

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday 6th April, 2005

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No.018

CONSTRUCTION OF WATH ONGITO BRIDGE ON KUJA RIVER

Mr. Omamba asked the Minister for Roads and Public Works whether he could inform the House when the construction of Wath Ongito Bridge along Kuja River will begin as promised by the Minister during his visit to the area in November, 2004.

The Minister for Roads and Public Works (Mr. Raila): Mr. Deputy Speaker, Sir, I beg to reply.

The construction of Wath Ongito Bridge across River Kuja is expected to begin during the financial year 2005/2006. The District Roads Committee (DRC) will finance the construction. However, in this financial year, Kshs1.5 million has been set aside for a proper site investigation for foundation. The Chief Engineer, Materials, will carry out the investigations. Part of that money will be used for design work.

Mr. Omamba: Mr. Deputy Speaker, Sir, I am grateful and happy to hear that reply from the Minister. But could he give us the specific date when the site investigation will start?

Mr. Raila: Mr. Deputy Speaker, Sir, an amount of Kshs1.5 million is intended for site investigation. The bridge that is envisaged to be constructed there will be about 40 kilometres long and, therefore, it is important that proper foundation be constructed for that bridge. Money has been given to our Materials Department to carry out material investigations on the site. Once that is finished, the design work will start. We hope to complete design work within this financial year, so that the construction can start next year.

Mr. Manoti: Mr. Deputy Speaker, Sir, a number of Questions have been asked about bridges all over the Republic. We know that the Ministry has a department in each province to deal with bridges. Since the Minister seems to be doing his work very well, could he compile a list of the bridges in all the provinces, estimate their cost of construction and tell us when he will construct them?

Mr. Raila: Mr. Deputy Speaker, Sir, for the information of the hon. Member, we actually have a department at the headquarters which deals with bridges only. We have, as he has rightly said, people in the provinces and even in the districts. But the hon. Member should appreciate that it is not possible to compile a list of all the bridges country-wide because rivers are very long and extend over very long terrains. If you ask the residents, they may want to have a bridge at every half a kilometre. But we are trying to put bridges in areas where we think they will facilitate easy communication. I am saying that, at the moment, we are dealing with bridges

that were destroyed or damaged by flooding. We are also constructing others, as and when the need arises. But that has to be discussed within the District Development Committee (DDC) under a request placed appropriately.

Mr. Deputy Speaker: I will give a chance to Mr. Ndambuki and, finally, to Mr. Omamba.

Mr. Ndambuki: Mr. Deputy Speaker, Sir, I do not know whether I heard the Minister right. He said that, that bridge is 40 kilometres. That is a long distance for a bridge. Is it right that the bridge is 40 kilometres long? Is Kshs1.5 million enough to construct a bridge that is 40 kilometres long?

Mr. Raila: Mr. Deputy Speaker, Sir, I am sorry if I said 40 kilometres. I am sure the hon. Member knows that I meant 40 metres. A bridge with a length of 40 kilometres would be a world record. We do not have one yet. They are trying to construct one in Shanghai which is 30 kilometres long.

Mr. Ogur: Mr. Deputy Speaker, Sir, I sincerely thank the Minister for talking about Wath Ongito---

(Loud consultations)

Mr. Deputy Speaker: Order! Allow the hon. Member to ask a question!

Mr. Ogur: Mr. Deputy Speaker, Sir, I thank the Minister very sincerely for talking about the Wath Ongito bridge. That would stop me from travelling 10 kilometres off the road. When it will be built, I will be crossing to Mr. Omamba's constituency very easily. But is the Minister aware---

Mr. Deputy Speaker: What is the question?

Mr. Ogur: Mr. Deputy Speaker, Sir, is the Minister aware that, that is the bridge that connects me with Mr. Omamba? But there is a hill which he must cross to reach my place. That bridge should be constructed very quickly.

Mr. Raila: Mr. Deputy Speaker, Sir, I am aware that, that bridge connects Uriri and Nyatike constituencies and, therefore, it will enable the people from Mr. Ogur's constituency to cross very easily with cows to go and pay dowry to the parents in Mr. Omamba's constituency. But we also know about the hill. That is the responsibility of the Ministry. It will consider whether to construct a tunnel or a meandering road to climb the hill.

Mr. Deputy Speaker: Mr. Omamba, do you have something to say? Go ahead!

Mr. Omamba: Mr. Deputy Speaker, Sir, I hope they will take quick action.

Mr. Deputy Speaker: I am asking whether you have a supplementary question.

Mr. Omamba: I do not have another question.

Mr. Deputy Speaker: You are satisfied.

Next Question, Mr. Ndolo!

Question No.014

RELEASE OF REPORT ON 2004
CITY HALL FIRE INCIDENT

Mr. Ndolo asked the Minister for Local Government:-

- (a) when he will release the report on the 2004 City Hall fire incident; and,
- (b) if he could inform the House whether the Nairobi City Council has been compensated by the insurance company for the damage.

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

(a) I will release the report on the 2004 City Hall fire incident once case No.CR141/494/04 is concluded by the court.

(b) The Nairobi City Council has not yet been compensated by the insurance company for the damage. However, the company has already accepted liability.

Mr. Ndolo: Mr. Deputy Speaker, Sir, I want to thank the Assistant Minister for that answer. However, last year, an hon. Member named some citizens of this country and alleged that they were the suspects of the City Hall fire incident. Up to now, according to what the Assistant Minister has said, the matter is still in court. The suspects are walking free. The hon. Member who made this allegation is now an Assistant Minister. What is the Ministry doing to ensure that this matter is resolved? People are wondering what is happening. What is the Assistant Minister doing to refurbish the City Hall for the time being?

Mr. Tarus: Mr. Deputy Speaker, Sir, while the City Council is waiting for compensation, it has invited consultants to prepare the necessary documentary matters required for the invitation of tenders for the repair of the building. We want the building to be ready before the Afro-cities meeting next year.

Mr. Mwenje: Mr. Deputy Speaker, Sir, what Mr. Ndolo has said is correct. We were told that the people who burnt the City Hall were going to be arrested and charged. This has not been done. It appears that there is a cover up. When the Vice-President and Minister for Home Affairs visited the place, he promised that immediate repair works would start. This has also not started. What is happening with the Ministry? Nothing seems to be moving. If you visit the City Hall, you will find that it is a shame.

Mr. Tarus: Mr. Deputy Speaker, Sir, possibly, the hon. Member, who has questioned the sincerity of this matter does not have adequate information. Indeed, seven people have been taken to court in respect of that particular incident. So, the allegation that no person has been arrested does not arise. The Government is taking this matter very seriously and it will be concluded.

Mr. Khamisi: Mr. Deputy Speaker, Sir, when this fire occurred, questions were raised about the capability of the Nairobi Fire Brigade to deal with major fires. Could the Assistant Minister tell this House whether there has been an improvement in the capability of the Fire Department to deal with major fires in this City?

Mr. Tarus: Mr. Deputy Speaker, Sir, the occurrence of this incident triggered an interest in the Ministry, not only at City Hall, but also in all the local authorities across the country. The Ministry has evaluated the local authorities' abilities to handle fires and is in the process of procuring fire fighting equipment for the local authorities.

Mr. Ndolo: Mr. Deputy Speaker, Sir, in answer to part (b) of the Question, the Assistant Minister has not told the House whether the Nairobi City Council has been compensated by the insurance company. We know that a case had been filed against the insurance company. What is the Ministry doing to ensure that the insurance company compensates the City Hall?

Mr. Tarus: Mr. Deputy Speaker, Sir, the Ministry has moved to allay some of those fears. First of all, the insurance company has accepted liability and has agreed to pay a certain extent of the damage cost value after it has been determined.

Mr. Deputy Speaker: But, Mr. Assistant Minister, this fire occurred a long time ago. Are you telling the House that, up to now, the damage cost assessment has not been done? Let us be serious when answering Questions. Can you clarify that?

Mr. Tarus: Mr. Deputy Speaker, Sir, perhaps, my answer did not come out well. I said that the damage cost assessment has been done. However, there are issues which are supposed to be sorted out prior to the commencement of the repair of the building.

Mr. Ndambuki: On a point of

order, Mr. Deputy Speaker, Sir. This is very interesting. Which company has insured the City Hall and why has it taken them that long to compensate the City Hall? If it was a reputable insurance company, it would have compensated the City Hall a long time ago. Could the Assistant Minister tell us exactly what is going on?

Mr. Deputy Speaker: That is not a point of order, Mr. Ndambuki.

Mr. Mwenje: Mr. Deputy Speaker, Sir, the Assistant Minister is misleading this House. The correct position is that the insurance company accepted the liability. They could not compensate the City Hall for the damage because the City Hall has also not paid the insurance premiums. The insurance company has been demanding that it be paid the premiums, so that it can take over the responsibility of compensating the City Council. When will the City Council pay the insurance premiums, so that the insurance company can compensate them for the damage?

Mr. Tarus: Mr. Deputy Speaker, Sir, what the hon. Member has said is true. Before I respond to that, I want to say that the insurer of the City Hall is Invesco Assurance Company Ltd. It is true that City Hall was covered by the insurance company, but it owed the company some money. An agreement has been entered into between the City Hall and the insurance company for the payment of the premiums, after which the City Council will be compensated.

Question No.022

IMPLEMENTATION OF OLUCH/
KIMIRA IRRIGATION SCHEME

Mr. Deputy Speaker: Dr. Awiti is still out of the country on official duty. Is the Minister for Water and Irrigation here? This Question will be deferred on account that Dr. Awiti is out of the country.

(Question deferred)

Question No.078

ALLOCATION OF
MASONGALENI SETTLEMENT
SCHEME LAND TO SQUATTERS

Bw. Ndile alimuuliza Waziri wa Ardhi na Nyumba:-

- (a) kama anaelewa ya kwamba ardhi ya Masongaleni (Settlement Scheme) ilitengewa maskwota ambao hawana ardhi;
- (b) kama anafahamu kuwa ardhi hiyo haikunufaisha walionuiwa; na,
- (c) ni hatua gani itachukuliwa na Serikali kuwasaidia maskwota wa Masongaleni waliopokonywa ardhi iliyotajwa.

Mr. Deputy Speaker: Is the Minister for Lands and Housing here? I saw Ministers and I thought they were ready to answer Questions. Now they are walking out.

This Question must be answered tomorrow afternoon. I direct the Clerk to inform the Minister for Lands and Housing that this Question must be answered tomorrow. Mr. Ndile, there is nothing I can do. The Question will be deferred until tomorrow afternoon.

Mr. Ndile: Bw. Naibu Spika wa Muda, pengine ungezuilia Swali hili kidogo kwa sababu Waziri anaweza kuja kama Maswali bado yanaendelea.

Mr. Deputy Speaker: Hakuna utaratibu wa kuzuilia Maswali kidogo. Tutaamua kesho

alasiri.

(Question deferred)

Question No.011

DATE OF HEARING FOR CIVIL APPEAL
NO.91 OF 1999 AT NAKURU

Mr. Wamwere asked the Minister for Justice and Constitutional Affairs when Civil Appeal No.91 of 1999 at Nakuru, against judgement of Civil Suit No.100 of 1995 at Nakuru, of Goko Mutango vs Amos Kabiro Kimemia that awarded the plaintiff Kshs200,000 will be heard.

Mr. Deputy Speaker: Is the Minister for Justice and Constitutional Affairs not here?

An hon. Member: Yes!

Mr. Deputy Speaker: What is happening this morning? I think we agreed that both hon. Members and Ministers would be available to ask and answer Questions respectively. Again, this Question by Mr. Wamwere will be deferred until tomorrow afternoon. The Clerk will inform the Minister that the Chair has directed that the Question be answered tomorrow.

(Question deferred)

Mr. Osundwa: On a point of order, Mr. Deputy Speaker, Sir. I rise on the question of collective responsibility. The Attorney-General is here and he normally answers Questions related to what Mr. Wamwere has asked. Could he comment on that?

Mr. Deputy Speaker: No! The Question is addressed to the Minister for Justice and Constitutional Affairs. I think it is unfair to say, simply because the Attorney-General is here, he should answer the Question. The Attorney-General does not answer to the Minister for Justice and Constitutional Affairs. So, my directive that the Question be answered tomorrow still stands.

Next Question by Mr. Ngoyoni!

QUESTIONS BY PRIVATE NOTICE

DETAINING OF LOIYANGALANI
DISTRICT OFFICER'S VEHICLE

Mr. Ngoyoni: 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 the Loiyangalani District Officer's vehicle registration number GKA226H is detained at Marsabit District Headquarters?

(b) Is he further aware that the vehicle is being used for general duties while insecurity in Loiyangalani Division is spiralling out of control?

(c) What immediate steps is the Minister taking to return the vehicle to the District Officer to assist in addressing insecurity?

The Assistant Minister, Office of the President (Mr. M. Kariuki): Mr. Deputy Speaker, Sir, I beg to seek the indulgence of this House to enable me to give an answer tomorrow afternoon. We received the Question on Monday at 4.30 p.m. The answer was being processed yesterday, but we have not finalised. However, I can assure the House that the answer will be ready tomorrow

afternoon.

Mr. Deputy Speaker: What do you have to say, Mr. Ngoyoni?

Mr. Ngoyoni: Mr. Deputy Speaker, Sir, I oblige.

Mr. Deputy Speaker: The Question is, therefore, deferred to tomorrow afternoon at the request of the Assistant Minister.

(Question deferred)

Next Question by Mr. Mwenje!

NUMBER OF CASES FORWARDED
TO ATTORNEY-GENERAL BY KACC

Mr. Mwenje: Mr. Deputy Speaker, Sir, I beg to ask the Attorney-General the following Question by Private Notice.

(a) Could the Attorney-General inform the House the number of corruption cases that have been forwarded to him by the Kenya Anti-Corruption Commission?

(b) Could he further inform the House how many of those cases are currently before court and how many are still pending?

(c) When will the remaining cases be prosecuted?

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

(a) The Attorney-General informs this House that he has received a total of 57 files from the Kenyan Anti-Corruption Commission (KACC) and the Criminal Investigations Department (CID) relating to corruption, economic crimes and related offences.

(b) The Attorney-General informs this House that a total of 35 cases are pending before the court as follows: Twenty seven cases are at various stages of trial. Six are pending before the High Court for determination of constitutional reference and two are pending in the High Court for determination of judicial review applications.

(c) The Attorney-General states that the remaining 22 cases are divided up as follows: One, the KACC has recommended closure in 14 cases for lack of evidence. Two, the KACC has recommended three cases for administrative action. Three, the Attorney-General has accepted the recommendation of the KACC to prosecute in five cases and they should be charged before the court shortly.

Mr. Mwenje: Mr. Deputy Speaker, Sir, we have all these figures which the Attorney-General has referred to. Could he table those specific cases which he has referred to as having been prosecuted? At the same time, could he tell us, if they are in court, how far they have gone? We know cases can be taken to court and then filed forever and they may never be heard. So, could he table those cases and tell us the progress?

Mr. Wako: Mr. Deputy Speaker, Sir, only yesterday, I tabled all the quarterly reports by the KACC, from May 2003 to December 2004. In addition, as required under the Act, I tabled two reports; one covering May to December, 2003 and the other covering January to December, 2004. As required by the Act, I also gave the details on the charges and their current status in court. However, I do have a summary here. I will, first of all, advise the hon. Member to read those reports as required under the Act. But I can also table what I had summarised by way of a supplementary answer to this Question. I now table the document.

