chairman (Mr. Ndotto): No, Prof. Ng'eno, that is not what hon. Nyagah asked. He is asking you what you are going to do to ensure that this money is not misused by the officers who are implementing the project.

The Minister for Housing and Public Works (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, I have already set up an Inspection Committee, which will visit every road and make sure that the money which is designated for that road is properly utilised. If it is misused, then the officer concerned will have to come up with

an explanation, failure to which he will be dealt with.

The Temporary Deputy Chairman (Mr. Ndotto): The last one, Mr. Nyagah.

Mr. Nyagah: Mr. Temporary Deputy Chairman, Sir, I hope Members of Parliament will be included in that Committee.

The last question Mr. Temporary Deputy Chairman is on Head 489, Item 442 - Agricultural Produce Roads, Coffee and Tea. We have brought Questions to this House on very many occasions about the tea roads. We have here an allocation of K£17,500,000. How much of this will go to Embu District for the maintenance of the Coffee and Tea Roads?

The Minister for Public Works and Housing (Prof. Ng'eno): The figure of K£17,500,000 is an increase from K£9,210,000 which will go towards the repair of Tea Roads.

Mr. Temporary Deputy Chairman, Sir, I realise that we have Mbeere and Embu Districts. I cannot give the figure right now which will go to each and every district because the mechanics of financial allocations will have to be undertaken later.

Mr. P.N. Ndwigwa: On a point of order, Mr. Temporary Deputy Chairman, Sir. Is he in order to say that we now have Embu and Mbeere Districts whereas it is common knowledge that tea and coffee are grown in Embu District? What is the Minister trying to tell us? Hon. Nyagah's question was specific. How much of it is going to Embu District because tea and coffee are grown in Embu District?

Mr. Munyasia: On Item 433 - Graveling, Bridges and Culverting, could the Minister tell us why he left out the five districts of Western Province? Bungoma, Mt. Elgon, Kakamega, Busia and Teso and yet these are areas that have very bad soils and need graveling and repair of bridges that have broken down like Chepkutumi Bridge and the other bridge on the Kisumu road?

The Minister for Public Works and Housing (Prof. Ng'eno): I believe that I quite got the question asked by the hon. Member. This money is supposed to be used for culverting and ridging. This will be revisited and every district will get its share.

Mr. Munyasia: There are Sub-Heads 910 for Bungoma, 930 for Kakamega, 920 for Busia, 950 for Mt. Elgon. When you check you will see that there is no allocation for them under this item.

The Minister for Public Works and Housing (Prof. Ng'eno): If you read page 109, you will see that every district is being provided for.

Mr. Achieng-Oneko: Mr. Temporary Deputy Chairman, Sir, about two weeks ago, I raised a Question on road C28. If you refer to items 454 and 552, you will realise that I raised a Question in this Parliament and my Question was never answered. Nevertheless, I would like to know what the Minister is intending to do because this road is divided into two and work on the upper part was started and abandoned. I would like to know what the Minister is doing in order that this road is tarmacked and also to ensure that the part which was to be graded is completed?

The Temporary Deputy Chairman (Mr. Ndotto): Which Head?

Mr. Achieng-Oneko: It is Ndori-Luanda-Kotieno Road C28.

The Temporary Deputy Chairman (Mr. Ndotto): Order! Order! Hon. Mak'Onyango order! Mr. Achieng-Oneko, the Minister wants to know which Head you are on and the Item? You are on which Head?

Mr. Achieng-Oneko: I am on Head 454 on page 502.

The Temporary Deputy Chairman (Mr. Ndotto): Hon. Achieng-Oneko, on which Head are you on?

Mr. Achieng-Oneko: I am on Head 385 Item 454 Ndori-Luanda-Kotieno Road C28.

The Temporary Deputy Chairman (Mr. Ndotto): Order! Go to page 552 Head 385 Item 454 which is Ndori-Luanda-Kotieno Road. Mr. Minister, have you got an answer?

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, the road is being re-gravelled right now.

Mr. Mak'Onyango: Mr. Temporary Deputy Chairman, I want to refer the Minister to ---

Mr. Achieng-Oneko: Mr. Temporary Deputy Chairman, Sir, I need an answer please.

The Temporary Deputy Chairman (Mr. Ndotto): It was answered. Proceed, Mr. Mak'Onyango.

Mr. Mak'Onyango: Mr. Temporary Deputy Chairman, Sir, ---

Mr. Achieng-Oneko: Mr. Temporary Deputy Chairman, Sir. I want an answer to my question.

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, I said that was one of the stalled projects and this money which we have now is for re-carpeting it.

Mr. Mak'Onyango: Mr. Temporary Deputy Chairman, Sir, I want to refer the Minister to Head 385 Item 462 which is Kericho-Sotik Road for which the Minister is asking for K£ 5,800,000. I was on that road last week and the road is perfect and it has been done and one wonders what the Minister wants this money for instead

of availing this money to other areas like Siaya where there is no single tarmac road.

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, the hon. Member knows very well that the road from Kericho to Sotik is one of the best and it has been completed. But unfortunately there are outstanding monies which have not been paid and in fact we want to thank the contractor for using his own money and not putting pressure on us to pay him. We are now looking for this money to pay him for the work well done.

Mr. Rotino: Mr. Temporary Deputy Chairman, Sir, I am asking a question on Head 4385 on page 553 under Item 492 which is ASAL West Pokot Road Development.

