

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 23rd October, 1996

The House met at 2.30.p.m.

[Mr. Speaker in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

DEATH OF HON. DR. Z.T. ONYONKA

Honourable Members, it is with a very heavy and sad heart that I regret to announce the death of our dear friend and colleague, the long-serving Member of Parliament for Kitutu Chache. I am referring to the Minister for Research, Technical Training and Technology, the Hon. Dr. Zachary T. Onyonka, who passed away in a London Hospital this morning after a short illness.

Dr. Onyonka first came to Parliament in December, 1969, representing Kitutu West Constituency in Kisii District. On his election, he was appointed the Minister for Economic Planning and Development at a tender age of 27. He was moved to head the Ministry of Information and Broadcasting in October 1970 and later in January, 1973, he was appointed the Minister for Health. Dr. Onyonka was re-elected in the 1974 general elections and was immediately appointed the Minister for Education, where he served diligently until July, 1976 when he was moved to the Ministry of Culture and Social Services. He was again re-elected to Parliament in 1979 and also in 1983 and was subsequently appointed the Minister for Foreign Affairs in June, 1987. An astute politician and a well-polished academician, the late Dr. Onyonka's political successes resulted in retaining his Kitutu West seat which was later renamed Kitutu Chache.

Following his re-election in 1988, Dr. Onyonka was appointed Minister for Planning and National Development and later on moved to the Ministry of Research, Technical Training and Technology where he served diligently until the time of his death.

Born in Bogeke village of Kisii District in 1942, Dr. Onyonka went to Mosocho Primary School in 1947 and Nyabururu Intermediate School in 1952 to 1954. Thereafter, he proceeded to St. Mary's Secondary School in Yala. He pursued further studies in Inter American University San German, Puerto Rico, between 1960 and 1962.

He studied for his masters degree and Doctorate of Philosophy in the University of Syracuse, New York, during the period of 1962 to 1966. On his return to Kenya, the then youthful, brilliant economist was appointed to lecture at the then Nairobi University College from 1967 to 1969.

Dr. Onyonka married his wife Beatrice in 1968 and was blessed with six children.

Hon. Members, for those of us who have known the late Zachary Onyonka well, we will greatly miss his eloquent parliamentary contributions, endowed with academic brilliance, oratorical skills and political witticism.

On behalf of us all, and on my own behalf, I convey our most deeply felt condolences to the bereaved Beatrice and children, family, constituents and friends of the late Zachary Theodore Onyonka. May the Almighty God rest his soul in eternal peace.

Hon. Members, let us in our usual tradition and respect rise and observe a few moments of silence in honour of our departed colleague.

Thank you.

(Hon. Members stood for one minute in silence)

ORAL ANSWERS TO QUESTIONS

Question No. 648

GOVERNMENT POLICY ON PERSONS

SEEKING PUBLIC OFFICE

Dr. Kituyi asked the Minister of State, Office of the President if it is Government policy that persons owing money to public corporations cannot seek public office.

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

It is not Government policy that persons owing money to public corporations cannot seek public office.

Dr. Kituyi: Mr. Speaker, Sir, on the 3rd day of June, 1996, the Leader of this Government, while campaigning in Hamisi, announced that one Cyrus Jirongo, could not seek any public office because he owed monies to different Government Corporations. Does it mean that either the policy has changed since then or it is selective that certain persons owing money to public corporations cannot run for public office and it does not apply to others?

Mr. Manga: Mr. Speaker, Sir, I have stated the Government policy regarding this matter, and I am not aware of that statement.

Mr. Shikuku: Mr. Speaker, Sir, it is normal for the Government not to be aware of such matters. It is easier said than done, but that does not help you at all. By saying that, you make a fool of yourself in front of the public. There was a public meeting and this is where this statement was made. If you are not aware of that statement those who were there, like hon. Dr. Kituyi, are now making you aware. Will you make sure that all those who owe the Government or any parastatal money will not be allowed to seek public office? Could you make that undertaking now?

The Assistant Minister for Health (Mr. Mutiso): On a point of order, Mr. Speaker, Sir. Hon. Martin Shikuku is an old Member of this House and he knows that it is contrary to the Standing Orders of this House to address the Assistant Minister directly without referring to you. He is addressing the hon. Assistant Minister and not you.

Mr. Speaker: Order! The true position is that all addresses shall be made to Mr. Speaker. Would you like to respond?

Mr. Manga: Mr. Speaker, Sir, I have stated the Government's policy in connection with the people owing money to the public corporations.

Dr. Kituyi: Mr. Speaker, Sir, arising from that reply, could the Assistant Minister then assert before this House that, if any person in the KANU Government does mention in public that certain persons may not run for public office because they owe money to corporations, those sentiments are contrary to public policy and at variance with the law and should be taken as cheap propaganda? Could you confirm that that is the position of the Government?