*(The Attorney-General laid the
document on the Table)*

Mr. Twaha: Mr. Deputy Speaker, Sir, while on the question of corruption, the Commissioner of Lands recently wrote a letter to the District Land Registrar in Lamu District ordering him to expunge some title deeds from his registry. Could the Attorney-General clarify for us whether the Commissioner of Lands has such powers? If he does not have such powers, could the Attorney-General have him arrested, taken to court and charged with treason?

Mr. Wako: Mr. Deputy Speaker, Sir, that is a slightly different question from the one before this House. But if he thinks that the Commissioner of Lands, in issuing that circular, committed an economic crime, or a corruption offence, then let him follow the procedures under the Act and make a formal complaint to the KACC for investigation.

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

Mr. Deputy Speaker: Order, Mr. Twaha! The Attorney-General has been very magnanimous to even respond to your question.

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

Mr. Deputy Speaker: Order, Mr. Twaha! I am not going to entertain those [Mr. Deputy Speaker]

side shows. That is really a side show. You must stick to the Question. In any case, whatever you asked has been answered. Therefore, I see no justification whatsoever for a point of order from you.

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

Mr. Deputy Speaker: Order, Mr. Twaha! You are now disorderly! You must know how to behave. Could you, please, go out for the rest of the day?

*(Mr. Twaha consulted while walking
out of the Chamber)*

Order, Mr. Twaha! What is wrong with this gentleman!

Mr. Khamasi: On a point of order, Mr. Deputy Speaker, Sir. You might not have heard, but Mr. Twaha has been very insolent by the time he was leaving the Chamber. What steps will the Chair take against a Member who has been ordered out of the Chamber, but he goes on to abuse other hon. Members?

Mr. Deputy Speaker: What did Mr. Twaha say?

Mr. Khamasi: Mr. Deputy Speaker, Sir, Mr. Twaha told Mr. Ndile: "You are very stupid. *Toka nje nikuchape sasa hivi.*"

Mr. Deputy Speaker: Order! I think we will deal with that matter. Let us not bother the House with it. But I promise that I will deal with that matter in my Chambers.

Rev. Nyagudi: Mr. Deputy Speaker, Sir, recently, the Minister for Finance confirmed that he was misled to sign the Anglo-Leasing documents. The Permanent Secretary in the Ministry has been taken to court. In law, it is by evidence that somebody is convicted. Are we just taking cases to court that we know will be defeated? Why has the Minister not been taken to court after confirming that he signed the documents?

Mr. Wako: Mr. Deputy Speaker, Sir, I am very reluctant to comment on a matter which is pending before a court. That is because of the *sub judice* rule.

Mr. Owino: On a point of order, Mr. Deputy Speaker, Sir. The Attorney-General is misleading the House. The Minister's case is not in court. What are we talking about? Is he in order?

Mr. Wako: Mr. Deputy Speaker, Sir, what is in court is the Anglo-Leasing Affair. There are two cases in court on that matter. Therefore, anything arising out of the Anglo-Leasing Affair is, to me, *sub judice*.

Mr. Ndile: Bw. Naibu Spika, jana nilisikia kwa redio mjadala mkali sana kuhusu Mawaziri ambao wakikuta msongamano wa magari barabarani, wanazuia mbele. Mkuu wa Sheria atafanya nini? Anaweza kuunda korti ambayo itakaa wiki mzima ili kushughulikia visa vya ufisadi. Akifanya hivyo, kesi za wakubwa zitaharakishwa. Kesi za ufisadi zinakaa sana, hata wakati mwingine zaidi ya miaka miwili au minne na zinaisha hivi hivi. Je, ni mbinu gani Mkuu wa Sheria atatafuta kuhakikisha kwamba kuna korti za kushughulikia ufisadi, ili wakubwa wanaojihusisha na ufisadi wasichanganywe na walioiba kuku?

(Laughter)

Mr. Wako: Mr. Deputy Speaker, Sir, the courts established in this country are both for the mighty and the lowly. They are supposed to mete out justice without fear or favour. If it is an issue of breaching the traffic rules, the courts are there. I know that the Judicial Service Commission is considering re-establishing the traffic courts which used to be there in the past, so that traffic cases can be heard expeditiously and finalised.

If it is an issue of corruption, there are special courts to hear corruption cases. They have already been established in Nairobi, Mombasa, Nakuru and other major towns. So, they can hear those cases following the procedure laid down under the Anti-Corruption and Economic Crimes Act.

Mr. Salat: Mr. Deputy Speaker, Sir, recently, we had the resignation of the Ethics and Governance Permanent Secretary, Mr. John Githongo. Could the Attorney-General tell this House how that resignation has affected the fight against corruption and when he will be replaced?

Mr. Wako: Mr. Deputy Speaker, Sir, I can say that the resignation of John Githongo, whom I knew and worked with very well as the Attorney-General--- When he was at the Transparency International (TI), put what we call the PRAHA Declaration in Prague which meant that the Government, Opposition, civil servants, religious organisation and all Kenyans must work together to eradicate corruption. I think his resignation has, perception-wise, negatively impacted on our campaign against corruption. But, that is perception-wise. I can assure you that the Government is committed to zero-tolerance against corruption and is implementing all the programmes, policies and legislations that have been put in place to fight corruption. The fight against corruption, as far as the due process is concerned, is not going to depend on a single individual. Kenyans must realise that. The fight against corruption is going to depend on the proper functioning of the independent institutions that have been put in place. Amongst them are: The Kenya Anti-Corruption Commission (KACC), the Attorney-General and the Judiciary.

Dr. Khalwale: Mr. Deputy Speaker, Sir, the success of any case in court depends in the preparedness of the prosecution, which relies on the investigations before the case comes up in court. Is the Attorney-General convinced that some of those cases are going to be successful given that, Ministers who were mentioned were not asked to step out of office to allow investigators to carry out thorough investigations?

(Applause)

Mr. Wako: Mr. Deputy Speaker, Sir, the general principle is that, to be successful in court, you must have had a successful investigation and good prosecution. I accept that. On this issue, the fact of the matter is: The KACC carried out comprehensive investigations in accordance with Section 35(2) of the Anti-Corruption and Economic Crimes Act. After completing the investigations, they forwarded the report to the Attorney-General together with their recommendations. The recommendations could be prosecution, closure or many other things. On this issue, they completed the investigations, I read the file and I am carrying out the necessary prosecutions before the court.

Therefore, I do not see where the cases in court can be adversely affected. The investigation file was completed and statements taken. Those are the statements that will be adduced in court.

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

Mr. Deputy Speaker: Mr. Salat, I gave you an opportunity. You can see how many hon. Members are interested in contributing to this issue. I am trying to close it.

Mr. Waithaka, please, proceed!

Mr. Waithaka: Mr. Deputy Speaker, Sir, there has been a trend in this country where, after a case has been investigated and the file is brought before a court of law, when it comes to bonding witnesses, because they want to protect somebody, it is done on a day the case is not fixed for hearing. We have had incidences, especially in Nyeri, where even murderers are released for lack of evidence because the witnesses have not been bonded. What step is the Attorney-General going to take to ensure that witnesses are bonded on the date the case is fixed for hearing? That has been the way your office has been assisting criminals!

(Applause)

Mr. Wako: Mr. Deputy Speaker, Sir, my office does not assist criminals. The bonding of witnesses is done by the court. They are supposed to be affected by the police. I do agree that there have been a few instances of that nature, and they are being dealt with administratively. Those who did that, definitely breached their regulations. They are being dealt with. I can assure this House that, under the Governance, Justice, Law and Order Sector Programme, we are now in the process of ensuring that the prosecutors and police officers become more professional in their jobs. Hopefully, the instances that the hon. Member is referring to will be a thing of the past.

Mr. Muite: Mr. Deputy Speaker, Sir, it was out of frustrations with the performance of the Criminal Investigation Department (CID) and the Attorney-General that we created the Kenya Anti-Corruption Authority (KACA) as an independent body. If these two had been operating effectively, there would have been no need of KACA. Could the Attorney-General confirm to this House if he has any objections to this House amending the law in order to give KACA the authority to prosecute directly without passing through his office?

Mr. Wako: Mr. Deputy Speaker, Sir, it is not for the Attorney-General; it is for this House to determine that question. I know that in the last Government, there was a constitutional provision amending the Constitution to vest the power in the KACA. I drafted and brought it to this House following a constitutional court ruling which said that only the Attorney-General can prosecute. I did it myself. I brought it to this House and this House rejected that constitutional provision. It never saw the light of day, not just in the former Government but even in the current Government. They also published that Bill and chances were that it would not pass through this House and so it was withdrawn. So, it is really the responsibility of this House.

Mr. Mwenje: Mr. Deputy Speaker, Sir, the Attorney-General may have done a good job but he still can do better. Could he confirm that Mr. Githongo actually ran away because he was threatened by particular Ministers that he will be dealt with, culminating into Mr. Ringera's assertion that he will not prosecute Ministers who have been caught in corrupt cases?

Mr. Wako: Mr. Deputy Speaker, Sir, I was neither consulted by Mr. Githongo when he resigned nor have I talked to him since he resigned and, therefore, I do not know why he resigned.

Mr. Deputy Speaker: That is the end of Question Time. Let us go to the next Order which is Ministerial Statements. There is a Ministerial Statement which is supposed to be issued by the Minister of State, Office of the President, in connection with the attempted robbery at hon. Ndile's house.

The Assistant Minister, Office of the President (Mr. M. Kariuki): Mr. Deputy Speaker, Sir,

we agreed that we shall issue the Statement at 4.30 p.m. in the afternoon today.

Mr. Deputy Speaker: Very well. The next Ministerial Statement is supposed to be from the Minister for Education, Science and Technology in relation to Government policy on the affirmative action on the employment of the visually impaired teachers. Do we have that statement? Dr. Mwiria took brief for the Minister for Education, Science and Technology. Dr. Mwiria is not here? This Statement is due and, therefore, I think the Office of the Clerk will follow it up.

Next Order!

MOTIONS

INTRODUCTION OF NUTRITIONISTS AND DIETICIANS BILL

THAT, aware that nutritionists and dieticians have no law to regulate their practice, this House do grant leave to introduce a Bill entitled "The Nutritionists and Dieticians Bill" to provide for the training, registration and licensing of the nutritionists and dieticians and for related purposes.

Mr. Deputy Speaker: Dr. Ojiambo is out of the country. We gave her permission to be out of the country.

(Motion deferred)

Next Motion by Mr. Oloo-Aringo!

REPEAL OF IRRIGATION ACT

Mr. Oloo-Aringo: Mr. Deputy Speaker, Sir, I am happy that the Minister for Water and Irrigation is here. She is a very dynamic Minister for Water and Irrigation.

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

THAT, this House do grant leave to introduce a Bill for an Act of Parliament to repeal the Irrigation Act, Cap.347 and to replace the same with appropriate law: to promote irrigated farming and control of floods; to provide for active participation of the beneficiaries in the irrigation sub-sector and for matters connected herewith and incidental thereto.

Mr. Deputy Speaker, Sir, I urge this House to repeal this Act because the Act is not people-friendly. If you look at the history of this Act, it was enacted in 1966 and at that time, the history of irrigation in this country had been based largely on punitive approach as a punishment to the people of this country. It is true that irrigation is as old as humankind but in Kenya it can be traced to the last 400 years where indeed there was irrigation in the lower parts of River Tana, Elgeyo Marakwet and parts of Baringo. In the 19th Century, slave labour was used to construct rice schemes around Kipini, Malindi, Shimoni and Vanga. However, as you can see, the slave labour did not necessarily promote the development of proper irrigation policies.

Mr. Deputy Speaker, Sir, it is also true that when the Uganda Railway line was being constructed, Asian workers were used to start irrigation schemes in Makindu and Kibwezi. Again, this was not people-friendly. Also during the Second World War, prisoners of war were used to construct irrigation schemes in Karatina, Naivasha, Njoro Kubwa in Taveta and on the shores of Lake Victoria using prison labour. Now, again this has made irrigation be unfriendly to the people. In the 1950s during the emergency, particularly because of the clamour for land mainly in Central Province and in

the Rift Valley, a hurried scheme was hatched by the colonialists and again similar schemes were established in Mwea, Hola, Perkerra, Ishiara and as you know, also in Yatta to use the labour of the *Mau Mau* detainees to construct irrigation schemes. Again, this was being used as a punishment and it was punitive.

It was only in 1966 that the National Irrigation Board (NIB) was established by an Act of Parliament to develop and manage national irrigation schemes which were based again on the tenant farmer. Now, hon. Nderitu has fought a hard battle to try and change the Mwea Irrigation Scheme and make it a viable irrigation scheme for this country; and if anybody has worked hard to transform the tenant-farmer scheme, it is my good friend and brother, hon. Nderitu. Again, the tenant-farmer scheme was based on the type of slave labour. It took over the running of Mwea, Hola, Perkerra, Ahero and West Kano schemes. Now, the use therefore, of slaves and *Mau Mau* prisoners made irrigation a punishment. The tenant-farmer type of scheme in Mwea and Hola were formed therefore from slave labour.

[Mr. Deputy Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, why am I stressing this? These small irrigation schemes were to be managed by farmers where water users had full responsibility for the water supply and distribution and also for the operation and maintenance of these water schemes. Again, we are saying that even though the idea of irrigation is a good one, it was done as a punishment and it therefore never captured the mood of the people.

Mr. Temporary Deputy Speaker, Sir, more recently, we have enacted laws for various regional authorities like the Lake Basin Development Authority (LBDA), the Kerio Valley Development Authority (KVDA), the Tana and Athi Rivers Development Authority (TARDA) as well as the Coast Development Authority (CDA). All of them have, as their core functions, the provision of irrigation but none of them has taken off and implemented any irrigation scheme, showing again that somewhere the Acts are not adequate to provide irrigation for our country. It is also true that we have private commercial irrigation schemes - a lot of them are in the Naivasha area. The schemes are used in the production of cut flowers as well as fruits. These are examples which show that, in fact, if we use irrigation we can turn this country into a green revolution.

The purpose of this Motion is to ask the Ministry of Water and Irrigation to wake up and lead Kenyans in implementing a green revolution for this country. The promotion of a green revolution will move our country from insufficiency to sufficiency in food production. The green revolution will abolish hunger. As I speak now, many parts of Kenya are being ravaged by hunger. In fact, there are people who have died of hunger in Baringo District. Our former President comes from Baringo District. It is strange that behind the home of my colleague hon. Moi, people are dying of hunger and famine. That is a terrible contradiction.

(Applause)

It is strange that people who come from the same village and sub location with one of the most affluent persons in our country and in the world, are dying of hunger and poverty. That, indeed, is a terrible contradiction. The aim of this Motion is, therefore, to create the green evolution so as to eradicate hunger and poverty.

Mr. Temporary Deputy Speaker, Sir, I am told that, that is a special project docket in the

Government. Indeed, our Government has a whole Ministry charged mainly with the responsibility to deal with what is called "special projects". The "special project" is basically famine. We must look at the positive side of the issue and ask ourselves: How do we abolish famine? It is not enough to have our colleague, hon. Karume, as the Minister in charge of Special Projects which only turn out to be famine projects. His main job is, in fact, to donate food up and down the country. It is a big shame that in this day and age, as a country, we have created a special Ministry charged with the responsibility of giving out food to starving Kenyans and yet we have not addressed the core problem which is the implementation of irrigation in our country.