If you look at the money that the Ministry has given to West Pokot through ASAL, it is only Kshs 300,000. If you look also at page 554 on Head 489, Item 446, the amount of money that West Pokot has been given by the Ministry is very astonishing because you will find that ASAL has been given a small amount of money by the Government and it is not doing any particular road. West Pokot has a lot of problems with roads and I want to ask the Minister whether he is very much satisfied with the Kshs 300,000 he has given West Pokot District.

Secondly on the same Head, Item 401 which is Loruk-Nginyang'-Marich Pass Road, you will find that mourners who will be going for the funeral of the late Chelang'a will use that road but only Kshs5,000,000 has been allocated to that road. That road is more than 160 kilometres long.

Mr. Temporary Deputy Chairman, Sir, that road is a very, very vital road for the people of Elgeyo-Marakwet, Baringo, West Pokot and Turkana. Is the Minister satisfied that Kshs 5 million is enough to do that road? Bw. Waziri, usitudanganye!

The Temporary Deputy Chairman (Mr. Ndotto): Order, Mr. Rotino! You have asked your question.

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, most of this money the hon. Member has quoted is what is referred to as "counterpart money". That is the money the Government has to cough in order for a donor to provide money to do the road.

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

The Temporary Deputy Chairman (Mr. Ndotto): Order! Order, hon. Members!

(Heads 384, 385, 386, 482, 488 and 489 agreed to)

(Sub-Vote 136 agreed to)

(Vote D13 agreed to)

(Question put and agreed to)

(Resolution to be reported without amendment)

(The House resumed)

[The Temporary Deputy Speaker

(Mr. Wetangula) in the Chair]

REPORT

VOTE 13 - MINISTRY OF PUBLIC WORKS AND HOUSING

Mr. Ndotto: Mr. Temporary Deputy Speaker, Sir, I am directed to report that the Committee of Supply has considered the Resolution that a sum not exceeding K£135,428,360 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 1997, in respect of Vote 13 - Ministry of Public Works and Housing, and has approved the same without amendment.

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Temporary Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

The Minister for Labour and Manpower Development (Mr. Masinde): seconded.

(Question proposed)

(Question put and agreed to)

COMMUNICATION FROM THE CHAIR

EXTENSION OF SITTING TIME

The Temporary Deputy Speaker (Mr. Wetangula): Order! Hon. Members, there is some communication from the Chair. I have received a notice from the Leader of Government Business, of the intention to extend the time of sitting to dispose off the Business appearing on the Order Paper today.

The Vice-President and Minister for Planning and national Development (Prof.Saitoti): Mr. Temporary Deputy Speaker, Sir, I beg to move that today's Sitting of the House be extended until the Business appearing on the Order Paper is disposed off.

(Question Proposed)

Mr. Shikuku: Mr. Temporary Deputy Speaker, I think the Leader of Government Business and his colleagues, hon. Members, on the other side should know that if we work together, things can go much better, but not always in their favour. Had it not been for this Pensions (Increase) (Amendment) Bill, we would oppose this Motion and go to another Division. But if they have ever worked for their money, today, they did.

(Applause)

Even the Voting Machines were well oiled and greased, but just to show them that we are more civilised, we will agree to the---

The Assistant Minister for Finance (Mr. Keah): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for hon. Shikuku to call this side of the House, "voting machines"?

The Temporary Deputy Speaker (Mr. Wetangula): Order Members! I do not think hon. Shikuku pointed to any side of the House and called them "voting machines", secondly, we only have hon. Members in this House, we have no "machines", voting or otherwise.

Mr. Shikuku: Mr. Temporary Deputy Speaker, Sir, I would like to show that this side of the House is very civilised, we are very understanding--- Yes, I was trying to explain why we could oppose the Motion, but we are not going to do so. I am just trying to explain. We would have opposed the Motion and gone to another Division. I am sure Mr. Temporary Deputy Speaker, you would not be very much amused, but had it not been for the Bill which is coming, we would have done so. Let us hope that in future, they will be as civilised as we are on this side of the House.

With those few remarks, I be to support.

Dr. Kituyi: Mr. Temporary Deputy Speaker, Sir, considering that the Members of the House from this side representing it in the Sessional Committee did agree with the Government that the matters appearing on the Order Paper be exhausted today, I support the Motion.

(Question put and agreed to)

BILL

Second Reading

THE PENSIONS (INCREASE) (AMENDMENT) BILL

(The Assistant Minister for Finance (Mr. arap Koech) on 25.7.96)

(Resumption of debate interrupted on 25.7.96)

Mr. Kiliku: On point of order, Mr. Temporary Deputy Speaker, Sir. I beg to move that the Mover be now called to reply.

(Question, that the Mover be now called upon to reply, put and agreed to)

The Assistant Minister for Finance(Mr. Koech): Mr. Temporary Deputy Speaker, Sir, I would like to thank the hon. Members for their contribution to this Bill. Since this is a Bill which the nation has an interest in, I want to make two points. The delay in payment of pension is now going to be reduced because the Pensions Department is going to be computerised.

Second, hon. Shikuku has raised a percentage point for the increase, but I would like to answer him by saying that, the percentages that are in the Bill show the increase in the salaries because the increase in pension must be proportional to the increase in salaries. It will not be possible to raise the percentage point of the pension beyond what is given in the Bill. Since this is a Bill which is straight-forward, and I know all the hon. Members are anxious to have it passed so that their constituents get a pension increment, I beg to move.

(Question put and agreed to)

(The Bill was read a Second Time and committed to a Committee of the Whole House tomorrow)

ADJOURNMENT

Mr. Temporary Deputy Speaker: Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until tomorrow, 1st August, 1996, at 2.30 p.m.

The House rose at 8.04 p.m.