Mr. Manga: In the first place, I do not want to confirm something that I am not aware of.

Question No.940

ARREST OF MR. STEPHEN MAINA'S ASSAILANTS

Bishop Kimani asked the Minister of State, Office of the President when those persons who assaulted and caused grievous harm to Mr. Stephen Kimere Maina of Nyahururu on 2nd March, 1995, and were reported at Nyahururu Police Station, as indicated in the Medical Examinations Report Ref.No.6134/95, will be arrested and charged.

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

Three suspects were arrested and later released after Mr. Stephen K. Maina withdrew his complaint, preferring to settle the matter out of court. However, Mr. Main later renewed the complaint but subsequent investigations did not yield sufficient evidence to necessitate criminal charges against anyone.

Bishop Kimani: Mr. Speaker, Sir, arising from the answer given by the Assistant Minister, Mr. Maina Kimere showed the police the people who beat and injured him, but when they were arrested, I have been informed that they used money to buy their way out of jail. If there was an agreement made by Mr. Maina Kimere, could the Assistant lay that document on the Table because Mr. Kimere does not know why these people were released?

The Assistant Minister for Local Government (Dr. Wameyo): On a point of order, Mr. Speaker, Sir. The hon. Member has made a statement that these people used money to be released. Could he substantiate that allegation?

Bishop Kimani: Mr. Speaker, Sir, this is clear because Mr. Maina was asked to give out money if he wanted the case to continue.

Mr. Awori: Mr. Speaker, Sir, contrary to the information given by the hon. Member, indeed, I mentioned that Mr. Maina wanted this matter to be settled out of court because he approached the three suspects and stated to them that he would be quite willing not to go any further with this matter if they gave him Kshs50,000. Once it was

agreed that he was going to be given Kshs50,000, after they had given him only a portion of it and did not go through with the Kshs50,000 because there was no written agreement, Mr. Maina decided to renew his complains.

Mr. Farah: Mr. Speaker, Sir, an assault is a crime against the State and not against Mr. Maina. Why did the State not prosecute those people for having grievously harmed Mr. Maina because it is clearly indicated in the P3 Form, without any regard to whether there was any settlement outside or inside the court that, that is not a civil case, but a criminal offence?

Mr. Awori: Mr. Speaker, Sir, to have a successful prosecution, there has got to be a witness. Had we gone through with this case, and if Mr. Maina had received his Kshs50,000, he would have denied everything.

Mr. Nthenge: Mr. Speaker, Sir, the Assistant Minister has agreed that there would be lack of evidence, but part payments proved that these people were guilty and that is why they agreed to settle the dispute out of court.

Following hon. Farah's question, since there was enough evidence that they had broken the law of the country and harmed Mr. Maina, why did the State not continue with the case despite the settlement?

Mr. Awori: What evidence are you talking about?

Mr. Wetangula: Mr. Speaker, Sir--

The Assistant Minister for Public Works and Housing (Mr. Mwamzandi): On a point of order, Mr. Speaker, Sir. I have never seen the hon. Members sitting on the Front Bench asking questions. Why is hon. Wetangula sitting on the Front Bench?

Mr. Speaker: Mr. Wetangula, can you address the House from the other side.

Mr. Wetangula: We shall never run short of frivolous Members in this House.

Is the Assistant Minister aware that assault causing grievous bodily harm is a felony and any attempt to settle it out of court amounts to yet another offence called compounding a felony and the four people now, the complainant and the suspects, should in fact be charged with compounding a felony instead of terminating the case?

Mr. Awori: Mr. Speaker, Sir, all the information I have given is privileged information. Indeed, the three or four suspects would deny entirely that they ever accepted to pay that money.

Question No.934

CONSTRUCTION OF MEAT PROCESSING PLANTS

Mr. Farah asked the Minister for Agriculture, Livestock Development and Marketing whether the Government has any plans to construct meat processing plants in Isiolo, Marsabit, Mandera, Wajir and Garissa districts and if so, when.

Mr. Speaker: Is the Minister for Agriculture, Livestock Development and Marketing not in the House?

We will revisit the Question.

Question No.956

ALLOCATION OF BURSARY FUNDS

Mr. Gitau asked the Minister for Education:-

(a) how much money was allocated for bursary to Thika District secondary schools in 1995 and 1996; and

(b) how the funds were distributed and who was responsible for the distribution.

Mr. Speaker: Is there any Minister from the Ministry of Education?

We will come back to the Question.

Question No.961

NUMBER OF TEACHERS AT NAIKARA
SECONDARY SCHOOL

Mr. ole Tuya asked the Minister for Education:-

(a) how many teachers are supposed to be teaching at Moi Naikara Secondary School; and

(b) how many teachers are there as of now.

Mr. Speaker: Anybody from the Ministry of Education? We will move on to the next Question.