Mr. Temporary Deputy Speaker, Sir, the green revolution consists of food production through massive use of irrigation technology. That technology is, indeed, available. Egypt has done it for the last 2000 years and is one of the leading countries in irrigation technology. I have been privileged to visit China and I can inform this House that the Chinese have turned their country through the green revolution into a self sufficient food production country so that there is not one child who is suffering from Kwashiorkor in China. Those of us who have been to China know that the Chinese have turned deserts into forests.

Mr. Temporary Deputy Speaker, Sir, the green revolution will involve the transformation of peasant and subsistence farming or intra-agriculture into commercial agriculture. It will, therefore, require State intervention. It cannot be done without comprehensive policies on irrigation. That, to me, is the starting point.

We must move much faster if we intend to abolish poverty and hunger. It is a big shame that even in a city such as Nairobi today, many families go without food. That is a very serious problem. Let me give you a few statistics to show you the extent to which we have neglected irrigation. In Kenya, for example, out of 57 million hectares of land only 10 million hectares fall under arable land. Out of these, only about 60,000 hectares is under irrigation which is only 0.6 per cent of the arable land. That represents the smallest percentage you can have. Egypt has 2.8 million hectares of arable land and all of it is under irrigation. That means there is 100 per cent irrigation in Egypt. China has 111 million hectares of arable land and 76 million hectares are under irrigation. That constitutes 68 per cent of the land in China under irrigation. As I said before, those of us who have visited China, were very impressed that the State has taken the responsibility to provide irrigation infrastructure and there is not a single Chinese child who is starving because of lack of food. Let us not forget that China has 1.3 billion and they are able to feed themselves sufficiently by using the irrigation infrastructure.

India has also gone through the green revolution. It has 164 million hectares of arable land and 38 million hectares of that are under irrigation. That represents 23 per cent of the arable land put under irrigation. In Iran, the country has 16 million hectares of arable land and 5 million hectares of it has been put under irrigation. That is 31 per cent of the arable land. The same goes for Iraq, but more interesting is Israel. It has 430,000 hectares of arable land and 180,000 hectares of that land is under irrigation. Israel is, therefore, able to export citrus fruits and vegetables from their small holding and supply the markets in Europe and remain self sufficient in food production. That shows that there is something wrong with our planning. We have a food policy, but we have not integrated irrigation as part of that food policy.

Rainfall in our country is erratic and unreliable. Therefore, we cannot depend entirely on rain-fed agriculture. We cannot depend on a food policy that depends on rain-fed agriculture. For example, crops have failed in many parts of our country today and yet the permanent rivers are flowing. In Nyanza Province, crops have failed and yet there is the massive Lake Victoria and the eight rivers which drain into Lake Victoria. The same water is being used in Egypt to irrigate its land which is over 6,000 miles away. All we are doing now is looking at the water and doing nothing about it. That is the tragedy of our country. It is unfortunate that nobody is taking the matter seriously so that a comprehensive policy for that purpose is drawn.

Mr. Temporary Deputy Speaker, Sir, Lake Victoria is the second largest fresh water lake in the world and it is within the borders of Uganda, Tanzania and Kenya. Tanzania has moved faster and has implemented irrigation on its side of the border. Uganda is already toying with the idea of starting irrigation. Here in Kenya, all we have are beautiful publications. I can show this House two of them, but which are still on the shelves. We have one here: The Ministry of Water Resources, Management and Development National Irrigation and Drainage Policy. This particular policy has not left the shelves of the Ministry of Water and Irrigation to be owned by the people of Kenya. Similarly, we have the Ministry of Agriculture whose core function is to manage the production of food. The Ministry produced a policy paper on irrigation and drainage development in Kenya in 2003. This paper is still on the shelves of the Ministry of Agriculture. A policy paper is being shelved in the library of the Ministry instead of popularising it so that the people of Kenya can own their own irrigation projects.

Mr. Temporary Deputy Speaker, Sir, the Minister and I have had discussion on this matter and she assured me that she will move with speed. However, to start this project, one must first address the question of policy. It is true that the Water Act addresses some aspects of water policy, but it does not address irrigation as a core function of food production. We must, therefore, go a step further and work together with the other Ministries in order to make this a viable policy.

I have seen that through the Constituencies Development Fund (CDF), a number of Members are now involved in the development of dams in their respective constituencies. This should be part and parcel of the irrigation policy so that we can harvest water in our areas and make good use of it.

Once again, I want to give the example of China. When I visited China, I was surprised. The harvest of rain water is a major priority of the Chinese Government in every town. For example, the headquarters of a district must have a reservoir and a dam. All the rain water is then led to a dam so that during the dry season, it can be used for irrigation purposes. What do we do in Nairobi? Whenever we have a small downpour of rain, we have a flood in Nairobi. Obviously, that says something about our drainage technology; that somewhere, our drainage technology has failed. If you take the massive water of Nairobi which creates these traffic jams every evening and store that water somewhere, you will have a huge reservoir of water. That is what the Chinese have done. They have made sure that they harvest rain water for that particular purpose.

Mr. Temporary Deputy Speaker, Sir, underground water is another area where we can still tap water, not just in arid areas but even in high potential areas, and use it for irrigation. That is a challenge to this country; that we must have a comprehensive policy on irrigation so that we can be able to utilize this natural renewable resource for our own benefit. We must, therefore, improve our harvesting techniques to store rain water for purposes of irrigation.

Mr. Temporary Deputy Speaker, Sir, I have a bone to pick with the Minister, and I hope that she will support us in this issue. To do all this, you first must have a comprehensive irrigation and drainage policy. The present legal structure is inadequate and, therefore, we need an overhaul and a repeal of the present Irrigation Act which was punitive and was brought in as part of punishing people for different reasons. There is, therefore, need for a comprehensive legislation that will regulate and guide the Government, the public, private sector, civil societies and the communities in carrying out their mandate. That is the role of the Government; to provide quality guidelines, so that the people themselves can then implement these important irrigation projects. The new legislation, therefore, should provide for research, public education and extension.

Everyday I go out to functions and seminars, I am surprised when I meet qualified irrigation engineers in this country who have been well trained in the University of Nairobi and overseas; men who can be utilized to develop our irrigation and who can be challenged to enter into business in the irrigation sub-sector. The new legislation, therefore, should provide for clear mechanisms for conflict resolution over the water-use conflicts within the various communities. Recently, we had the Mai-Maahiu confrontation, which was basically a confrontation over water. We had the same story in

Tana River delta. The issue at the base of the Tana River delta conflict is water. Now, we must, therefore, have a new legal framework that can enable us by involving the people in having comprehensive policies on the water in this country.

Mr. Temporary Deputy Speaker, Sir, I am, therefore, asking the Minister to move with speed and establish the National Irrigation and Drainage Authority. This authority will be the body that will be given the responsibility of implementing this Act, together with the Ministry of Water and Irrigation, Ministry of Agriculture, Ministry of Regional Development Authorities and the Ministry of Local Government; all of them are involved in fragmented policies. But this authority will bring them together under one roof. Their duty will be to develop, promote and improve agriculture through sustainable exploitation of available irrigation and drainage potential in Kenya. As I have said earlier, the drainage potential is enormous. If you look at the permanent rivers that flow into Lake Victoria and into the Indian Ocean, they can sustain this country and make us adequate in food production.

This authority will identify and design construction and rehabilitation of public community irrigation and drainage projects with the full participation of the beneficiaries. In the past, the tragedy was that we marginalized communities, the private sector and individuals, but we also did nothing in the process. Sometimes I wish more time can be spent by Ministers in leading us in this type of direction, and I have confidence in hon. Ms. Karua. I have worked with her in this House and she has always been a dynamic person.

(Applause)

I am confident that she can provide the leadership and break away from this problem of Ministers going in circles about power.

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Oloo-Aringo! Who is seconding your Motion?

Mr. Oloo-Aringo: Thank you, Mr. Temporary Deputy Speaker, Sir. I beg to move.

Hon. Angwenyi will second the Motion.

Mr. Angwenyi: Thank you, Mr. Temporary Deputy Speaker, Sir. I also want to thank Mr. Oloo-Aringo for asking me to second this Motion.

This Motion has come at the right time, both for the development of this country as well as for budgeting purposes. Over the years, this country has depended on agriculture for its development; on the so-called potential agricultural areas. But we have reached a saturation point for producing from the so-called potential agricultural areas. I represent an area which used to be a potential agricultural area and which used to produce adequate food for consumption in the area as well as for marketing in other areas. But today, we cannot produce enough food for consumption in my own area, and I do know that this is happening in the entire country. If you go to Central Province, they cannot produce enough food for themselves; if you go to the Rift-Valley Province, they cannot produce enough food for themselves; if you go to Nyanza Province, we cannot produce enough food for ourselves! If you go to Western Province, the so-called "grain granary" of Kenya, they cannot produce enough food for themselves!

So, Mr. Temporary Deputy Speaker, Sir, we must look for ways and means of producing enough food so as to have food security in this country. The only way we can guarantee ourselves food security is by developing irrigation schemes throughout the country, so that we can produce adequate food for this country. The planners of this country mainly come from the so-called potential areas; so, they have neglected the arid and semi-arid areas. They have not developed programmes to address irrigation schemes in the Arid and Semi-Arid Lands (ASALs). We have been told by the Mover that countries which have benefitted from irrigation schemes--- I do not mind reciting some of them! For example, China, which feeds 1.3 billion inhabitants of this world and, in fact, they do not

have as much rainfall as we have in Kenya. But they are able to feed themselves and export some of their products to other countries, Kenya included. Take Pakistan, for example, which is a semi arid country. Their exports to this country include rice and wheat for our consumption. Just the other day, we had a problem selling our tea to Pakistan because they could not accept that we were going to tax their rice exports to this country at a very high rate. So, they decided not to buy our tea, and we had to come down and accept their conditions. But that rice and wheat is produced through irrigation schemes.

Mr. Temporary Deputy Speaker, Sir, we have problems with the Common Market for Eastern and Southern Africa (COMESA) because of the importation of rice and wheat from Egypt. But that rice and wheat from Egypt is produced through irrigation schemes! These are irrigation schemes which are fed by water which comes from Kisii, Trans Nzoia and some part of Mt. Kenya. Why can this country not adopt technologies which have been used elsewhere to produce adequate food for our own consumption and export?

Mr. Temporary Deputy Speaker, Sir, we should undertake irrigation schemes not only for farming but also for livestock development. For example, if we constructed canals along the Ewaso Nyiro South or Ewaso Nyiro North Rivers, we will provide adequate water for livestock development in Narok, Kajiado, Marsabit and Samburu districts. The clashes will be a thing of the past.

We have one of the greatest swamps in the world called Habaswein in Wajir District. If the Government channelled water to that swamp and developed an irrigation scheme, it can produce enough food for every Kenyan and the rest of East African. This is so and yet the Government does not think about it. The Government only thinks about building skyscrapers such as the Times Tower. Maybe, it will build another tower in Nairobi next time instead of building "towers" of irrigation schemes.

(Applause)

There is a Ministry in the Office of the President in charge of Special Programmes. This Ministry begs for food from the World Food Programme (WFP). It also begs for food produced from irrigation schemes in Israel and Namibia. Why could the Government not channel the Kshs8 billion it used on special feeding programmes in the last one year to develop irrigation programmes? This House allocated that Ministry more money than it allocated the Ministry of Water and Irrigation. I challenge this House to rise up and say enough is enough. We cannot allocate more money for begging than we allocate to irrigation schemes.

Mr. Temporary Deputy Speaker, Sir, we have regional authorities and I do not know why they were created if they cannot handle these type of programmes. Bura Irrigation Scheme is an example. We thank the late President Mzee Jomo Kenyatta for coming up with Bura, Yatta and Ahero irrigation schemes which have been run down and yet this House approves budgets which do not address rehabilitation of these schemes. I am informed that if we revive the Bura Irrigation Scheme, it can produce enough food for this country in two or three years' time. In order for this country to develop and alleviate poverty, we must utilise arable land through irrigation schemes.

Infrastructure for irrigation will not be very expensive for this country because we have rivers which flow from high grounds to lower grounds. So, it is easy for the Government to divert those rivers for irrigation. If the Government spent the money it spent on constructing the oil pipeline from Mombasa to Eldoret or Kisumu, to divert our river waters for irrigation, it could accomplish much more than it has accomplished.

For example, if we tap the water from Nzoia River at the hills of Western Province and channel it to the lake basin and to that province, that area will be a granary of this country. If the Government divert the waters of River Gucha, which originates from my area, we will irrigate the

entire South Nyanza, which is arable and has fertile soils. If the Government diverts part of the waters of River Nyando and uses it for irrigation, we can irrigate the entire Muhoroni, Nyakach and Nyando constituencies and parts of Kisumu District. Let us be pro-active. Let us not re-invent the wheel which has already been invented. Let us copy what has been done by small countries, such as Botswana and Namibia. These countries have undertaken irrigation schemes and they are self-sufficient in food and have surplus for export.

Mr. Temporary Deputy Speaker, Sir, finally, I would like to challenge this House to ensure that adequate funds have been allocated for irrigation schemes in this year's Budget. If those funds are not adequate, we should not pass the Budget even if it means going home. Let us work for the people of this country regardless of where they come from.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to support the Motion.

(Question proposed)

Mr. Poghiso: Thank you very much, Mr. Temporary Deputy Speaker, Sir. I would like to begin my contribution by congratulating the Mover of this Motion; Mr. Oloo-Aringo. This is a great Motion. It calls on this country and the Government to wake up and see what is around them. This Motion tells the Government that its resources can be managed better than they are at the moment. It is also saying that water resources in this country are plenty and what is lacking is proper management.

Therefore, this Motion calls upon us to repeal the law on irrigation which is definitely archaic. This law was put in our statute books and has not helped us at all for the last 40 years. Only wise people would review the laws from time to time, especially if they are not helpful. This is the time for Kenyans to repeal all the laws which are repugnant and do not serve any purpose.

There is no reason at all why this country should not produce enough food. We have a lot of water in the lakes. We also have many rivers. We also receive rainfall which we should utilise. So, irrigation laws must be friendly. They should be homegrown and serve the country. Let us repeal this law and replace it with home grown models which are tested and proven.

Traditional irrigation systems still exist in this country. If you visit Marakwet and West Pokot districts, especially Sigor Constituency, which is represented by Mr. Rotino, you will find traditional irrigation programmes going on. Of course, there are modern irrigation programmes as well. This is how people have survived for many years. Those irrigation programmes should be tapped and improved. I am asking the Minister to say "amen" to this repeal. We need to repeal this law and replace it with a more people-oriented; one that is domesticated and home grown. For the information of the House, the people of Alale, Kesei, Kacheliba Division and Turkana Central, every year plant crops, but unfortunately they fail. Every year the Government diagnoses this problem and says there is famine in Turkana and West Pokot districts. They prescribe famine relief. So, we have to be very nice to the Government or our people will not get relief food. Unfortunately, as I have said before, the Government will always depend on aid from the World Food Programme (WFP) and other governments to get relief food. So, we are at the mercy of the Government. It is as though we do not have a right to our own food. We become secondary citizens because we have to depend on famine relief which governments get from other countries. When they do not get that relief, we continue suffering. Right now, my constituency depends on famine relief. There is no food. The WFP has not given relief and the Government has nothing to give to us. A comprehensive law on irrigation will get us out of this quagmire and dependency syndrome.

This piece of legislation needs to come now so that our people can begin farming and produce food for themselves. Currently, our people depend on livestock on a full time basis. Some of the things which are attendant to the repeal of this law will have an effect on the way our people live. It will, probably, reduce the incidents of cattle rustling because people will be busy in their farms once their

land is irrigated.

