

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 22nd October, 1997

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No.671

INTERRUPTION OF PROGRAMMES AT PUBLIC UNIVERSITIES

Mr. Mak'Onyango asked the Minister for Education:-

(a) what steps he was taking to ensure that the fourth year students at Maseno University College, who were due to complete their studies last month (September, 1997) but were sent home on 21st August, 1997 are allowed back to the college to do so; and,

(b) what steps he was taking to ensure that programmes at the public universities are not interrupted and students sent home as it occurred in Maseno on 21st August, 1997.

Mr. Deputy Speaker: Anybody here from the Ministry of Education?

An hon. Member: Nobody, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: The Question is stood over for the moment. Dr. Lwali-Oyondi's Question.

Question No.613

ALLOCATION OF NAKURU BUS PARK WAITING ROOM

Dr. Lwali-Oyondi is not here? The Question is stood over for the moment. Mr. Nthenge's Question.

Question No.602

REVIEW OF KPTC RETIREES' PENSION

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

(a) when the Kenya Posts and Telecommunications Corporation (KP&TC) staff retirees were last given pension increase;

(b) why these retirees were not considered for pension increase when the civil servants pensions were reviewed; and,

(c) if he could state when the Kenya Posts and Telecommunications Corporation retirees will be given pension increase.

Mr. Deputy Speaker: Anybody here from the Ministry of Transport and Telecommunications?

An hon. Member: Mr. Deputy Speaker, Sir, they too are not here.

Mr. Deputy Speaker: The Question is stood over for the moment. Mr. Gichuki's Question.

Question No.608

REHABILITATION OF MAINA AND MWANGI DISPENSARY

Is Mr. Gichuki not here? The Question is stood over for the moment. Mr. Tom Onyango's Question.

Question No.656

ISSUANCE OF TITLE DEEDS IN NYATIKE

Mr. Tom Onyango also not here? The Question is stood over for the moment.

Question No.692

RE-CARPETING OF NDUMBERI-
GITHUNGURI HIGHWAY

Is Mr. Gatabaki not here? The Question is stood over for the moment. Mr. Munyasia's Question.

Question No.663

SELECTION OF MUSSO AS GOVERNMENT OFFICIAL CAR

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

(a) what have been the Government's considerations in selecting MUSSO, the four (4) wheel drive, from the Ssangyong Motors of South Korea as its official car for 1997 and 1998; and,

(b) how much money the Government will spend on this contract.

Mr. Deputy Speaker: Anybody here from the Ministry of Public Works and Housing?

An hon. Member: Also not here yet.

Mr. Deputy Speaker: Nobody? So, the Question is stood over for the moment. I am afraid I will go back to Mr. Mak'Onyango's Question for the second time.

Mr. Nthenge: On a point of order, Mr. Deputy Speaker, Sir. What are we going to do when the Chair is present and all those to--

Mr. Deputy Speaker: Well, we will know what to do when we come to that point! Mak'Onyango's Question for the second time.

Question No.671

INTERRUPTION OF PROGRAMMES
AT PUBLIC UNIVERSITIES

Mr. Mak'Onyango asked the Minister for Education:-

(a) what steps he was taking to ensure that the fourth year students at Maseno University College, who were due to complete their studies last month (September, 1997) but were sent home on 21st August, 1997 are allowed back to the college to do so; and,

(b) what steps he was taking to ensure that programmes at the public universities are not interrupted and students sent home as it occurred in Maseno on 21st August, 1997.

Mr. Deputy Speaker: Anybody here from the Ministry of Education now?

An hon. Member: Mr. Deputy Speaker, Sir, nobody yet.

Mr. Deputy Speaker: The Question is deferred.

(Question deferred)

Dr. Lwali-Oyondi's Question for the second time.

Question No.613

ALLOCATION OF NAKURU BUS

PARK WAITING ROOM

Dr. Lwali-Oyondi still not here? The Question is dropped.

(Question dropped)

Mr. Nthenge's Question for the second time.

Question No.602

REVIEW OF KPTC RETIREES' PENSION

Mr. Nthenge asked the Minister for Transport and Communications for the second time:-

(a) when the Kenya Posts and Telecommunications Corporation (KP&TC) staff retirees were last given pension increase;

(b) why these retirees were not considered for pension increase when the civil servants pensions were reviewed; and,

(c) if he could state when the Kenya Posts and Telecommunications Corporation retirees will be given pension increase.