Question No.1060

PROMOTION OF TEACHERS

Mr. Ojode asked the Minister for Education:-

- (a) how many teachers in primary schools in Ndhiwa Constituency have been promoted to Approved Teacher One and SI grades since 1992; and
- (b) whether he could table the names of the said teachers and their respective schools.

Mr. Speaker: Anybody from the Ministry of Education? We move on to the next Question.

Question No. 212

SUPPLY OF ELECTRICITY TO DAGORETTI

Mr. Kamuyu asked the Minister for Energy:-

- (a) whether he is aware that there has never been any electricity supply installed in the following areas in Dagoretti: Salim Road in Kawangware, Kabiria Road near the Railway Line in Waithaka, Old Mutuini Road in Mutuini and Kagondo Village in Ruthimitu; and,
- (b) what arrangements are in place to provide these areas with electricity.

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

- (a) Yes, I am aware.

(b) The Ministry will supply electricity to Salim Road in Kawangware, Kabiria Road near the Railway Line in Waithaka, Old Mutuini Road in Mutuini and Kagondo Village in Ruthimitu, all in Dagoretti constituency when the necessary funds have been secured.

Mr. Kamuyu: Mr. Speaker, Sir, I begin by congratulating the Minister for coming to this important Ministry. He has done well in the previous Ministry and as you can see, he is sitting very close to where the Vice-President and Minister for Planning and National Development sits.

(Laughter)

Mr. Speaker, Sir, I notice that the Minister has very kindly agreed to bring electricity to this area. He personally knows, because he is an ex-Lenana High School student, that this area is extremely dark. Half of the rural areas of Dagoretti are still in total darkness, and yet they are in Nairobi.

Mr. Speaker, Sir, the Minister has said that he will carry on with this work as soon as the necessary funds are available. Can he tell us how much money he is looking for?

Mr. Ngala: Mr. Speaker, Sir, I am looking for Kshs15 million to do this project.

Mr. Manoti: Mr. Speaker, Sir, there are a number of trading centres where there are electricity cables passing through, and whenever the residents of those areas apply for electricity to be stepped down, they are normally asked to pay a lot of money. Can the Minister consider assisting those markets to get electricity by stepping down such electricity to the residents of those markets?

Mr. Ngala: Mr. Speaker, Sir, it is true that there is time when electricity is stepped down. But it is not all the electricity that can be stepped down. When we get the proper technical information, we will look into the areas that the hon. Member is talking about.

Mr. Mbeo: Mr. Speaker, Sir, the city of Nairobi is getting worse with darkness. The slums in Mathare are getting out of hand because of insecurity. It appears, therefore, that nothing is being done to bring electricity and light to my constituents. Could the Minister tell this House what programme the Government has to ensure that there is electricity in the whole of Nairobi?

Mr. Speaker: Before the Minister answers, can I advise hon. Members that when a Question is specifically put by a specific hon. Member, about a problem in a specific place, it is best that we direct our intellect and energies towards that particular problem. Hon. Ngala, would you like to respond?

Mr. Ngala: Mr. Speaker, Sir, I think you have helped me. That is a different question and if the hon. Member wishes me to give the information about Nairobi, let him put a Question.

Mr. Kamuyu: Mr. Speaker, Sir, to prove the urgency of this matter, in the last three years, 17 murders have been recorded in these dark alleys of areas in Kawangware and other slums, because of total darkness. Is the KANU

Government not worried about this matter? If the KANU Government is serious about getting votes in Nairobi and in Dagoretti for that matter, can they get up and start working? They should get this Kshs15 million available immediately so that there are no more murders in Dagoretti. After that, they can come and ask for votes.

Mr. Ngala: Mr. Speaker, Sir, the KANU Government is very serious. I do not want hon. Kamuyu to set the KANU Government on a collision path with the public. This is because the KANU Government is doing everything possible to bring electricity to its people. It will continue to do so.

Mr. Speaker, Sir, I have said that we are looking for Kshs15 million for this project. Once we get the money, we will do that.

Mr. Farah: Mr. Speaker, Sir, it has become a standard tradition for this Government to say: "When funds are available". Projects are either immediate, short term, medium term or long term. Does the Government have a plan for this country? If it does, it should be able to give us the time when funds will be available, whether it is ten or 15 years. But just going by scepticism and saying: "When funds are available", is not enough. Where will funds be available from?

Mr. Ngala: Mr. Speaker, Sir, the Government has got the short term, long term and the immediate plans. Therefore, I have said that we are looking for the money. We are looking for Kshs15 million and once we get it, we will supply electricity to the area hon. Kamuyu has mentioned.