Mr. Temporary Deputy Speaker, Sir, every year, the crop planted by our people fails and they have to depend on relief food. Why can we not decide to have a comprehensive plan to take care of all the so-called Arid and Semi Arid Lands (ASAL) of this country? Those areas can be irrigated and our people can be free from this dependency syndrome. There is little hope to show this. If any hon. Member has visited Sigor Constituency, he or she will see a small irrigation project funded by the Italian and Kenya governments. You can actually see the hope that small programme has brought to the people of West Pokot District. If you visit Turkana South Constituency at a place called Katilo, there is another small irrigation programme. We will see what a small programme can do to bring hope to the people. So, why do we not duplicate some of these things and cause it to become law? Let the county councils have by-laws. I would like this country to make deliberate effort to irrigate those lands. There is plenty of water for that purpose. The run off from the hills in Kacheliba Constituency, for example, is enough to irrigate land in that area if only we have a plan to dam the area and collect all that water. The run off from the hills and, I am sure, it is the same from those districts, that alone will help us get water for irrigation. So, repealing this law is timely. There also used to be a small irrigation scheme at a place called Charangan in my constituency. At that time, the Ministry of Agriculture failed to complete that programme, it collapsed. This is a project that can be revived. If the law is repealed to make it a deliberate effort for Government to look into those areas which are dry and where people depend on relief food, it will be good for them.

Mr. Temporary Deputy Speaker, Sir, the Mover of the Motion calls for us to replace this law with appropriate law, to promote irrigated farming and control of floods; to provide active participation of the beneficiaries in the irrigation sub-sector. This law will be comprehensive. It will involve the beneficiaries who are people who have no idea of it, at the moment. This will involve education and moving to those areas and showing people the advantages of abandoning some of their ways of living and taking on the new ways of farming. Even if we do not leave livestock farming, it will also help us breed better grades of livestock. Our people currently have the kind of livestock that are of not much value because they are smaller and they do not fetch much money. However, with irrigation, there will be plenty of green pasture. That will help the cows grow bigger. We could also keep dairy cows and our people will then be able to depend on the milk that comes from these cattle. At the moment, because our cattle have to travel long distances searching for water and pasture, we cannot hope for much milk. So, once these areas are irrigated, it will be a double blessing for us.

As I said before, some of the conflicts which come about as a result of scarcity of resources in those areas will be a thing of the past. Water resources have been the cause of a lot of these conflicts. For example, the Turkana clash with the Pokot basically because somebody has gone to try and get pasture from the other side and many times the other person is trying to protect that pasture for their livestock. That becomes a source of clashes. This can be reduced because there will be minimal contact. People will not need to cross over constituencies to look for water or pasture. Therefore, a comprehensive law that involves benefiting the people will be useful.

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

The Minister for Water and Irrigation (Ms. Karua): Mr. Temporary Deputy Speaker, Sir, I want to propose an amendment to this Motion. I propose that we delete the words "THAT, this House do grant leave to introduce a Bill for an Act of Parliament to repeal the Irrigation Act (Cap.347) and to replace the same with appropriate law". So, the amended Motion should now read:

THAT, this House urges the Government to accelerate the development of an irrigation policy to facilitate review of the Irrigation Act in order to create an enabling environment for providing irrigated farming and control of floods and to provide for active participation of the beneficiaries in the irrigation sub-sector and for matters connected herewith and incidental thereto.

Mr. Temporary Deputy Speaker, Sir, the reason I am proposing this amendment is because the Government is in the process of finalising an irrigation policy and drafting a Sessional Paper which will be brought to this House, so that this House can participate in the planning and development of irrigation by giving policy directions which will then inform the review of the Irrigation Act.

Mr. Temporary Deputy Speaker, Sir, we should start with the policy framework and not repeal of the Act as it is the policy framework that will inform what kind of law we need for irrigation. We first plan and provide the direction and then we can improve on the law. This is the process we followed in 1999 in this House. We passed the Water Policy, 1999 and it is that policy which informed and gave birth to the Water Act 2002 which we are now utilising to reform the water sector. Similarly, we would want to go about irrigation in an informed manner by developing the policy framework first and we are almost finalising it. I foresee that within the first half of this year, I will table the policy before this House for debate so that it can inform on the review of the Act.

I have listened to the Mover of this Motion and to those who have spoken and I could not agree more to what they are saying. However, I do not subscribe to the idea that the Government has been sleeping. Maybe in the past, yes, and because there is continuity of Government, I cannot disown even the Acts of the previous Government. Forty years after Independence is a long time to still be struggling with an irrigation policy. Therefore, there has been delay but we have taken up the issue and we have done the best we could. As this House will recall, irrigation was in the Ministry of Agriculture until the last half of 2003 when it was brought to the Ministry of Water and Irrigation in line with integrated water resource management. Having been brought to the Ministry, we took up the process that had already started, in the Ministry of Agriculture, of developing the irrigation policy. We have gone through the processes of developing that policy by having an inter-Ministerial task force constituting the relevant Ministries like the Ministry of Agriculture, Ministry of Environment and Natural Resources, Ministry of Lands and Settlement and other relevant stakeholders. We have come up with a draft policy and we are now in the process of reviewing it and working out a Sessional Paper to be brought to this House so that hon. Members can also have input. All this information was provided to the Mover of this Motion by my office and these are matters that he is aware of and which I am now briefing the House on. We expect that as I have indicated, later this year we are going to bring the policy to this House for debate.

It is not true, as has been stated, that we have not been utilising the waters of Lake Victoria and that only the downward riparians like Egypt are utilising it. Ahero Irrigation Scheme pumps water from Lake Victoria and I sometimes wonder why people who know of this fact want to tell the country that we are not using the Lake water. Maybe we are not utilising it sufficiently but we use it. May it, therefore, be known to all that nobody has stopped Kenya from going on with its development efforts. It is up to us to get organised and go on. We are planning flood control works in the Lake Basin, particularly, on River Nyando and River Nzoia and this policy framework will inform even the process of flood control. My Ministry is also charged with the task of ensuring that we develop our water resources to the full and one way of harnessing our water resources is harvesting rain water. This is something we are looking at and it requires money and planning. It is too much to expect that in the two and a half years that this Government has been trying to reform things, that we could have brought everything under control. We expect that there would be appreciation as efforts have been made. However, it is true that we are going to accelerate our efforts to ensure that the people do not have to wait for too long before they can enjoy the fruits of the reforms that we are instituting. I would want this House to know that the country has an estimated irrigation potential of 540,000 hectares. However, today only 105,000 hectares has been developed; that is combining the private, public and small holder irrigation schemes which is just about 16 per cent of our irrigation potential. We are, therefore, as a Government, conscious of the need to accelerate the formulation of this policy, the review of the law and to exploit our irrigation potential so that this country can be food secure. All

these, like I have said, require not just planning but money.

We also require reforms in the way budget allocation is made. We are conscious, as a Government, that we should not be managing by crisis; waiting to spend billions of shillings when people are hungry and we could have spent that money on preventive measures by harnessing our water resources and developing our irrigation potential to ensure that tomorrow we are not hungry.

Mr. Temporary Deputy Speaker, Sir, I have had the benefit of travelling as a Parliamentarian to both Israel and Egypt and later as a Minister to Egypt. When you see how the water resources are developed in those countries, the terrain and the type of soil, then we know that although Kenya is classified as water scarce, with proper planning, we can be self sufficient and we can even be exporting food to others. That is why we are putting all the efforts we can.

Mr. Osundwa: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister has had ample time to move the amendment. However, it appears as though she is contributing to the main Motion. Would I be in order to call upon you to put the Question so that we can revert to the main Motion? Can we dispose of the amendment?

The Assistant Minister for Foreign Affairs (Mr. Wetangula): No!

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Wetangula! Mr. Osundwa has all the right to rise on a point of order and it is up to the Chair to determine whether that is proper as far as the Chair is concerned. Mr. Osundwa, the Chair is satisfied that there is nothing wrong with the hon. Member putting an amendment and contributing. We will come to that issue at the appropriate time.

Proceed, Madam Minister!

The Minister for Water and Irrigation (Ms. Karua): Thank you, Mr. Temporary Deputy Speaker, Sir. As I was saying, the Government is very conscious of its duty and we are doing the best we can to ensure that people experience fruits of the reforms.

This Ministry has been able to revive Bunyala Irrigation Scheme---

Mr. Oloo-Aringo: On a point of order, Mr. Temporary Deputy Speaker, Sir. I really do not want to interrupt the gracious lady whom, as I said, we have worked with here in many fronts. However, if you look at the substance of my Motion, it is to seek leave under Standing Order No.95, paragraph 2, to introduce a Bill for an Act of Parliament. If you bring the amendment the Minister is bringing in, it negates the principal of my Motion which is to seek leave.

(Applause)

Therefore, I would like your ruling because this, to me, substantially alters the Motion and diverts it from its original purpose which is to seek leave of the House.

The Temporary Deputy Speaker (Mr. Ethuro): Order, hon. Members! According to Standing Order No.48, sub-section 1 and 2:-

(1) Every amendment shall be relevant to the question which it seeks to amend and shall not raise any question which, in the opinion of Mr. Speaker, should be raised by a substantive Motion after notice given.

(2) No amendment shall be permitted if in the opinion of Mr. Speaker it represents a direct negative of the question proposed.

I, therefore, wish to rule that, that amendment negates the Motion.

(Applause)

The Minister for Water and Irrigation (Ms. Karua): Mr. Temporary Deputy Speaker, Sir, in that case I oppose the Motion. I oppose the Motion for the reasons I have given. The Government

is in the process of developing an irrigation policy, which will touch on the review of the Act. It is, therefore, superfluous for the Mover to seek leave to bring a Bill to this House. The Mover is seeking to utilise public funds to bring a Bill on a process that the Government has already embarked on and which will be brought before this House for approval. The policy that is being formulated will be subjected to debate, amendment and passed or rejected by this House. It is, therefore, not necessary that we have duplication of efforts. The relevant Departmental Committee of Parliament will be involved in the critical stages of finalisation of that policy. Whatever law will be brought after the policy framework will be brought to this House. We do not require parallel processes.

The Mover has had the benefit of consulting with my office and my officers. He has also been helped in getting information which he has used to move a Motion in this House, apart from his own research. The Motion is good, but I am saying that the Government is carrying out similar efforts, which are well within the knowledge of the Mover. Today, if leave is granted and a Bill is brought before the development of the policy, that would be a clumsy way of dealing with an important issue. The Mover acknowledged that we require policy. Therefore, in my view, I would wish to persuade the Mover that the proper way is to ask the Government to accelerate the bringing of the irrigation policy which it is already doing without even being asked. We will table it, like I have said, in the first half of this year.

The issue of flood control is something my Ministry has taken up with a lot of zeal. We have been able to do short-term measures in River Nzoia in Budalangi and we will complete carrying out similar measures on River Nyando. We have the intention of building reservoirs to take excess water for use in agriculture as well as fisheries and in all other activities including hydro-power. We have intentions of flood control not only in the Lake Basin but in other parts of this country. We have intentions of harvesting rain water into reservoirs countrywide. I would like to say that those who hold the view that we had conflict because of water, this is not so. Water is used as an excuse by warmongers in this country. The chaos that occurred in Maai Mahiu did not just happen. There has been water stress in that area for as long as we can remember. Lack of water was not the reason for the conflict but an excuse by warmongers to get people fighting.

I am not shying away from the responsibility my Ministry has; to ensure that it takes measures to avoid water conflicts in water stressed areas. We are doing that in earnest and, like I said, we cannot do it overnight everywhere. We have taken reasonable steps in many areas, which hon. Members have acknowledged. We are accelerating our efforts to do so. I would urge the Mover of this Motion not to start a parallel process if the intention is helping this country to attain self-sufficiency in food and water and to help people to develop. We ought to harness our synergy, as hon. Members, working together with the relevant Ministries to bring both policy and law to ensure the green revolution envisaged by the Mover, which is a dream of the Government, is made a reality. I want hon. Members to note that policy framework is critical. It will require that before any irrigation project is envisaged, the Water Ministry is consulted because water allocation must be done centrally. Otherwise, we may approve many projects which may end up conflicting over the limited water resources. This House will also be asked to approve which direction to take when it comes to irrigation. Will we go, for instance, to reclaim land and give it to private entrepreneurs to farm like we did in the Lake Basin or we will reclaim land and give it to our poor people so that they can be food-secure like the farmers in Ahero and those of Mwea? These are serious policy issues that this House will be called upon to debate.

I, therefore, urge the Mover to hold his horse so that we consult to ensure that there is not only a sound policy, but also a proper review of the Act. We need all these issues sorted out before the Act is amended. Otherwise, we will bring up what we think is a new irrigation Act and after we go to planning and addressing issues of policy, we may find out that we may have to go back to the drawing board. This is not the way forward. It is not the way we ought to work.

With those few remarks, I beg to oppose.

Mr. Wanjala: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to debate on this Motion. I want to start by telling this House that I support the Motion.

Before I make my contribution, I would like to congratulate the Minister for Water and Irrigation for the hard work she is doing in her Ministry. I want to confirm to this House that, indeed, Bunyala Irrigation Scheme, which is in Budalangi Constituency, has been revived. It has brought back hope to the people of Budalangi. The Minister has said that she is able. However, we have to complement her effort with an appropriate law so as to enable her deliver more. She needs an appropriate law to guide her in her work.

Recently, this Government spent more than Kshs15 billion to buy relief food. For irrigation to be done in Budalangi Constituency, which has more than 50,000 hectares of land, we need more than Kshs1 billion. That will have saved Kenya from famine. We know that those people who are in charge of relief programmes in the Office of the President make a lot of money during this time. That is why they will never allow irrigation projects to be done in this country. Officials in this Ministry have lorries which they use to transport food from Mombasa to North Eastern Province. During that exercise, they make their loot. That is when they waive Customs and Excise duty on imported food so as to make their loot.

They are spending Kshs7 billion to buy helicopters yet Kenya is not at war, but just because they want to make a kill. A few of those billions could irrigate the dry areas of this country. Kenyans are suffering because of the greed of its leaders. They believe that once Kenyans are self-sufficient in food supply, they may be voted out of power. So, we want to enable the Ministry to make sure that the Government provides money for irrigation. We know hon. Karua is one of the Ministers who are not corrupt, and that is why her Ministry has never been associated with corruption.

Mr. Temporary Deputy Speaker, Sir, Ethiopia today is making use of water to irrigate its land and they now export rice to Kenya, yet Ethiopia is a desert. They are using our own water! Why should we allow that when we have enough land? It is because there is no appropriate law. Now that we want to make an appropriate law, we will be able to use our waters to maximum capacity. Water should not destroy our houses. I want to assure the House that the people of Budalangi are very hard-working. The people of Nyatike are also very hard-working. Every year, that area floods, our houses and farms are washed away. But the people still build houses the following year. When they hear us talking about using that water to empower them economically, they must be celebrating at home. If we pass this Motion, I would recommend that this Ninth Parliament continues to help wananchi just the same way we have helped them through the Constituency Development Fund (CDF).

Mr. Temporary Deputy Speaker, Sir, I want to urge this Government to provide development to Kenyans. They used to make promises when they were in the Opposition. When we came in as the Ninth Parliament, we passed the CDF law and now Kenyans are enjoying the multiplier effect of the fund. That is why we are no longer just going to bring Motions, because they are passed and kept to gather dust in shelves or thrown into dustbins. Now, we have decided we will be bringing Bills.