Mr. Deputy Speaker: Do we have anybody here from the Ministry of Transport and Telecommunications now?

An hon. Member: Mr. Deputy Speaker, Sir, there is nobody yet.

Mr. Deputy Speaker: Nobody here? The Question is deferred.

(Question deferred)

Mr. Gichuki's Question for the second time.

Question No.608

REHABILITATION OF MAINA
AND MWANGI DISPENSARY

Mr. Nthenge: He is about to come.

Mr. Deputy Speaker: Mr. Gichuki is not here? The Question is dropped.

Mr. Nthenge: The Minister for Health is here!

Mr. Deputy Speaker: The Minister for Health is here, but the Questioner is not here, so the Question is dropped.

Mr. Nthenge: Can we ask the Question for him, Mr. Deputy Speaker, Sir?

Mr. Deputy Speaker: Order, it is too late. You would have asked if you had his instructions.

(Question dropped)

Mr. Tom Onyango's Question for the second time.

Question No.656

ISSUANCE OF TITLE DEEDS IN NYATIKE

Mr. Tom Onyango is not here yet? The Question is dropped.

(Question dropped)

Mr. Njehu Gatabaki's Question for the second time.

Question No.692

RE-CARPETING OF NDUMBERI-GITHUNGURI HIGHWAY

Mr. Gatabaki is still not here? The Question is dropped.

(Question dropped)

Mr. Munyasia's Question for the second time.

Question No.663

SELECTION OF MUSSO AS GOVERNMENT OFFICIAL CAR

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

- (a) what have been the Government's considerations in selecting MUSSO, the four (4) wheel drive, from the Ssangyong Motors of South Korea as its official car for 1997 and 1998; and,
 (b) how much money the Government will spend on this contract.

Mr. Deputy Speaker: Is the Minister for Public Works and Housing still not here? The Question is deferred.

(Question deferred)

QUESTION BY PRIVATE NOTICE

COLLAPSE OF MACHAKOS DISTRICT

CO-OPERATIVE UNION

(Mr. Musyoki) to ask the Minister for Co-operative Development:-

(a) Is the Minister aware that the Machakos District Co-operative Union is insolvent and that Members who belong to its ancillary banking sector are owed thousands of shillings by the said bank?

(b) If the answer to part "a" above is in the affirmative, what action is the Ministry taking to ensure that all Members who have not yet been paid their dues are paid promptly?

Mr. Deputy Speaker: Is hon. Musyoki here?

Mr. Mak'Onyango: No!

Mr. Deputy Speaker: Hon. Musyoki is not here. The Question is dropped.

(Question dropped)

Mr. Nthenge: On a point of order, Mr. Deputy Speaker, Sir. Now, what can we do with the Questions?

Mr. Deputy Speaker: What we do is that, when the hon. Questioner is not here and there is nobody to ask the Question on his behalf, the rule is that, the Question is dropped. When the Minister is not here, the Government cannot get away with it by being absent, so the Question is deferred. There is nothing more I can do.

Next Order.

Mr. Nthenge: Yes, but Mr. Deputy Speaker, Sir, I am asking---

Mr. Deputy Speaker: Mr. Nthenge, what is your point of order.

Mr. Nthenge: You and I are impatient people. But definitely human beings have to be human beings! We have to realise that there are other people who do not have our temperaments. Now, we know that this is the rainy season. We have a lot of problems because the roads are bad and the Members---

Mr. Deputy Speaker: Mr. Nthenge, that is a frivolous point of order.

Mr. Nthenge: I have not raised my main point of order---

Mr. Deputy Speaker: Order! Order, Mr. Nthenge!

Mr. Nthenge: I am going to raise my main point of order---

Mr. Deputy Speaker: Order! It is a frivolous point of order. The rains were not created today. They have always been there and this is not the first Wednesday morning that the House is sitting. Those Members who are here are not immune from the rains. So, it is up to the Members to plan their lives. They know that on a Wednesday

morning, even if it is a rainy season, they have to be here by 9.00 a.m. If the Speaker can be here by 8.00 a.m, I do not see why you cannot be here by 9.00 a.m.

Mr. Nthenge: Mr. Speaker, Sir, my point of order is--- And I have not ---

Mr. Deputy Speaker: Order! Order, hon. Nthenge! I have disallowed your point of order.

Next Order.