Question No.830

NUMBER OF HIV POSITIVE KENYANS

Mr. Mwaura asked the Minister for Health:-

(a) the number of Kenyans per province, who are Human Immuno-Deficiency Virus (HIV) positive as at 31st May, 1996; and,

(b) the plans the Ministry has to educate Kenyans not to hide the cause of death when HIV infection is the cause, to avoid situations where today's Acquired Immune Deficiency Syndrome (AIDS) related deaths are attributed to other sicknesses.

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

(a) The number of Kenyans that are HIV positive as at 31st May, 1996 is as follows:

Province

Nairobi - 167,997

Central - 106,956

Mr. Kamuyu: Uongo!

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

Hon. Members: Let him proceed!

Mr. Speaker: Order! Order, Assistant Minister! Order, hon. Member! I suppose every hon. Member has a right to rise in his place, and claim that he has a point of order. What was your point of order, hon. Ndicho? It will be at your peril if it is frivolous.

Mr. Ndicho: Mr. Speaker, Sir, as the Assistant Minister was reading his answer as per the Question by hon. Mwaura, hon. Kamuyu said: "Uongo". Is it in order and are you satisfied that when a Minister gives an answer, another hon. Member should say: "Uongo?" Can we now listen to "Uongo?" What is your ruling?

Mr. Speaker: Order! Order! As you can see hon. Ndicho, you are sitting very close to hon. Kamuyu. I sit very far from him! Proceed, hon. Mutiso!

The Assistant Minister for Health (Mr. Mutiso): Mr. Speaker, Sir, what I am reading is a matter of fact. There is no "uongo" in it. I shall repeat.

Province

Nairobi - 167,997

Central - 106,956

Coast - 71,363

Eastern - 94,130

North-Eastern - 5,776

Nyanza - 268,517

Rift Valley-	191,694
Western -	<u>125,194</u>
Total	- 1,031,627

(b) My Ministry has intensified on information collection, continued education and communication activities on AIDS diseases. These activities target the general public and specific target groups like women, the youth, people at work places including high risk groups. Thus the activities are aimed at disseminating correct information on AIDS to the general public and eventually destigmatise the disease so that AIDS can be treated like any other disease. Once this is done, then AIDS related deaths will not be attributed to other illnesses or sicknesses.

Mr. Mwaura: Mr. Speaker, Sir, the statistics the Assistant Minister has given of the Kenyans who are HIV positive are alarming. My Question intended to request the Government instead of getting this kind of answer that people are being educated and so on, we would like the Government or hospitals where people have gone and tested HIV positive to come up with the record of those people so that they do not go on spreading the disease to other people. We know so many cases where---

Mr. Speaker: Mr. Mwaura, what is happening?

Mr. Mwaura: Mr. Speaker, Sir, I am asking the Government to come up with the list of HIV positive--- People are dying today and are said to have died of tuberculosis, cancer and so on, yet they have died of AIDS. Could the Government ensure that Kenyans will be told of the cause of the death even if it is of HIV virus?

Mr. Mutiso: Mr. Speaker, Sir, this is precisely the intention of the Government. As a result, a Sessional Paper on AIDS will soon be tabled here in this House for further deliberations on the matters raised and other AIDS issues. The hon. Member will have then a chance to address the AIDS epidemic excessively and make the necessary recommendations.

Mr. Karengi: Mr. Speaker, Sir, we understand that this HIV virus was genetically manufactured in some laboratories in the USA. Has your Ministry established the source of this HIV virus?

Mr. Mutiso: Mr. Speaker, Sir, I do not have that information.

Mr. Speaker: Well, I will give the final chance to Mr. Ruhiu.

Mr. Ruhiu: Mr. Speaker, Sir, it is interesting to read the statistics the Assistant Minister has given to this House. It appears that Mombasa, of all the places, is the gateway for AIDS and North-Eastern Province which has the least number of those infected with AIDS. Can the Assistant Minister tell this House which area is more vulnerable, Mombasa or North-Eastern Province, and why North-Eastern Province have got lower figures than any other province in the country? Is it because they specialise mostly on "zero-grazing?"

Mr. Mutiso: Mr. Speaker, Sir, I think the hon. Member is answering himself. One of the solutions of combating AIDS is what he calls "zero-grazing", but the information we have in the Ministry is not actually 100 per cent correct because certain people die of AIDS and we do not get the facts correctly, whether they are HIV positive or other diseases. That is why we have to bring that Sessional Paper here for the Ministry---

Mr. Raila: On a point of order, Mr. Speaker, Sir. I think the hon. Member wanted to know the relationship between the figures which the Assistant Minister has read and the population. In other words, what does these figures represent in relation to the population in those provinces?

Mr. Speaker: I think, hon. Raila, you should have caught my eye first to ask a supplementary question. That truly is a supplementary question, not a point of order.

Mr. Shikuku: On a point of order, Mr. Speaker, Sir. You are already entertaining a phrase in this House of "zero-grazing." Some of us who know "zero-grazing" applies to the cattle. Are we in order, because this is concerning the human beings to say that human beings have to practise "zero-grazing?"