Mr. Temporary Deputy Speaker, Sir, you heard of the Mai Mahiu skirmishes between pastoralists and farmers. Who said that the Maasai will continue looking after cattle that are not giving them enough earnings? Who said that the people of Tana River must remain pastoralists? We want these people to change and engage in agriculture and live stable lives and enjoy like the people of Mumias who are growing sugar-cane. That is what we want Kenya to be. That is when Kenyans will be equal.

Mr. Temporary Deputy Speaker, Sir, the street boys we took to the National Youth Service (NYS) have nowhere to go. We have plenty of land in Turkana District and North Eastern Province. Why do we not train these boys and girls in agricultural skills and take them there to start irrigating that land?

Mr. H.M. Mohamed: On a point of order, Mr. Temporary Deputy Speaker, Sir. Does the hon. Member think that land in North Eastern Province can be given to street boys? Are there no people there?

(Laughter)

The Temporary Deputy Speaker (Mr. Ethuro): Order! Mr. Wanjala, what did you say?

Mr. Wanjala: Mr. Temporary Deputy Speaker, Sir, some of the street boys belong to the Somali people!

The Temporary Deputy Speaker (Mr. Ethuro): Order! Mr. Wanjala, you have been in this House long enough and you should know how to treat all Kenyans. So, refrain from that kind of language. North Eastern Province is occupied by genuine citizens of this Republic.

Mr. Wanjala: Mr. Temporary Deputy Speaker, Sir, I agree with you. But Kenyans are allowed to live anywhere. I was suggesting though, that if these street boys were trained in those skills of irrigation, they would help us. If Israel could import soil, we can do the same using these street boys to help put up infrastructure on those areas. We can divert some of the water from Rivers Nzoia, Nyando, Sio, Kuja and many others to irrigate our land. These boys can help us since they have nowhere else to go. They would use those skills and set up their homes instead of troubling the Minister for Lands and Housing here that some Kenyans are squatters, yet we have huge chunks of land elsewhere. So, let us train these street boys in agricultural skills.

Mr. Temporary Deputy Speaker, Sir, once we empower Kenyans, there will be no famine and we will save all this money that we have been spending on relief food. Irrigation in the world is the way to go. Nobody is relying on forests, especially in a country where the forest cover has been depleted.

With those remarks, I beg to support.

Mr. Wario: Asante, Bw. Naibu Spika wa Muda. Ningependa kumshukuru muumba wa ardhi na bingu kwa kunipa fursa niweze kuchangia Hoja iliyo mbele yetu. Ningependa pia kuchukua muda huu kumpongeza Bw. Oloo-Aringo kwa kuleta Hoja hii. Ni wajibu wa Wabunge kuhakikisha kwamba wameboresha hali ya maisha ya Wakenya kupitia Bunge kwa kurekebisha au kutunga sheria mpya.

Sheria ya unyunyizaji maji mashamba ni sheria ya kale. Wakati umewadia kurekebisha sheria hii ili iwe na manufaa kwa Wakenya kulingana na wakati tuliopo. Kazi ya kutunga sera ni kazi ya utawala. Kazi ya kuleta sheria ni kazi ya Wabunge. Iwapo utawala unaona kwamba una mbinu ya kuleta sera itakayoboresha hali ya unyunyizaji maji mashamba katika nchi ya Kenya, sisi pia tuna wajibu ya kuleta sheria itakayoboresha hali ya unyunyizaji maji mashamba maji katika nchi ya Kenya. Na iwapo sera na sheria zitakubaliana, ningepomba Waziri alete sera kwa sheria kwa sababu tuna hofu. Sera huenda ikabadilishwa na Waziri yeyote, lakini sheria itadumu kuhakikisha Wakenya watalindwa.

Bw. Naibu Spika wa Muda, hivi majuzi nilienda kwa Katibu wa Kudumu katika Wizara ya Maji na Unyunyizaji kuambatana na matatizo yanayokumba mradi wa unyunyizaji maji mashamba wa Bura. Ninasikitika kusema mbele ya hili Bunge kuwa aliniambia kwamba ule msaada mkubwa atakaotufanyia ni kuita Bw. Muthaura ili ahamishe mradi wa unyunyizaji maji mashamba kutoka Wizara ya Maji. Kwa nini? Eti kwa sababu sera iliopo hairuhusu unyunyizaji maji mashamba chini ya Wizara ya Maji. Wataalamu wamebaki katika Wizara ya Kilimo.

Bw. Naibu Spika wa Muda, katika Wizara hiyo, wahandisi wa maji hawatoshi kuendesha shughuli za kilimo katika nchi ya Kenya. Hiyo ndiyo sababu nimesimama kuunga Hoja hii mkono. Ningepomba ikiwa Mswada wa Bw. Oloo-Aringo utakuja, tuwe na kifungu kitakachowawezesha Wakenya kuweka rasilmali zao katika sehemu kame. Nasema hivyo kwa sababu katika mwaka wa 1984, mradi wa unyunyizaji maji wa Bura ulivuna pamba kilo 4,324,000. Pamba hiyo iliwapatia wakulima zaidi ya Kshs20 milioni. Lakini, tangu tutoke chini ya National Irrigation Board (NIB) na

tukaenda kwa BISP, hali ya mradi huo ilififia. Ni kwa nini tunasema sheria hiyo iboreshwe? Vile sheria hiyo ilivyo leo, haina fursa kwa washikadau. Utawala wa mikoa na wafanyakazi wa Serikali wamekuwa kama wakoloni kwa wakulima. Tunataka sheria itakayoleta haki ya washikadau wote, ili tuweze kuboresha hali ya chakula katika sehemu hiyo.

Bw. Naibu Spika wa Muda, sekta ya unyunyizaji maji mashamba imehamishwa juzi kutoka kwa Wizara ya Kilimo hadi Wizara ya Maji. Katika Bajeti iliyopita, sekta hiyo haikutengewa pesa zozote! Kwa hivyo, ili tufaulu katika shughuli za unyunyizaji maji mashamba katika nchi ya Kenya, lazima tutenge pesa maalum kuboresha shughuli hiyo katika sehemu tunazoziwakilisha.

Bw. Naibu Spika wa Muda, watu wanafikiri ufugaji sio mbinu ya maisha. Ningependa kuwaambia kwamba, iwapo mtu yeyote anafikiri kwamba ufugaji sio mbinu ya maisha, basi atupe mbinu ya maisha itakayoweza kutekeleza shughuli hiyo katika sehemu kama Mandera au Tana River. Sisi ni wafugaji kwa sababu hali ya mazingira hairuhusu kilimo wala shughuli nyingine yeyote. Ikiwa kuna mtu anaona kwamba ufugaji hauna maana, basi atupe mbinu nyingine ya maisha. Tumechoka kuzunguka na ng'ombe. Iwapo Serikali iko tayari kutupa mbinu ya maisha itakayoweza kutuweka katika sehemu kame--- Katika sehemu za jangwa tunazoishi, kuna ugomvi wa rasimali, hasa juu ya maji na nyasi. Iwapo Serikali haitaleta sera ya kutambua ufugaji kama mbinu ya maisha, basi vita na ugomvi vitaendelea.

Bw. Naibu Spika wa Muda, kabla sijatoka nje ya mada, nasimama kuunga Hoja hii mkono. Namwomba Bw. Oloo-Aringo alete huo Mswada tuupitishie katika Bunge hili.

Mr. H.M. Mohammed: Bw. Naibu Spika wa Muda, ningependa kuchukua nafasi hii kumpongeza Bw. Oloo-Aringo kwa kulete Hoja muhimu. Unyunyizaji wa maji mashambani ni jambo muhimu sana katika maisha ya wananchi. Wakati moja, nilipata fursa ya kuwa Waziri wa Maji na Unyunyizaji. Niliona aibu kubwa nilipoalikwa kwenda kuangalia miradi kama hiyo katika nchi za Israel, Misri, Pakistan na nyingine nyingi. Nilifadhaika sana kwa sababu nilikuwa naitwa: "*Minister for Land Reclamation, Regional and Water Development.*" Hakukuwa na haja ya "*kureclaim land*" katika nchi ya Kenya. Hakuna haja ya kufanya hivyo huko Mandera, Turkana na Tana River. Hakuna nchi ambayo inahitaji kuleta mchanga katika nchi nyingine. Tunahitaji maji ili watu waendeleo kulima na kuvuna chakula.

Bw. Naibu Spika wa Muda, Hoja kama hii ni muhimu. Lazima tuiunge mkono ili tuweze kubadilisha sheria. Tukifanya hivyo, tutapata uwezo wa kufanya kazi. Hapo mbeleni, wakati nilikuwa Waziri, kazi yetu ilikuwa kama ya utalii. Mimi nilikaa katika Wizara hiyo kwa mwaka mmoja. Kabla sijazunguka kabisa kuona vile mambo yanafanyika duniani, nilipelekwa katika Wizara nyingine. Lakini Mawaziri wa Rais Kibaki wako na nafasi ya kukaa katika ofisi zao na kufanya kazi. Inaonekana watamaliza miaka mitano katika ofisi hizo. Ningemtaka Waziri afanye kazi hiyo ili tuwe na chakula katika nchi. Jambo hilo si la kubahatisha.

Bw. Naibu Spika wa Muda, watu wetu wamekuwa kama watumwa. Kila mwaka, wanaomba Serikali iwapatie chakula. Tusipopatiwa chakula, tutaangamia. Hiyo ni njama ya Serikali ya kuwafanya watu wengine wasiwe na uhuru wa kufikiria mambo yao. Kwa mfano, katika sehemu ya Ukambani, ukiwanyima chakula cha msaada na useme: "Lazima mpige kura kwa Serikali", itawalazimu wafanye hivyo ili wapate chakula. Mambo hayo yalikuwa yakiendelea Ukambani, Kaskazini Mashariki, Pwani, Bonde la Ufa na sehemu zingine. Watu wa sehemu hizo walikuwa KANU damu kwa sababu ya kungojea chakula. Nyinyi msifanye hivyo. Leteni chakula katika nchi. Pesa zinazotumiwa kuwapatia watu chakula cha msaada zinaweza kuleta maendeleo katika nchi hii. Watu wanaohusika na kupanga mipango ya kudumu hawapati pesa. Lakini ikiwa ni chakula cha msaada, amri itatolewa haraka, chakula kiagizwe na pesa ziwekwe mfukoni. Ningependa kuiomba Serikali ibadilishe mtindo huo na watu wapatiwe nafasi ya kulima na kutoa chakula chao. Watu wa Bura na Hola hawategemei misaada ya chakula kwa sababu sehemu zao ziko na rutuba na maji ya kutosha, na wanaweza kufuga wanyama. Kitu ambacho kinatafikana ni mipango mahususi ya Serikali ya kuwapelekea watu maji ili waweze

kulima.

Bw. Naibu Spika wa Muda, wakati ambapo Bura Irrigation Scheme ilianza, ilitarajiwa kufanywa kwa awamu tatu. Awamu ya pili ilikuwa katika Wilaya ya Tana River na ya tatu ilikuwa sehemu ya Degega katika Wilaya ya Garissa. Mpango huu ukifanywa, Kenya haitakuwa ikileta chakula kutoka nje tena. Hiyo itakuwa historia. Pia, tutapata pesa kwa sababu watu wa sehemu hizo wanaweza kukuza pamba na matunda. Baada ya mifugo kumalizika kwa sababu ya ukame, wananchi kutoka Wilaya ya Garissa wameshikana na wanalima kwa kunyunyizia maji mashamba. Kunyunyizia maji mashamba ni ghali sana na inahitaji pesa nyingi kuanzisha. Wananchi hawana pesa za kuanzisha mambo kama hayo. Serikali inafaa itenge pesa ya kusaidia wananchi ili wapate mavuno ya kutosha.

Pia, maji yanaweza kupelekwa mbali kwa njia ya gravity. Katika nchi ambazo nimezungumza juu yake, maji yamepelekwa mbali sana kwa kutumia mitaro, kama vile kilomita 300, na wananchi wanatumia hayo maji kulima na kulisha mifugo yao. Wakati umefika Serikali iamke na ifanye kazi ili wananchi waweze kujipatia chakula.

Kwa hayo machache, ninaunga mkono.

Mr. Mukiri: Mr. Temporary Deputy Speaker, Sir, I rise to support this Motion. First, I wish to thank the Mover of the Motion. It is a very important Motion for this country.

I have listened to the reasons why the Minister is opposed to this Motion, and I am not convinced. As much as the Minister may have very good intentions, we always have problems with technocrats and bureaucrats in Ministries. Many Sessional Papers have been discussed and are lying in the Ministries' shelves without being implemented. This is because of these bureaucrats. They know that if there is no legislation to back up those Sessional Papers, nothing can be done about them. I believe that, as Parliament, we should show the way forward. We should enact this Act of Parliament. It will take time before the Bill comes to this House and within that time, the bureaucrats and the technocrats can sit down with the Mover of this Motion, so that all that they intend to do is reflected in this legislation. Therefore, I feel that the reasons that were given by the Minister are not convincing.

Mr. Temporary Deputy Speaker, Sir, we have passed so many Motions in this Parliament and I think a certain hon. Member has talked about that. This Parliament has been reduced into a circus. We pass Motion after Motion and when they go to the Government, they are ignored. This Parliament should move away from just passing Motions and wasting time. We will be more useful to our people if we start passing legislations. Once a legislation is passed, then we would like to see action being taken immediately. Therefore, I want to encourage all the hon. Members who want to move Motions to bring Acts of Parliament, so that we can move away from wasting the valuable time of this House.

I remember this House passed a Motion on pyrethrum some time back. From that time, nothing has been done. They are now saying that they will bring a Sessional Paper and this is going to take time. We know the problems of our people. For instance, in the pyrethrum sub-sector, we do not need these Sessional Papers. We do not have to discuss these things in hotels. Our people are asking for investments. If you look at the field of irrigation, you will find that if we had a proper legislation to back the policies, it would be very easy for money to be channelled and we would see a difference in this country. There have been some efforts. We have had legislations which dealt with irrigation. However, the efforts have not been adequate.

Mr. Temporary Deputy Speaker, Sir, before I joined university, I spent four months at the National Youth Service (NYS), where we would wake up so early at about 4.00 a.m., just to run and shine shoes. This was wasting Government's money. As young men, we should have been put into better use by the Government by being deployed in irrigation projects. We have enough water in this country. We have rivers like River Nyando, Kuja and the waters of Lake Victoria. We have enough water to irrigate this country.

The other thing that the Government needs to do is to plan. We have a Ministry of Planning and National Development, which is headed by a respected person in the international arena. People

are wondering what we are planning for this country. We want to change the way things were done before. Everybody has said here that we should now move away from giving out hand-outs to our people. We should plan on how we are going to irrigate the North Eastern Province, revive the rice farms in Nyando and support rice farmers in Mwea. This is not being done and I do not know when it will be done. I know that a Government is given only five years to execute its mandate. We would like to see the Ministries doing more than they are doing today.

Mr. Temporary Deputy Speaker, Sir, the other day, I visited Dubai. I found out that the residents of Dubai do not have fresh water. They have been getting water from the sea. But it is surprising to note that Dubai is more beautiful than Nairobi City. It is green everywhere and every street has a water point, and yet, it is a desert. At the moment, they have started a very big forest using sea water for irrigation. I do not know whether there is a problem with us, Africans. God gave us a very good environment. We have rains and we do not even need to get water from the sea. We have enough water that we can utilise in this country. I do not know how to describe Nairobi City, but there is nothing green. If we can use the resources that God gave us, and this can only be done by passing this kind of legislation, then we, as a country, will make a difference. Therefore, I think that it is very important that we support this Motion, so that we can change the way things have been done in the past.