MOTIONS

TARMACKING OF KIBWEZI-KITUI ROAD

KWA kuwa kupanuka kwa biashara baina ya Mkoa wa Pwani na Mkoa wa Mashiriki kumetatizika kwa sababu ya ukosefu wa barabara madhubuti, Bunge hili linauliza Serikali itafute fedha za kuweka lami barabara ya Kibwezi-Kitui hadi Kangonde, haraka iwezekanavyo.

(Mr. Kiliku on 15.10.97)

(Resumption of debate interrupted on 15.10.97)

Mr. Deputy Speaker: Hon. Kiliku, had your Motion been moved?

Mr. Kiliku: Yes, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Who was on the Floor?

Mr. Kiliku: Dr. Kituyi!

Mr. Deputy Speaker: Dr. Kituyi was on the Floor and he is not here. He had a balance of 5 minutes. Anybody else who wants to speak? Hon. Mwavumo, it is your time now.

Mr. Mwavumo: Bw. Naibu Spika, katika kuiunga mkono Hoja hii, ningependa kusema kwamba ni muhimu sana kuwa na biashara baina ya Mkoa wa Pwani na Mkoa wa Mashariki. Barabara hizi zitaongezea biashara, na si biashara peke yake, bali pia kudumisha usalama wa sehemu zote hizi kutoka Mkoa wa Pwani hadi Mkoa wa Mashariki. Tukiwa na barabara nzuri ambazo zinaweza kupitika kwa magari, sehemu hizo zote zitakuwa na usalama na biashara zitaweza kupanuka. Tunategemea sehemu za mashariki katika kusitawisha barabara, kuinua utalii na biashara. Usalama utapatikana ikiwa barabara za sehemu zile zitakuwa nzuri.

Bw. Naibu Spika, hali ya usalama ni mbaya sana kwa sababu ya barabara mbovu. Magari yakiharibika, majambazi wanawaumiza watu na biashara haziwezi kuendeshwa vizuri kwa sababu ya ukosefu wa barabara nzuri. Ni mwito wetu kuwa na barabara imara ambazo zitasaidia kukuza biashara na usalama wa maeneo hayo. Eneo la Ukambani lina sehemu nyingi ambazo zinaweza kuwavutia watalii, lakini kwa sababu ya hali mbaya ya barabara na ukosefu wa usalama, biashara na utalii haziwezi kupanuliwa. Kwa hivyo, ni wajibu wa Serikali kuona kwamba barabara hizo zimetengenezwa ili kuinua utalii na biashara kati ya Mkoa wa Pwani na Mkoa wa Mashariki. Mkoa wa Mashariki una vitu vingi ambavyo vinaweza kutumika katika Mkoa wa Pwani na kuna utalii ambao unaweza kukuzwa.

Licha ya hayo, hali ya usalama imezorota sana kiasi kwamba mtu hawezi kutembea kwa kuhofia kwamba gari lake likiharibika, hatapata usalama. Ni muhimu kuona kwamba Hoja hii imepitishwa ili kuweza kukuza kiwango cha utalii.

Kwa hayo machache, Bw. Naibu Spika, ninaunga mkono.

An hon. Member: Hakuna mtu!

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

Mr. Kiliku: Bw. Naibu Spika, kwanza ninawashukuru wale waheshimiwa Wabunge wote ambao waliunga mkono Hoja hii na pia ninaishukuru Serikali kwa kukubaliana na Hoja hii vile ilivyo. Pia, Serikali ilisema kwamba licha ya kuweka lami barabara ya Kibwezi-Kitui, itaweka lami hadi Kangonde kwa maana unaweza kwenda Thika au Garissa ukitumia barabara hiyo hiyo. Tunapozungumza hapa sasa, barabara nyingi kule Pwani hazipitiki. Kwa mfano, Jumamosi iliyopita tulikuwa Malindi na Mwenyekiti wa DP lakini hatukuweza kufika Marafa kwa sababu ya mvua nyingi iliyomo sehemu hiyo. Ingawa ile barabara ya Hola inayotengenezwa haijakamilika, kule walipoanza kuitengeneza, Malindi, imeanza kuharibika. Nilipopita Kilifi niliona vile maji yalivyo mengi karibu na Mtondia. Niliponea chupuchupu kwa sababu nilipopita, baada ya masaa mawili, ile daraja niliyopitia iliharibika. Hata Waziri wa Serikali hakuweza kufika katika kikao cha KANU. Alipelekewa heliktopta ili aweze kuvuka na wananchi wakaachwa wakihangaika. Ile heliktopta ingekuwa inafanya kazi kule ya kuokoa watu.