(Laughter)

Mr. Speaker: Well, I suppose the hon. Members of this House live in Kenya and they do understand the common parlance.

Mr. Mwaura: Mr. Speaker, Sir, one of the major concerns is spread of HIV to our youth. We have five universities in this country. Could the Assistant Minister tell us, out of this figure of 1 million, how many cases have been reported from our universities?

Mr. Mutiso: Mr. Speaker, Sir, this is a national data collected all over the country and it is not specific on a particular institution.

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

Mr. Speaker: Order, hon. Members, if we continue with this we might even come to clan. Next Question, Mr. Sifuna.

Question No.382

WORK ASSIGNED TO MUNICIPAL COUNCIL VEHICLE

Mr. Busolo, on behalf of **Mr. Sifuna**, asked the Minister for Local Government what work the lorry Reg. No.KUF 263 of Bungoma Municipal council did at Amukura in Teso District on 16th February, 1996 and thereafter driven to Kakamega on 17th February, 1996.

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

The said vehicle was at Kwangamor in Teso District and not at Amukura. It was delivering livestock belonging to the Town Clerk.

Mr. Busolo: Mr. Speaker, Sir, is the Assistant Minister aware that Amukura is the home place of the Clerk of Bungoma County Council whom hon. Sifuna has been complaining has been misusing council property and this is one of many incidents that shows that he has been misusing council's property?

Dr. Wameyo: Mr. Speaker, Sir, I have already told the House where the vehicle was.

Dr. Kituyi: Mr. Speaker, Sir, arising from the reply that the Assistant Minister gave, at least, one of the cases where this Town Clerk has been abusing his office by illegally using council properties is clearly evident. What undertaking can the Assistant Minister give to this House of an attempt to retrieve, at least, some of the costs from hiring that vehicle by this person who was doing it illegally?

Dr. Wameyo: Mr. Speaker, Sir, the cost for fuel when the Town Clerk used the vehicle to carry his livestock was paid to the council by the Town Clerk himself.

Mr. Mak'Onyango: Mr. Speaker, Sir, arising from the Assistant Minister's reply, could he tell this House whether this particular job of transporting the livestock belonging to the Town Clerk is the official job for which this particular vehicle is meant for and was this vehicle doing the right job at the right time? What action is the Government going to take against this particular officer?

Dr. Wameyo: This was the chief officer.

(Laughter)

Mr. Speaker: Order! Order, hon. Members! Mr. Mwangi Gichuki, your Question is deferred.

Question No 692

INSTALLATION OF TELEPHONE BOOTHS

(Question deferred)

Next Question, Mr. Robert Mungai.

Question No 519

GRADING OF ROADS IN MAKUYU CONSTITUENCY

Mr. R.K. Mungai asked the Minister for Public Works and Housing:-

(a) When the classified roads in Makuyu Constituency would be graded or tarmacked and how much money was earmarked for each road during 1995/96 financial year; and,

(b) if he could provide a grader and a tipper, each to Makuyu and Kakuzi Divisions, for the proper maintenance of the roads in the Constituency.

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

(a) The Ministry graded four roads totalling to 21 kilometres in Makuyu Constituency during 1995/96 financial year at a cost of Kshs26,500.00. The Ministry did not undertake any tarmacking works because priority is being given to the maintenance of the existing classified roads in the whole country. The roads which were done include Kirimiri-Ithanga, Makuyu-Kirimiri-Kitutu, Mavoroni G424 and E491, Thika River A3.

(b) At present, the Government does not intend to allocate graders and tippers on administrative divisions basis nor to station these machines at divisional levels on permanent basis, because of shortages of these vehicles.

These machines operate in the District Headquarters on fair rotational basis covering all the divisions in the district, and meanwhile, this arrangement will continue. I wish to, however, assure this House that the normal routine maintenance of roads will be done on all roads in Makuyu Constituency this financial year at a cost of Kshs825,000.00 including spot patching of 0.4 kilometre of road E491 to Ithanga which has potholes.

Mr. R.K. Mungai: Thank you, Mr. Speaker, Sir. I am deeply shocked by the answer which the Assistant Minister has given, noting that in a whole financial year, the Government spent only Kshs26,500.00. The Assistant Minister goes on to say that the roads that were done were four, but he is giving us here only two, E532 and D424, amounting to eight kilometres. He says that 21 kilometres were done. Which is which; is it eight kilometres or 21 kilometres? I find it impossible to believe that you can grade three kilometres with Kshs1,500.00. Does the Ministry not have some cost standards as far as the grading of the roads is concerned?

Mr. Kiluta: Mr. Speaker, Sir, I think the hon. Member was not listening. I know from the answer I gave him, we listed two roads, but in my reply, I read four roads.