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

The Temporary Deputy Speaker (Mr. Ethuro): Yes, Mr. Ojaamong!

An hon. Member: Bw. Ojaamong *ameingia saa hii!*

The Temporary Deputy Speaker (Mr. Ethuro): Order, hon. Members! As you know very well, the Chair has been seeing and Mr. Ojaamong has been around.

Proceed, Mr. Ojaamong!

Mr. Ojaamong: Mr. Temporary Deputy Speaker, Sir, thank you very much for giving this opportunity and for protecting me because I have been here since morning.

May I thank the Mover of the Motion, Mr. Oloo-Aringo for bringing this Motion at this time. It is timely because it is coming up when the rains have just started and the effects of floods in our country are just almost being felt once more, as history has shown. I also listened to the Minister when she was responding. I do not believe that her reasons for rejecting this Motion are very convincing, considering that the NARC Government came to power on the slogan of "*yote yawezekana.*" In that vein, I think this Government is capable of providing all regardless of the circumstances. When the NARC came to power, we were made believe that it already had policies regarding all issues that afflict Kenyans. It is very astonishing now that the Minister now says that they do not have a policy framework regarding irrigation and floods. The very reason why we removed KANU from power was because it did not have these policies in place. So, the NARC had better policies which we were selling to Kenyans countrywide. So, it is very unfortunate that the Minister now comes up, three years after we came to power, to say that we do not have the policy framework to enable us repeal this Act.

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

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

Mr. Temporary Deputy Speaker, Sir, the Irrigation Act was enacted in 1966. Therefore, it is a very old Act. It is one of the laws we promised Kenyans that we were going to repeal when we came to power. We went round the country, including Mombasa and Tana River, telling Kenyans that we were going to repeal some laws which are very repugnant. This Act was enacted in 1966 before even

Mr. Mungatana was born. What should it be doing in our laws now? I believe that it is a very old Act that should be repealed.

(Laughter)

Mr. Temporary Deputy Speaker, Sir, let us look at the socio-economic effects of floods. River Malakisi flows from Mt. Elgon to my constituency. Now that the rainy season has come, most of my people will be displaced and the socio-economic effects on these people will be very absurd. Water borne diseases will be very prevalent in my constituency now. Children will die of malaria and dysentery. But this Government, because it never recognizes the minority, will not even send medical personnel there to look after those people. It will leave them to suffer and die like flies. I support this Motion fully because there will be a law which will be able to address these issues, and my people will also be protected like any other Kenyans.

Mr. Temporary Deputy Speaker, the issue of floods in Kenya is very disturbing. If you go to Budalangi during the rainy season, you will find that most schools will have their toilet facilities filled with water. As a result, pupils will lack a place to go to relieve themselves. This causes even the health personnel to close down schools. You can imagine all schools in Budalangi Constituency being closed just because floods have interfered with toilet facilities. So, these effects of floods occur wherever they are incurred, for example, in Nyando and other areas. This is the only time that we can repeal this law, so that the people leaving in these areas can also enjoy as normal human beings.

Mr. Temporary Deputy Speaker, Sir, if you have flown around this country you will find that we have huge tracts of land. Last weekend, we were in Kajiado District to raise some funds. We saw very large tracts of fertile land from Kajiado to Mashulu where we were. But this land is under-utilised because of lack of water. This Government should wake up and actually look at the needs of Kenyans very carefully. The only thing that these Kenyans lack is water. Therefore, if the Government could harness this water in dams, the way the Mover of the Motion said, people would be able to undertake irrigation activities. As a result, we shall have sufficient food for our people. As we all know, a hungry man is an angry man. So, if Kenyans will lack food, even all these things we are talking about including, Constituency Development Fund (CDF) and bursaries in schools, will not work. How will they learn, do business or even drive a vehicle? So, agriculture being the backbone of this country, the Ministry of Water and Irrigation should be facilitated more than even the Office of the President. The Office of the President is given so much money to the extent that, what they only do, for example, in my constituency, is to fuel Land Rovers to arrest people who drink *busaa*. They even arrest innocent people on the way and fabricate cases against them. We give them billions of money instead of giving it to the Ministry of Water and Irrigation to improve our agriculture which will end up improving our economy.

Mr. Temporary Deputy Speaker, Sir, the assertion that the policy is not there is just a delaying tactic. Let us enact this law, repeal it and then let the technocrats in her Ministry talk to the Mover of the Motion and come out with a proper law. It should even be done today or tomorrow. We do not want to wait. We want to rescue our people. Control of floods and encouragement of farming through irrigation is so noble to our country. Therefore, we should ensure that this law is implemented as soon as possible for Kenyans to benefit.

The Mover of the Motion told us that, initially, when the irrigation projects were started, they were meant to demoralise the people. In fact, people were being forced into those irrigation projects. That history apart, the Ministry of Water and Irrigation should now come up with a Sessional Paper, just like Prof. Saitoti did on education, so that we can debate it. Let the Minister for Water and Irrigation also go out, because it is the only Ministry that has let Kenyans down. It is going to be a catastrophe! Just in the last few months, there was drought that led to a lot of suffering in Kenya. In

my own constituency, people were forced to go and buy water from Uganda. The water that was being bought from Uganda flows from Kenya.

Mr. Temporary Deputy Speaker, Sir, control of floods will go a long way in ensuring that there will be plenty of water for our domestic and farming needs.

Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me that opportunity.

The Temporary Deputy Speaker (Mr. Poghisio): I have only a few minutes before the Mover is called upon to reply.

Mr. Ethuro, please, proceed!

Mr. Ethuro: Mr. Temporary Deputy Speaker, Sir, I have also asked the Mover to give me a few minutes. This is a very important Motion. We want to agree with the House that it has come at an appropriate time, especially for districts in Arid and Semi-Arid Lands (ASALs) where normal rainfall patterns do not give adequate precipitation to support farming.

Mr. Temporary Deputy Speaker, Sir, the Motion emphasises three critical areas that require to be put into consideration in the new law. They are: Irrigated farming, floods control and active participation by beneficiaries. For instance, the history of irrigation in Turkana District is known. People were doing things in their own backyards and, by the time the project donors pulled out, most of them had collapsed. At the same time, that put many people at great risk in terms of household food security.

We need the new paradigm where we are more involved in small-holder irrigation schemes like the one in Lotuba in South Turkana. We are, at least, fortunate that, even if the rainfall is not adequate, we have two major rivers in Turkana District; River Turkwell and River Kerio. Those rivers require to be tapped, so that we can increase our food production.

Mr. Temporary Deputy Speaker, Sir, it is no small secret that in the mid-1980s, agricultural production in this country reached its peak. The only way you can increase food production, with the increase in population, is by extending irrigation into those marginal areas. I think irrigation schemes provide that kind of facility.

Mr. Temporary Deputy Speaker, Sir, I think the issue raised by the Minister in trying to oppose this Motion on the basis of lack of a Sessional Paper--- I think it is time we gave the Government a notice! This Parliament is becoming increasingly impatient with a Government that has not performed in the last 40 years of Independence. Is this the time to talk about Sessional Papers? In any case, a Motion like this can only be an inducement, encouraging point and a motivational factor for the Minister to bring that Sessional Paper before the Bill comes. I do not see any contradiction whatsoever! I would be the first one to plead with Mr. Oloo-Aringo to work in tandem with the Minister, so that the Sessional Paper can be brought in good time, before the Bill is brought to the House.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Poghisio): Well, I will now call upon the Mover to reply.

Mr. Oloo-Aringo: Thank you very much, Mr. Temporary Deputy Speaker, Sir. But because this Motion is extremely popular with hon. Members, may I donate my time as follows: Three minutes to Mr. Osundwa, three minutes to Mr. Bahari and three minutes to Mr. Kipchumba.

Mr. Osundwa: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. I have only three minutes! So, I will be very fast! I will also avoid repetition.

First, I want to thank the Mover of this Motion, Mr. Oloo-Aringo, for seeking to repeal the Irrigation Act. I have no doubt in my mind that Mr. Oloo-Aringo means well when he seeks to bring an amendment to any Act of this House. Indeed, all of you who have been here since the last Parliament have seen that. The fruits you are enjoying are through the courtesy of Mr. Oloo-Aringo's Motions here. I thank him very much.

Mr. Temporary Deputy Speaker, Sir, when I was the Chairman of Agriculture, Lands and Natural Resources Committee, I visited Mwea Irrigation Scheme. In the Irrigation Act, you find certain sections. For example, there is one that says: "A tenant must not leave his plot without permission from the scheme manager." That law was enacted those years. It has not been repealed and yet, the Minister is complaining that Mr. Oloo-Aringo is trying to do her job. Surely, any serious Government should look into its statutes and remove those archaic laws.

(Applause)

I am only urging the Minister to relax. We are trying to assist her. We are trying to give her enabling laws. She is an able Minister. So, Ms. Karua, we are trying to help you. Relax!

Mr. Temporary Deputy Speaker, Sir, I would like to go straight to the question of riparian land. We are talking of conserving water. When I was growing up, there were large rivers in my area. But they have all dried up because the Minister has allocated riparian land and given title deeds. People are cultivating land on river banks. The rivers have dried up. When we talk about irrigation, we must have serious land policies where title deeds are not given to people farming next to riparian lands.

Mr. Temporary Deputy Speaker, Sir, I do not have to take much of Mr. Oloo-Aringo's time because I believe that this Government can allocate more money to irrigation schemes. Right now, they have lop-sided policies in the allocation of our resources. For example, the Special Branch is given Kshs4 billion per year to police on us. That money can irrigate a lot of land in this country. We just need to reduce the allocation to Special Branch. We do not need the Special Branch. We are now a free democracy. Look at the Vote of the Office of the President! It is too large! All that I am saying is: Let us have, at least, 20 per cent of our annual revenue allocated to irrigation schemes.

I thank the Mover for giving me only three minutes. I do not want to take much of his time! I would have spoken more.

With those few remarks, I beg to support.

(Applause)

Mr. Bahari: Mr. Temporary Deputy Speaker, Sir, I would like to thank Mr. Oloo-Aringo for bringing this Motion, and also for donating a few minutes to me to make my key statements.

Mr. Temporary Deputy Speaker, Sir, I really wanted to contribute to this Motion, but I did not get that opportunity earlier. However, like previous hon. Members have said, most regions in this country are able to provide food for themselves, if they are given that opportunity and once this law is passed. I will give you an example. In Isiolo District, Samburu and many other areas around North and South Ewaso Nyiro, there is enough water for irrigation. Up to where the river ends, one would be able to irrigate the land and provide food. Similar rivers like Tana River, pass through Garissa. Dawa River passes through Mandera and yet, those areas have perennially been supplied with relief food. I have no doubt that the people living there are willing and ready to irrigate those areas, once the necessary support comes from the Government. I think that is why this Motion is timely and very critical. We want to persuade the Minister to support it. Previous schemes have failed and these are some of the things that we really need to take care of because of corruption. As much as they were initially successful, then the donors handed them over to Kenyans and, as a result, we went in, looted and have interfered with the livelihoods of many Kenyans.

Mr. Temporary Deputy Speaker, Sir, the Minister for Water and Irrigation should not worry about the funding of this plan because there are several Ministries where we can cut their budgets and let them go to this area. I have no doubt that she will have our support. Particularly so, when the Budget Office will come into place whose Motion was moved by hon. Oloo-Aringo where Parliament

will have the opportunity to scrutinise the Budget and re-allocate funds; as much as I am not anticipating debate, we shall make sure that irrigation is properly funded.

With those few remarks, I beg to support.

Mr. Kipchumba: Mr. Temporary Deputy Speaker, Sir, I want to thank hon. Oloo-Aringo for donating to me some of this time. I want to support this Motion because we are all aware that this financial year, the Government spent to the tune of Kshs4 billion just to import food and yet this country could easily be a net exporter of food if only we can put our house in order. As it is now, less than 10 per cent of this country is made up of arable land not because of poor soils but basically because of insufficient water. Therefore, all we are asking is that the Act that governs irrigation should be put in order so that the remaining 90 per cent of land in this country could be used for farming.

Mr. Temporary Deputy Speaker, Sir, I want to mention briefly the other factors that have not been mentioned here because it is only talking of promotion of irrigation and control of floods. There are other issues that are more critical that include the conservation of the water because availability of water depends basically on conservation of the same. Most of these irrigation projects have also failed because of siltation because there have not been adequate policies to govern the control and management of these irrigation schemes. Kenya has adequate water. The problem we have is harvesting of the same because water will flow and subsequently be used by Sudan and Egypt and all we do is to complain that this country does not have adequate water. We should encourage the harvesting of this water so that it can be utilised for irrigation. After utilising this water, it can be re-used again for other purposes. If we have a legal framework that can allow us to use the water and then re-use it for other purposes, then so many people can use the water all the way from the highlands to the lake.

With those few remarks, I beg to support.

Mr. Oloo-Aringo: Mr. Temporary Deputy Speaker, Sir, thank you very much. First, I thank all hon. Members who have made their contributions and those other hon. Members who would have liked to make their contributions but did not get the chance to do so. You will have the chance when I bring the actual Bill and I promise you I will bring that Bill in a very short time.

(Applause)

Secondly, I was disappointed that after supporting the Minister, she became very economical with the truth. There is absolutely nothing to stop the Minister from bringing the Sessional Paper even after this Motion is passed. In fact, she could move faster than I am moving. This procrastination in Government has been the hallmark of the administration of this present Republic - the promise and continuous promise of taking action. There is absolutely nothing wrong for the Minister to initiate legislation and to bring the Sessional Paper. In fact, the Sessional Paper and legislation can come in simultaneously. I would be the happiest person to hand it over to the Minister. So, really do not blame me for not doing your work and three, that is the message. If you did your work, you can actually bring that Sessional Paper as quickly as possible.

Mr. Temporary Deputy Speaker, Sir, let me remind my colleagues that at the rate we are going, Parliament can initiate policies and legislation and we do not have to wait for legislation to come from the Cabinet. The Constituencies Development Fund (CDF) which is now being owned by the Government was initiated by the hon. Members here. The Parliamentary Service Commission Act which created the Parliamentary Service Commission was initiated here. The other day, my good brother and friend, hon. G.G. Kariuki, brought the Wildlife Conservation and Management Bill. I want more hon. Members to initiate Motions. In fact, the Parliamentary Service Commission is creating a department which will assist you with legislation of draft amendment to Bills so that you can be able to do your Bills here. If the Government is sleeping let us provide the leadership.

(Applause)

That is the message we are sending and I really want to thank my colleagues who have taken this firm stand that when the Government fails, Parliament must lead. This is why I am supporting the young parliamentarians because they are demonstrating that when the Government fails, they are providing leadership. I really want to particularly support this Third Progressive Force and others who are now coming up to say: "When there is a vacuum, you provide leadership".

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I thank you.
I beg to move.

(Question put and agreed to)

The Temporary Deputy Speaker (Mr. Poghiso): Next Order!