Pale Bombolulu, Bamburi Cement Factory, wanafuga mamba. Mamba hawa wametoka katika mazingira yao na kuingia katika vijiji kwa sababu kuna maji mengi. Mamba wengine wameingia katika nyumba za watu wakifikiria kwamba wako baharini. Na kule Changamwe, barabara zimeharibika na nyumba kuanguka. Watu wengi wamekufa. Hii ni kuonyesha kwamba barabara zetu hazitengenezwi kulingana na uzani unaotakiwa.

QUORUM

Mr. Munyasia: On a point of order, Mr. Deputy Speaker, Sir. There is no quorum in the House.

Mr. Deputy Speaker: Yes, there is no quorum. I direct that the Division Bell be rung.

(The Division Bell was rung)

Mr. Deputy Speaker: Order, hon. Members! We now have a quorum. Hon. Kiliku, you may continue.

Mr. Kiliku: Ahsante sana, Bw. Naibu Spika. Kwanza, ninaomba Serikali itakayokuja iwe na kamati maalum ya kutoka Ofisi ya Rais au Hazina Kuu ya kuangalia kwamba barabara zinatengenezwa kulingana na kandarasi. Hii ni kwa sababu barabara zetu zimeharibika.

Bw. Naibu Spika, kwa sababu Hoja hii imekubaliwa na Serikali na pia Wabunge wenzangu, hakuna haja ya kuchukua wakati mwingi.

Kwa hayo machache, naomba kuwasilisha.

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

Resolved accordingly:

KWA kuwa kupanuka kwa biashara baina ya Mkoa wa Pwani na Mkoa wa Mashariki kumetazika kwa sababu ya ukosefu wa barabara madhubuti, Bunge hili linauliza Serikali itafute fedha za kuweka lami barabara ya Kibwezi-Kitui hadi Kangonde, haraka iwezekanavyo.

INTRODUCTION OF LEGISLATION TO PROTECT RESEARCH LAND

Prof. Mzee: Mr. Deputy Speaker, Sir, on behalf of Dr. Kituyi, I beg to move the following Motion: THAT, being conscious of the fact that research is the foundation of sustainable agricultural and livestock policy; determined to nurture research in appropriate seeds and animals for the sake of current population of our country and the posterity; committed to the protection of the limited land available for public research into livestock and crop strains under the Kenya Agricultural Research Institute; pained by the uncontrolled subdivision and disposal of research farms currently under way across the country, this House resolves to condemn all cases of disposal of research land to private interests, and calls upon the Government to introduce legislation to this House for the permanent banning of the practices of selling research land.

Mr. Deputy Speaker, Sir, I wish to move this Motion on behalf of Dr. Kituyi.

Mr. Deputy Speaker: Do you have any written instructions to move it on behalf of Dr. Kituyi?

Prof. Mzee: Mr. Deputy Speaker, Sir, I do not have any written instructions.

Mr. Deputy Speaker: Order, Prof. Mzee! Standing Order, No.43 states:

"A Member who has a Motion standing may authorize in writing some other Member to move that Motion in his stead."

You have no instructions, so, that Motion will be dropped. Next Order, Mr. Anyona's Motion!

(Motion dropped)

QUORUM

Mr. Maore: On a point of order, Mr. Deputy Speaker, Sir. There is no quorum in the House.

Mr. Deputy Speaker: Is that true. Is there no quorum in the House? Well, we have moved to Mr. Anyona's Motion.

An Hon. Member: We have not because he has not moved!

Mr. Deputy Speaker: We have because I had called it out. Are you raising the question of quorum to save Dr. Kituyi's Motion? You should have done that earlier. I have already pronounced the Motion dropped. I agree that there is no quorum and the Division Bell should be rung.

(The Division Bell was rung)

ADJOURNMENT

Mr. Deputy Speaker: Order, hon. Members! It is unfortunate that we have to interrupt the business of the House this morning due to lack of quorum. Eight Minutes have lapsed and I have no option but to adjourn the House under Standing Order No.25. The House therefore stands adjourned to 2.30 p.m. this afternoon.

The House rose at 9.40 a.m.