Mr. Ndicho: Mr. Speaker, Sir, according to the answer that we have here from the Minister, he has said that roads D424 is Makuyu-Kirimiri-Kitutu A3. Can the Assistant Minister tell us whether there is a road connecting Kirimiri and Kitutu where hon. Anyona comes from because we have no such road in Makuyu Constituency? In any case, there is no one single road that has been graded and the area MP is here to confirm that this data is totally false and is not a true representation of the facts in the field.

Mr. Kiluta: Mr. Speaker, Sir, it is Kitutu and as I said the roads were done.

Mr. R.K. Mungai: Mr. Speaker, Sir, in the list of the roads that the hon. Assistant Minister mentioned, there is a road called D424, which was passed by the DDC in 1993, and we were told that it was going to be tarmacked in the last financial year, 1995/96 and the Minister gave that assurance in this House. Can the Assistant Minister tell us what happened to that promise and when is this road going to be tarmacked?

Mr. Kiluta: Mr. Speaker, Sir, D424 is on the top of the list for tarmacking in that area when funds are available.

Mr. Speaker: For the second time, Mr. Farah Maalim.

Question No 934

CONSTRUCTION OF MEAT PROCESSING PLANTS

Mr. Farah asked the Minister for Agriculture, Livestock Development and Marketing if the Government has any plans to construct meat processing plants in Isiolo, Marsabit, Mandera, Wajir and Garissa District, and if so, when.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Mr. Speaker, Sir, I apologise for not being here at the right time.

Mr. Speaker, Sir, I beg to reply.

Yes, the Government has been seriously planning to establish meat processing plants in various parts of the country. In addition, there are plants for the rehabilitation of Kenya Meat Commission, which is being carried out with the support of the Japanese Donor Fund. The Government has been looking for investors to join hands with our local people in establishing slaughter and meat processing plants, particularly in Isiolo and Garissa Districts. Consequently, discussions with investors regarding the Isiolo plant are at an advanced stage. As for Garissa, the Government is still in the process of identifying interested investors. In the case of Marsabit, Mandera and Wajir Districts, the Government will have to carry out feasibility studies before we embark on contacting investors for the construction of meat processing plants in those areas.

Mr. Speaker, Sir, as the country undergoes liberalisation, the Government has also been encouraging local private entrepreneurs to construct such facilities in liaison with their Local Authorities, as this would speed up the process of establishing and constructing slaughter facilities throughout the country.

Mr. Farah: Mr. Speaker, Sir, in view of the answer given by the Assistant Minister, we know very well that Kenya has different potentials in different parts; there are tea-growing areas, coffee-growing areas and milk-producing areas. The Minister has constructed factories at the rate of billions in all those areas, including KCC. Why has the Government taken such a long time to construct meat processing plants for the people of northern Kenya who produce and supply more than 50 per cent of the total beef requirements in this country?

Dr. Misoi: Mr. Speaker, Sir, the hon. Member of Parliament is quite aware that in the past we had two major meat processing plants in this country; namely, KMC in Athi River and KMC in Mombasa. Those two meat processing plants were serving the various parts of this country in terms of export of meat products, but those facilities have been dormant for some time, the Government is now investigating and carrying out feasibility studies to

establish these smaller abattoirs and meat processing plants in areas where we have large herds of livestock.

Mr. Shidiye: Mr. Speaker, Sir, when will KMC in Athi River be reopened because as it is now, animals are dying in large numbers and if we do not have a meat processing plant, it means that we will not benefit from such a facility? Could the Assistant Minister also consider starting such factories because that is disinvestment in the first place? Why do you invest in Athi River where there are no animals? Could the Assistant Minister consider starting a new one in Garissa?

Dr. Misoi: Mr. Speaker, Sir, the Government has been looking for working capital to rehabilitate the Kenya Meat Commission in Athi River as the first stage of assisting the farmers or livestock owners in various parts of the country. The programme for establishing small abattoirs in North Eastern Province or other parts of this country is an on going programme. I would ask the hon. Members in this House to encourage their local people, especially the livestock owners to team up together, put up these plants, slaughter the animals and get transport network to bring the meat to the urban centres for consumption.

Prof. Mzee: Thank you, Mr. Speaker, Sir. About 80 per cent of the beef comes from arid and semi-arid areas in this country. This is a fact. The Somali produce about 60 per cent of the beef and they are 100 per cent KANU and there is no doubt about it. I think because they are 100 per cent KANU except hon. Farah, you are completely neglecting them. I want to remind the Assistant Minister that there are two important meat processing factories at Mombasa and Athi River are not only dormant; they are useless and cannot be rehabilitated at all. They have been vandalised and completely finished. The Assistant Minister is not serious when he tells us that he has got plans for processing meat---

Mr. Speaker: What is your question now, Prof. Mzee?