DISTRIBUTION OF IDLE LAND
TO LANDLESS PEOPLE

Mr. Wamwere: Bw. Naibu Spika wa Muda, naomba kupendekeza Hoja ifuatayo:-
KWAMBA, ikieleweka kuwa ardhi ni rasimali iliyokusudiwa kutumiwa na Wakenya wote na wala sio kutajirisha wachache; ikifahamika kuwa ardhi isiyolimwa na kutumiwa imezagaa kote nchini huku kaumu ya Wakenya wakibaki bila kazi au ardhi ya kufanyia kilimo; Bunge hili linahimiza Serikali kupunguza umasikini huu kwa kuchukua hatua kabambe kama vile kuitoa kodi ardhi isiyotumika au kuinunua na kuigawanyia raia ardhi inayolipiwa kodi bila kutumika au, iweke kiwango cha ardhi kitakachokuwa halali kumilikiwa na mtu binafsi.

Bw. Naibu Spika wa Muda, ningetaka kuanza kwa kusema ya kwamba ninaelewa ya kwamba Wizara ya Ardhi na Nyumba inatayarisha mwongozo wa matumishi ya ardhi na kwa hivyo, ninafikiria ya kwamba Hoja hii inaweza ikachangia pakubwa katika uundaji wa sera hiyo. Ni matumaini yangu ya kwamba kwa vile mambo ambayo Hoja inauliza ni yale yale ambayo ninaamini yatakuwemo katika mwongozo au sera hiyo ya Serikali ya matumizi ya ardhi, ya kwamba kusema ya kwamba tunatazama pamoja na Wizara, hakutamfanya Waziri Kimunya achukue msimamo kama ule uliochukuliwa na Waziri Karua ya kwamba kwa vile tunanua kufanya yale yale yanayoulizwa na Hoja, kwa hivyo tunaipinga Hoja. Hayo ni mantiki yasioeleweka na ninatumai ya kwamba hayatatumika. Yakitumika itakuwa ni hasara kubwa.

Bw. Naibu Spika wa Muda, haja za Hoja hii ni tatu: Kwanza ni kuwapa maskini hohehahe ardhi watakayolima na kujijengea makao. Pili, ni kunifanikisha kilimo kwa hakikisha kuwa kila nukta ya ardhi yetu inalimwa. Si vema kuwacha hata nukta moja ya ardhi yetu ikae bila kulimwa jinsi ilivyo sasa. Tukizingatia kilimo, tutahakikisha kwamba nchi hii inapata mazao mengi na wananchi ambao hawana kazi, watapata kazi za kufanya. Hakuna mtu atakaa "akilegalega" eti kwa sababu hana cha kufanya kama anavyosema Rais wetu. Lengo la tatu ni kuipatia Serikali nafasi ya kuweza kudhihirisha kwamba inawajali maskini namna inavyowajali matajiri. Hili jambo nalisema kwa dhati kwa sababu nimetazama na kuona kwamba Serikali ya NARC imechukuwa msimamo ule ule uliochukuliwa na Serikali ya hayati Mzee Kenyatta na baadaye Serikali ya Moi katika kushugulikia masilahi ya matajiri na kupuuza masilahi ya maskini. Wakati huu, Serikali ya NARC ina nafasi ya kuonyesha kwamba ni tofauti na Serikali zilizoitangulia na lengo lake halisi ni kuwasaidia maskini ambao ni wengi. Hakika huwezi kukosa kusaidia walio wengi kisha udai kwamba unasaidia nchi.

Ni matumaini yangu kwamba katika majibu yatakayotolewa juu ya Hoja hii, Wizara au wale wanaomiliki mashamba hawatatuambia kile ambacho nimesikia hapo mbeleni kwamba hakuna

mashamba ya kumtoshia kila mtu. Jawabu la shida ya ukosefu wa mashamba ni kuwafundisha Wakenya ili wajue kwamba kila Mkenya hataweza kupata shamba. Ajabu ya jibu hili ni kwamba wenye kulitoa ni wale wanaomiliki mashamba. Ni kama mtu mwenye afya kumwambia mgonjwa asishughulike kutafuta dawa kwa sababu ugonjwa hautaisha. Sababu yake kubwa ya kumshauri mgonjwa hivyo ni kuwa yeye mwenyewe ni mzima wa afya. Ni matumaini yangu hatutaambiwa kuwa hati za kumiliki ardhi ni tukufu ama takatifu na baada ya kutolewa haziwezi kubadilishwa na kwa jinsi hiyo wale ambao hawana mashamba wakae hivyo hivyo kama alivyokuwa akisema Rais Mstaafu, Moi.

Ikiwa hati za kumiliki ardhi zilitolewa kimagendo, ni vema kwamba Serikali inayotaka kuongoza nchi hii kwa haki ibadilishwe hati hizo na kutoa nyingine kwa msingi wa haki. Vile vile, ni matumaini yangu kwamba hakuna wale watakaotumbia eti yaliyopita si ndwele, tugange yajayo na kwamba wale ambao hawana mashamba wakae hivyo. Umaskini si ndwele; hasa umaskini ambao ulitokana na hali iliyopita. Yaliyopita ni ndwele sana. Umaskini uliozaliwa na hali ya zamani ya dhuluma ni ndwele kama umaskini unaosababishwa na hali za kisasa.

Natumai kwamba hatutaambiwa eti Serikali imetowa Ripoti ya Ndung'u na inapanga kutekeleza mapendekezo hayo na, kwa hivyo, hakuna haja ya kuzingatia Hoja hii. Eti ikiwezekana tuiue Hoja hii. Ni imani yangu kwamba Ripoti ya Ndung'u inaangazia swala la mashamba yaliyonyakuliwa, lakini Hoja hii inaangazia mashamba ambayo hayatumiki, yasiyolimwa na ilhali yanahitaji kulimwa na pengo kubwa lililoko kati ya wale ambao hawana mashamba na wale ambao wana mashamba makubwa kiasi cha mikoa, wilaya na tarafa. Kwa hivyo, Hoja hii ni kubwa kuliko Ripoti ya Ndung'u. Eti kwa sababu kuna mapendekezo yaliyotolewa na Ripoti ya Ndung'u, hilo haliwezi kufanya Hoja hii kukataliwa.

Bw. Naibu Spika wa Muda, ardhi si kitu ambacho kinaweza kuundwa na yeyote katika maabara au karakana. Hakuna pahali mtu anaweza kwenda kuunda ardhi. Aidha, hakuna mmoja wetu aliyezaliwa na ardhi. Ardhi ni mali ya kila mtu kwa sababu tumepatiwa na Muumba. Hakuna binadamu, hata awe mwerevu kiasi gani, anayeweza kujitengenezea ardhi. Kile ambacho hatuwezi kutengeneza hatuwezi kukimiliki na kusema, "Hiki ni changu" kama kwamba wewe ndiwe umekiunda kitu hicho. Isitoshe, ujumla wa ardhi ndiyo nchi yetu na ardhi hiyo tunailinda kwa pamoja. Pakitokea vita kwa sababu kuna taifa ambalo linataka kutunyang'anya sehemu yoyote ya ardhi yetu, tutaitetea na kuimwagia damu ardhi hiyo kwa pamoja. Ikiwa ni hivyo, basi ni lazima tuweze kumiliki ardhi hiyo kwa pamoja na kuitumia kwa pamoja.

Kila mtu huzaliwa na haki ya kumiliki au kutumia ardhi. Unapozaliwa, unazaliwa na haki hiyo ndipo uweze kulima mazao yako na uweze kujenga makao. Mtu si ndege eti ataishi angani wala si samaki eti ataishi majini. Lakini hali ilivyo sasa, ukweli ni kwamba walio wengi wamenyang'anywa mashamba na watu wachache. Hiyo ndiyo sababu ukitazama nchi yetu utagundua kwamba kuna asilimia ndogo sana ya watu wanaomiliki ardhi kubwa. Lengo moja la Hoja hii ni kuwarudishia walio wengi haki ya kutumia ardhi. Natumaini Bunge hili litakubali kwamba kuna haja kubwa ya kufanya hivyo.

Bw. Naibu Spika wa Muda, ukichunguza hali hii ya watu wengi kukosa ardhi, utataka kujiuliza ilikuwaje hata wengine wakamiliki ardhi na wengine wakakosa? Jawabu langu ni kwamba kabla ya Ukoloni, watu wengi walimiliki ardhi kwa pamoja. Wakoloni walipokuja, walileta siasa za wenye nguvu kuwanyang'anya wasio na nguvu lakini walio wengi ardhi yao. Kwa hivyo, wale ambao wanamiliki ardhi sasa yafaa wafahamu kwamba ardhi hiyo inatokana na urithi wa ukoloni ambao msingi wake ni wenye nguvu kuwanyang'anya walio hoi ardhi ambayo ni mali yao kwa pamoja.

Bw. Naibu Spika wa Muda, kama ukosefu wa ardhi uliletwa na wezi kama vile tulivyosema jana, sioni namna Bunge hili linaweza kusema kuwa, kwa sababu tuliletwa wizi wa ardhi na wakoloni au na mizizi yake katika utawala wa kikoloni lakini nchi sasa imepata Uhuru, tuuruhusu wizi huo uendelee daima. Kuna haja ya kupigana na wizi uliofanywa na wakoloni, kama vile tuko na wajibu wa kupigana na wizi wa mashamba ambao umekuwapo tangu tupate Uhuru.

Ninapozungumza juu ya wizi na matumizi ya nguvu, sio kuwa naongea kuhusu nguvu za kuchukua silaha kama bastola au bunduki na kwenda ukipiga watu barabarani. Nguvu ninazozungumzia ni zile za kiserikali, na mkoloni alipoiweka serikali yake hapa, lengo kubwa la serikali hiyo ilikuwa ni kuwanyanganya wananchi ardhi yao. Hiyo ndiyo sababu wakati wote wa ukoloni, wale watu waliokuwa na mashamba walikuwa ni wazungu na wale ambao walikuwa hawana mashamba walikuwa ni watu weusi. Tangu Uhuru, hili kundi la wezi limeongezeka. Wazungu waliendelea kushikilia mashamba yao waliyoyanyakua, kama vile katika Wilaya ya Laikipia. Kwa mfano, wewe ukisafiri kuelekea nyumbani, unajua kuwa kutoka Naivasha hadi Elementaita, karibu na mji wa Nakuru, hiyo ni ardhi ambayo inamilikiwa na mzungu mmoja ambaye anaitwa Lord Delamare. Ardhi hiyo haikupatikana kwa kutoa jasho! Ilipatikana kwa nguvu zilizotumiwa na serikali ya mkoloni, ili aweze kuwa na hilo shamba kubwa. Kundi hili la wezi limeingiliwa na watawala weusi; Marais wetu wameingia katika kundi hilo na ndiyo sababu ukiangalia idadi ya ardhi ambayo inamilikiwa na watu, waliokuwa kwenye cheo cha Rais wa zamani ndio wako katika mistari ya mbele kwa kumiliki ardhi kubwa sana, wakifuatiwa na Mawaziri, Makatibu wa Kudumu katika Serikali na wakuu wa mikoa. Hawa ndio waliotumia nguvu za kiserikali kujichukulia ardhi kutoka kwa wananchi.

Bw. Naibu Spika wa Muda, wakati tulipopigania Uhuru, tulisema kuwa Uhuru hauwezi kuwepo--- Maana ya Uhuru ilikuwa ni mambo mawili; kuwa na Serikali yetu ili tujitawale na pia kuwa na mashamba. Wale ambao walipata mashamba baada ya Uhuru wanaweza kusema kuwa kwa kweli, wao ni watu huru. Lakini wale walio wengi na ambao hawajapata mashamba hadi leo, watu hawa wanangojea kukamilishiwa Uhuru wao. Hawawezi kusema: "Sisi tu watu huru"! Uhuru ni lazima uandamane na shibe; ni lazima uandamane na kuwa na kitu. Ukiwa huna chochote, huwezi kuwa mtu huru, na kama unajiita mtu huru, basi jua kuwa unajidanganya.

Bw. Naibu Spika wa Muda, nimesikia kwamba lengo la Serikali iliyokuweco hapo mbeleni lilikuwa kupeleka watu Canaan. Pia, Serikali iliyo mamlakani inatuambia kwamba itatupeleka Canaan. Serikali iliyotangulia, badala ya kutupeleka Canaan, iliturudisha Misri. Serikali iliyoko mamlakani badala ya kutupeleka Misri, inatuzungusha jangwani. Hii ni kwa sababu huwezi kwenda Canaan mpaka upate shamba. Tunaambiwa kwamba Canaan ni pahali pa asali na maziwa. Lakini huwezi kupata asali wala maziwa kama huna kipande cha shamba. Kwa hivyo, kama Serikali hii inataka kutufikisha Canaan, ni heri Rais afahamu kwamba ana kibarua kigumu. Kibarua hiki ni cha kugawia watu ambao hawana mashamba hata kama mashamba hayo yatatolewa kwangu, Bw. Mutula Kilonzo au Bw. Gideon Moi.

(Mr. Moi stood up in his place)

Nimesema kwamba Bw. Moi ameketi vizuri na anasikiliza yale ninayosema. Ninamshukuru!

(Applause)

Jambo lingine ambalo ni lazima tulizingatie---

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Wamwere! You know you are on record as having said something a while ago and a different thing now. Which one do you stand by?

Mr. Wamwere: Bw. Naibu Spika wa Muda, ili nisipoteze wakati, nilikuwa nimesema jambo fulani hapo mbeleni. Lakini ninaona kwamba ndugu yangu amejawa na furaha na tunaewana.

Jambo lingine ambalo ninafikiria ni lazima tuliangazie wakati wa kujadili Hoja hii ni kwamba, kuweco na hali ambayo inaruhusu watu wachache kuwa na mashamba makubwa na hali walio wengi hawana shamba, kunaendeleza sera za kifalme. Wakati Wazungu waliotaka kuwa wafalme waliona kwamba jambo hilo haliwezekani Ulaya walikuja hapa Afrika ili wawe wafalme kwa kunyakua

mashamba makubwa, kutumia watu wetu kama watumwa na kujirundikia mali. Hali hii bado iko katika nchi yetu. Ukizunguka katika nchi yetu, utaona Wazungu ambao wana mashamba makubwa, watumwa wengi ambao wamewabatiza jina la wafanyakazi na mali ambayo haina kipimo. Huu ni ufalme. Nitauita ufalme hata kuna weusi ambao wanaushiriki siku hizi.

Kuna haja kubwa kuziba pengo lililoko kati ya wale watu ambao wana mashamba na wale ambao hawana. Juzi, tuliambiwa kwamba kiwango cha chini cha shamba hakiwezi kupungua hekta mbili na nusu na ninaunga mkono wazo hili. Kwa vile tumeweka kiwango cha chini, ni lazima pia tuweke kiwango cha juu. Ni makosa makubwa tuwe tunasema kwamba kuna watu ambao hawana hata pahali pa kuzikwa na huku wengine wanamiliki mkoa au wilaya nzima au wana ekari 500,000. Hii si haki.

Bw. Naibu Spika wa Muda, ninaomba kutoa Hoja hii na kumuomba Bw. Ndile kuiunga mkono.

Mr. Ndile: Ahsante sana, Bw. Naibu Spika wa Muda. Ninaunga mkono Hoja hii kwa kusema kwamba ikitekelezwa vizuri, pengine matatizo yanayokumba nchi hii yatapungua.

Sijui kwa nini Bw. Wamwere ameniomba niunge mkono Hoja hii. Pengine anaelewa shida za Ukambani. Ukambani kumekuwa na hali ya ukame miaka nenda, miaka rudi. Lakini sikusema ya kwamba Wakamba hawana nguvu za kulima au ni wavivu. La! Hii ni kwa sababu hawana ardhi ya kulima.