Prof. Mzee: Mr. Speaker, Sir, my question is simple and straightforward. If this Assistant Minister has a plan for establishing meat processing factories in North-Eastern Province, can he table it here for us to see? If he fails to table it, then he has no plans. He is misleading this House and he is telling untruths.

Dr. Misoi: Mr. Speaker, Sir, first of all I have no problem with the hon. Questioner. Secondly, we are very serious, particularly myself. I am very serious when I answer a question of this nature. My answer is valid, true and justifiable.

Mr. Farah: Mr. Speaker, Sir, we know that there is liberalisation in the country. At the same time when there is liberalisation in the country, tea and coffee factories are being built by the Government, at the rate of millions. Can the Assistant Minister tell us and the people of North Eastern Province here and today, when he is going to build those meat processing factories in North Eastern Province and parts of Eastern Province or does he not know that he is not going to get any more votes for KANU?

Mr. Speaker: Order! What is agitating you? What is it Mr. Matu Wamae?

Mr. Wamae: On a point order, Mr. Speaker, Sir. Is it in order for the hon. Member to insinuate that coffee processing factories which are built by the farmers are built by the Government or tea factories which the farmers are paying for are built by the Government?

Mr. Speaker: Order! Can you two get together and sort out your problem? Dr. Misoi, would you like to answer?

(Several hon. Members stood up in their places)

Order! I suppose that hon. Members must understand that both tea, coffee and meat will end up in the stomachs of Kenyans.

Dr. Misoi: Mr. Speaker, Sir, I have answered this question and I have informed this House that the Government has been having discussions with investors and that the discussions are at an advanced stage with regard to the construction of a meat processing plant in Isiolo. Therefore, it is wrong for the hon. Member to insinuate that the Government is not taking the interest of the livestock farmers seriously in the North Eastern Province.

Mr. Farah: On a point of order, Mr. Speaker, Sir. We have been independent for 30 years. The Assistant Minister is insisting on misleading this House by saying that he has the interest of people in Northern Kenya at heart by doing work. What has he done for the last 35 years to be able to help the cattle farmers from Northern Kenya, even the two factories of KMC were in Nairobi and Mombasa and you left the farmers in the hands of middlemen. What have you done to the cattle farmers in North Eastern Province for the last 30 years to justify what you are saying now?

Dr. Misoi: Mr. Speaker, Sir, I hope the hon. Member knows that the Government for many years has posted officers under the Livestock Marketing Division (LMD) to North Eastern to buy the cattle and have them slaughtered at Athi River. And, 30 years anyway, is a short time in a life span of a nation.

Mr. Speaker: Order! Question Nos.956, 961 and 1060 will be deferred.

Question No.956

ALLOCATION OF BURSARY FUNDS

(Question deferred)

Question No.961

NUMBER OF TEACHERS AT NAIKARA
SECONDARY SCHOOL

(Question deferred)

Question No.1060

PROMOTION OF TEACHERS

(Question deferred)

COMMITTEE OF SUPPLY

*(Order for the Committee is read
being the 17th Allotted Day)*

MOTION

THAT Mr. Speaker Do Now Leave the Chair

Vote 12 - Ministry of Local Government

(The Minister for Local Government on 22.10.96)

(Resumption of Debate interrupted on 22.10.96)

Mr. Farah: Mr. Speaker, Sir, we are now debating the Vote of the Ministry of Local Government. It is going to be a normal thing for us to understand what is the role---

Prof. Mzee: On a point of order, Mr. Speaker, Sir. Is it in order for Mr. Shariff Nassir, the land grabber of Mombasa to be on his feet---

Mr. Speaker: Order! In all honesty, the Chair does not expect a learned Professor to use that language in Parliament. It is terrible. Will you proceed.

Mr. Farah: Mr. Speaker, Sir, it would be a very normal thing if this House were to try to scrutinise and understand, in its own context and substance, what the meaning of the local authorities in this country is. A local authority ideally in any form of a democracy; it is supposed to be a local Government, an authority that is going to be dealing with the grassroots politics. It is supposed to be separate from the central Government and it is supposed to have powers and jurisdictions over local authorities, local revenues, local order and local resources. It is supposed to have a certain local jurisdiction. What kind of a jurisdiction or mandate do the local authorities in Kenya have today? That is the question that you have to ask yourself.

Mr. Speaker, Sir, this is a fallacy; it is a contradiction. It does not exist and for all intents and practical purposes in the country now, there is nothing called a local Government. There is nothing called, in substance and in practice, a local Government because what can the local Government do today? You have a Mayor who is elected, you have councillors who are elected and what functions can they perform? There is nothing that they can perform in the sense that the fundamental basis for any institution to work is that there has to be an order and in that order, there has to be the ability to sack and fire and the ability to change the way things are done. You create a local Government here and we hold local elections and we have councillors and then you have the Central Government in the midst of it; you have the chief officers. The chief officers are appointed by the central Government; the workers report to the chief

officers. The chief officers cannot be sacked by the councillors. So, what is the role of the councillors there? This is only a pragmatic adjustment to something like a fashion in Western Europe and the like. We say that there is a local Government and then we have a local Government here. But in the real sense when you look at it, there is no local Government; there is only a facade there.