Bw. Naibu Spika wa Muda, ukizuru Mkoa wa Pwani, hasa kutoka Mtito Andei hadi Malindi, utaona ya kwamba ardhi iliyo kando ya barabara haitumiki vilivyo. Tumewahifadhi wanyama wachache sana katika mbuga ya Wanyama ya Tsavo National Game Park. Ndovu wengi wanaishi karibu na milima ya Kyulu. Ikiwa Serikali ingekuwa na sera maalum, basi ardhi hiyo ingetumika vizuri.

Bw. Naibu Spika wa Muda, kutoka Mlolongo hadi Salama kuna ardhi ambayo imemilikiwa na watu wanne pekee. Wakati mwingine tunalaumiwa kwa kuchelewa kufika hapa Bungeni kwa sababu ya msongamano wa magari ambao husababishwa na ng'ombe wanaolishwa kando kando ya barabara zetu. Ng'ombe hawa huwa wa Maasai ambao wamekosa malisho kwao kutokana na ukame. Hata hivyo, kando ya barabara kuu ya Mombasa, kuna mashamba ambayo nyasi imemea vizuri. Lakini ndugu zetu Wamaasai hawawezi kukubaliwa kulisha mifugo yao kwa sababu mashamba hayo ni ya watu binafsi. Kuna wakati ambao wenye mashamba hayo huwasha moto ili nyasi hiyo ichomeke na ilhali mifugo ya Wamaasai inakufa kutokana na ukosefu wa malisho.

Bw. Wamwere ametumia maneno mazuri kutueleza vile Wazungu walivyotunyang'anya mashamba yetu. Walitunga sheria ya kusema ya kwamba wenye kumiliki mashamba ni lazima wawe na vyeti. Zamani hatukuwa na vyeti hivyo. Tulikuwa tunaheshimiana; kila mtu alijua mpaka wa shamba lake. Malisho hayakuwa na mipaka. Ikiwa nyasi imekwisha katika shamba lako, wewe ulikuwa huru kulisha ng'ombe wako katika shamba la jirani. Mzungu alijua siku moja atafukuzwa kutoka hapa nchini lakini ataendelea kumiliki mashamba yetu. Hii ndio maana akaanzisha vyeti vya kumiliki mashamba. Walifundisha mawakili sheria hiyo ndiyo wawatetea hata wakiwa ng'ambo. Kwa mfano, Bw. M. Kilonzo, anafikiria Mzungu fulani atampa kazi ya kumtetea.

(Laughter)

Bw. Naibu Spika wa Muda, ni lazima kuwe na sheria au sera maalum kuhusu ardhi. Ni lazima Serikali iwe na sera maalum kuhusu mashamba ambayo hayatumiki vilivyo. Katika Eneo Bunge la Kibwezi, Chuo Kikuu cha Nairobi kikishirikiana na Waisraeli, kilinyakua ekari 12,000 kutoka kwa watu wetu. Kati ya hizo ekari zote, ni ekari 200 ambazo zinatumiwa. Kuna ripoti ambayo italetwa hapa Bungeni ambayo itadhahirisha mambo haya yote. Mradi huu sasa umeanguka. Ekari 11,800 ya shamba hilo hazitumiki hata kidogo.

Bw. Naibu Spika wa Muda, nashukuru Bunge hili kwa kutenga pesa za maendeleo au CDF,

kama zinavyojulikana. Mwaka huu tumepokea zaidi ya Kshs30 milioni. Tumejaribu kujiuliza jinsi ya kuzitumia ili tupungeze njaa Ukambani bila mafanikio. Viongozi fulani walipendekeza tununue mtambo wa kunyunyizia maji mashamba kwa sababu tuna mito huko Kibwezi. Tuliona tukifanya hivyo, watu wetu hawatakuwa na njaa tena na kuwa waombaji. Wazo hili ni la maana sana lakini tulianza kujiuliza: "Je, tutapata ardhi hiyo wapi?" Hii ni kwa sababu wenye mashamba makubwa wanataka tuwalipe Kshs5,000 kwa kila ekari kwa muda wa miaka mitano. Swali letu ni hili: Je, huyu anayetukodisha ekari moja kwa Kshs5,000 alitoka na shamba hili mbinguni au wapi?" Ukichunguza kwa makini, utaona ya kwamba walinyakua mashamba hayo.

Bw. Naibu Spika wa Muda, tunajaribu kuleta Hoja hii hapa ndio Wakenya waketi chini na kuweka mawazo yao pamoja waone watafaidika namna gani. Hatutaki kutumia njia za Zimbabwe ambako Bw. Mugabe aliwaambia watu wanyakue mashamba. Nilijaribu pamoja na Prof. Kibwana kuchukua panga mkasema tushikwe. Tunajaribu kuzuia tusishike panga tena, mimi na Prof. Kibwana, kukatia watu mashamba kwa nguvu. Tunataka hili Bunge liangalie ni njia gani watu watapata mashamba bila kuumizana na ndiyo sababu tumeileta Hoja hii.

Mr. Wamwere: Ndiyo; tunataka kuweka sheria!

Mr. Ndile: Bw. Naibu Spika wa Muda, tukifanya hivyo, utashangaa sana. Ile Hoja nyingine iliyoletwa na Bw. Oloo-Aringo ya kunyunyizia maji shamba, ikifaulu tutanyunyizia maji wapi? Kwa shamba gani ikiwa hatutakuwa na sera mwafaka za kusema: "Tikiwa hapa kuna uwezekano wa kukuza chakula, mwenye hilo shamba aongee na Serikali hata kama litachukuliwa?" Ninaamini kuwa mashamba yote yanamilikiwa na Serikali kwa niaba yetu. Wale ambao wamepewa vyeti, wamepewa na Serikali na ina nguvu ya kuvichukua. Ninasema hivyo kwa sababu wakati Serikali hii iliundwa, baadhi ya yale mambo iliahidi wananchi kuwa itafanya ni kuwa hata vyeti vya kumiliki mashamba vingerudishwa ndio vingine vitolewe upya na pengine mtu ajaze karatasi ya kuonyesha alivyopata shamba lake. Kama ni la kurithi kutoka kwa wazazi wake, halingekuwa na maneno lakini kama lilinyakuliwa basi libaki mikononi mwa Serikali. Lakini Serikali yetu ilipopata uongozi, ni kama sasa imeanza kuzurura ikisema - ni ajabu kwa sababu walipolitaka jumba la KICC, walilichukua kesho yake na walipojaribu kwenda kortini ikawa haiwezekani. Walipotaka kuchukua mashamba mengine yaliyokuwa yametengwa kwa ujenzi wa barabara zilizoitwa *bypass*, walipeleka tingatinga na zikabomoa mara moja ilhali tunaposema yule mtu alifukuzwa Molo atafutiwe shamba, unamsikia Waziri anasema: "Wizara yangu sasa imeteua kamati ya Ndung'u." Imezunguka na hata nilipoiona hiyo ripoti nilikuta kuwa yale majina ya watu wakubwa yaliondolewa na hawakuyataja. Sasa wameanza kuzunguka tena, na miaka miwili na nusu tangu tupewe uongozi, hakuna watu wamepewa mashamba. Wanazunguka wakisema: "Tumeunda kamati nyingine ya kuangalia kazi ambayo hiyo kamati nyingine ilifanya ndio tuunde kamati nyingine ya kutekeleza kazi ya kamati hiyo nyingine." Hii Serikali imekuwa ni ya kamati baada ya kamati lakini inapotaka kitu kama vile nilivyowakumbusha kuhusu jumba la KICC, ililichukua siku moja.

Ni lazima tuwe na sera za kusukuma hii Serikali. Kwa mfano, unajiuliza ni kwa nini unaona watu wakifukuzwa kutoka sehemu kama Timau. Juzi nilimsikia Bw. Ndolo akilia eti watu wake wamefukuzwa na hili shamba tunaambiwa ni la NSSF. Wakati walipokuwa wanauza hilo shamba, nasikia walikua wakiweka bei za juu ndio wengine wapate kiwango fulani. Ni lazima tutafute njia ya kufanya hizo kazi tunazosema. Saa hii umemsikia mwenzetu akisema kuwa Wakamba ni wajinga. Labda ni kwa sababu hatuna chakula na kila mara tunapewa chakula ilhali alifutwa uwaziri kwa sababu ya kuiba sukari na Serikali ya Moi. Sasa anaona sisi ni wajinga kwa sababu hatuna uwezo wa kuiba. Ni lazima Wakamba wetu na Wakenya wengine wapate mashamba ndio wasionekane wajinga kwa sababu sote hatuwezi kupata nguvu za kuiba.

Hilo ni jambo la maana na hizo sera zikipatikana, zitatusaidia zaidi ndio tusiwe-- Hata tukikataa kusikiza na tukijifanya kuwa sisi ni viziwi - hata hii Serikali ikinyamaza - siku ile mambo ya mashamba yatalipuka hakuna mtu atayazuia. Itakuwa ni vigumu kwa sababu watu watakuwa

wakisema: "Mmetulalia siku nyingi na msituambie mambo ya sera tena."

Bw. Naibu Spika wa Muda, kwa hayo machache, naomba kuiafiki Hoja hii.

(Question proposed)

Mr. Mwandawiro: Asante sana, Bw. Naibu Spika wa Muda, kwa kunipa nafasi hii ili nichangie Hoja hii. Nimesimama ili niunge mkono Hoja hii. Kwa ujumla, Hoja hii inazungumzia maadili ya kitaifa, jinsi tutakavyoweza kunufaika na mali ambayo tuko nayo. Kwa wale wanaomwamini Mungu, Hoja hii inasema kwamba Mungu ametubariki na ardhi na vitu vilivyo juu na chini yatu. Ni jukumu letu kama Wakenya kuamua ni njia gani tunayoweza kutumia ili raslimali ya ardhi ambayo tumepewa na Mwenyezi Mungu ituongeze utajiri, uzalishaji chakula, nguo na vitu vyote vinavyoletwa na ardhi. Hakuna mtu aliyezaliwa na ardhi. Kila mtu alipozaliwa aliipata ardhi. Tupende tusipende, hata tukimiliki ardhi ya mkoa mzima kama vile Nyanza, jinsi familia ya Hayati Mzee Kenyatta inavyomiliki, hatutaenda nayo mbinguni. Hayati Jomo Kenyatta hakuenda na ardhi mbinguni na wala watoto wake hawataenda nayo. Wataiacha ardhi hapa. Kitu ambacho familia hii itawaachia Wakenya ni uchungu mkubwa wa watu kuishi katika dhiki ingawa wangeweza kusaidika.

Hoja hii inazungumzia mfumo wa umilikaji wa ardhi. Mapendekezo yangu ni kwamba tukitaka kufaidika katika raslimali ya nchi ni lazima tuwe na mfumo ambao unahakikisha kwamba ardhi inazalisha chakula cha kutosheleza. Kama ardhi inaweza kuzalisha pamba ambayo inatumika kutengeneza nguo, tuitumie kikamilifu. Kama ardhi inaweza kutumika kufuga mifugo ambayo pia hutupatia chakula, viatu na vitu vingine vyote vinavyotokana na mifugo, tuwe na mfumo na kuhakikisha kwamba tunaitumia ipasavyo.

Tukiwa na mfumo wa kuitumia ardhi yetu, malalamiko yetu makumbwa ambayo yamejitokeza katika Hoja hii hayatakuwako. Unapotembea na kutazama ardhi yetu, utaona kwamba kuna pande nyingine ambazo zina ardhi ambayo imewekwa ua na haitumiki kamwe. Wakati huo huo, utawaona watu wengi ambao wanazurura mijini bila kitu cha kufanya kwa sababu wamenyimwa haki ya kumiliki na kutumia ardhi. Vile vile, katika miji yetu tuna sera mbaya za kumiliki ardhi ya binafsi. Ardhi hii humilikiwa na walio na uwezo wa kuinyakua. Hawaangalii maendeleo ya nchi. Miji yetu ni michafu na umaskini umeenea.

Nilipotembea kule nchi za Democratic Republic of Congo, Rwanda na Burundi, nilishangaa kwamba ijapokuwa kwamba Rais wa zamani wa Democratic Republic of Congo, Bw. Mobutu Sese Seko anaweza kuwa aliiba pesa za wananchi ama madini, lakini hakuwanyanganya wananchi ardhi. Hii ndio maana ukienda Kinshasa, huwezi kuta mitaa za mabanda vile zimejaa huku. Ukienda Rwanda pia ambapo wananchi ni wengi, lakini huwezi kupata mitaa za mabanda. Hii hali iko katika Kenya kwa sababu tulifundishwa na wakoloni ulafi wa kutumia maliasili kwa ajili ya watu binafsi. Tumefunzwa utamaduni wa kutokuwa na huruma na kutozingatia haki ama kanuni ambazo zinaweza kutuletea maendeleo ya kutumia maliasili. Hii ndio unaona miji yetu ni chafu. Inahitajika tuwe na sera kamili ambayo inasema kwamba ardhi itakuwa yako wakati unaitumia na wala hutaruhusiwa na jamii kumiliki ardhi, urithi wa kitaifa na kuiweka tu hapo na huitumii; eti unaweka tu hati za umilikaji.

Ningesema kwamba pamoja na kufundisha watu wa Kenya ubinafsi wa kulilia hati za umilikaji, si lazima kuwe na hati za umilikaji ndio ardhi itumiwe vizuri. Lakini hati za umilikaji zimetumiwa kuwanyang'anya wananchi wa Kenya ardhi nyingi kwa ujumla. Hii ndio maana ukienda Wilaya ya Taita Taveta utakuta wale wanaimiliki hiyo ardhi ni Bw. Criticos, Nkriam, Edwin Mwamunga na Jomo Kenyatta. Huyu Jomo Kenyatta ndiye utamkuta Lamu, Kwale na kwingineko.

Bw. Naibu Spika wa Muda, ningependa kusesitiza jambo hili kabisa. Ikiwa utataka kiti cha Rais wa nchi hii, hakuna mtu atakupatia kwa sababu hatuwezi kukuamini. Wananchi watakuuliza, umeacha utamaduni wa babako wa kunyang'anya watu ardhi? Kama hujakana hizo tamaduni za unyanyasaji na kupora wananchi, hatuwezi kukuamini. Kwa hivyo, mtu ambaye anataka kiti ni mtu

ambaye ataleta mvumo ambao utakuwa wa haki wa umilikaji wa ardhi. Kama unahitaji ardhi kwa kuweka ng'ombe, inahitajika kiasi fulani. Kama ni ya kupanda pamba, miwa na kadhalika, ni kiasi fulani. Lakini sio ardhi ilale na haitumiki; wewe umeiweka tu ni kama kwamba wewe ndiye ulipewa na Mwenyezi Mungu na watu wengine hawakupewa.

Kwa hivyo, ninaunga mkono Hoja hii kwa sababu inasisitiza tuwe na maadili mapya ambayo yataondoa mambo ya maskwota. Ni aibu kuwa na wananchi ambao hawana hata inchi ya nchi yao. Utajitaje Mkenya kama huna sehemu yoyote ya Kenya ambayo unaita kwako? Ni lazima tuwe na sera inayosema kwamba ikiwa wewe unayo ardhi kubwa na huitumii, lazima uiache kwa njia moja ama nyingine, la sivyo uilipie kodi kubwa sana.

Kwa hayo machache, ningependa kuunga mkono.

ADJOURNMENT

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

The House rose at 12.30 p.m.