Mr. Speaker, Sir, we have had several Mayors in Nairobi in the last three years. Constantly, the Government will fall back and say "FORD (A) is the party which runs Nairobi and it has to show its worth". At the same time, the same Government is the one which is going to send an appointed public servant from the Central Government who is subject to hire and fire; who has no security of tenure, to be posted to that council to go and run it; who has the authority to say no to the councillors and the Mayor of the city. Where are the powers of the Mayor of the city in that case? What is the Mayor of the City or this council supposed to perform in the case that he cannot perform anything because he cannot give any orders that can be accepted? The only time you see a certain sense of harmony in any council is when there is a kind of a syndicate or a collaboration between the chief officers and the existing councillors themselves, in most cases for the most unholy reason.

Mr. Speaker, Sir, unless we change the Local Government Act which is in my opinion, one of the many fallacies that we have in this country, which is also in the central Government-- For example, we have a Parliament today, and that Parliament is a separate entity called the National Assembly, but all the officers who work in the Parliament are for all practical purposes employees of the Central Government and not of the Speaker. They are all civil servants who can be re-assigned, sacked or retired and they are supposed to work for a Government that has got a head who is supposed to be from one party. You cannot expect such officers to work with a lot of freedom. It is the same thing with the councillors also. You cannot expect that and the only way councils can work effectively in this country is, in the first place, to make them autonomous bodies; autonomous bodies in the sense that they can regulate their own affairs; they can discipline their own workers. But here are a bunch of councillors and chief officers and the like from the central Government and then you have the masses who have got to wait for services from these officers.

Mr. Speaker, Sir, we have seen many cases in which the councillors would want the clerks to be either interdicted, sacked or dismissed because of their actions and they cannot achieve that. That can only be achieved if the Central Government itself is going to be convinced that, that is the right thing to do. So, we do not have a local Government as such. We only have a facade and we have a strong Central Government that acts at the local level but when it comes to the services that are rotten now, then the Central Government will say that, that is now the role and the mandate of the local authority when you have not mandated them to run that thing in the best way they can, with all the powers that it entails.

Mr. Speaker, Sir, we have a city squalor right now. We have planning problems. We have traffic problems. Areas that have been set aside as road reserves for the extension of roads in a city like Nairobi are allocated by the Central Government and once those areas are allocated by the central Government. The funds for the construction of the roads and housing come from the Central Government; the local authority does not have these funds. It is not given the authority to generate resources, to be able to negotiate on loans and everything else independently and with our autonomy too. They need to be able to try and put up the proper infrastructures in the city, municipality and in the district headquarters and the like; for them to be able to regulate a certain form of taxation of their own for income-generating purposes. In that case, they cannot be expected to perform. If you want somebody or an institution to perform, it has to be facilitated to perform.

Mr. Speaker, Sir, as we are today, a very, very big problem with the local authorities. Where I come from right now, the town is rotten. Workers of the local authority have not been paid their salaries for over one year. The clerks are there as "small gods"; they know that even if the whole town rises up the whole of Garissa town decides that they want to get rid of this clerk, they cannot get rid of him because he is not their employee.

Mr. Speaker, Sir, considering the very good and interesting speech given by the Minister during the last time when we were debating the same thing, we expected there was going to be a greater autonomy for the local authorities --- Let that come as soon as possible in our own legal provisions in here.

Let the local authorities be empowered legally for them to be able to regulate these things. Let that very moving speech which was given by the hon. ole Ntimama be translated into action as soon as possible.

In the meantime, the local authorities themselves, the leadership of the local authorities, the Ministry's Permanent Secretary and his officers should go out to the district headquarters of this whole country to see how these local authorities are being run now. This is because as we speak here today, we are facing all the possibilities of getting disease outbreaks, garbages, unpaid workers and services that have come to a halt and which are under the local Government. If the chief officers can go out and see how these things are performed now, and much as those ones are under their direct order and employment, it is going to take us a long time to see that something is done. This is because I am very sure if the Permanent Secretaries and their Deputies and Under Secretaries can go and visit some of these towns we have in this place, they would see the need to sack some of the chief officers and replace them

as soon as possible for the benefit of the people living in those areas.

Mr. Speaker, Sir, the reason for going through that process of trying to give that autonomy legally within our own Constitution, is because we want to save the local authorities and the places under the local jurisdiction for those local authorities. These need to be saved and as quickly as possible.

The Assistant Minister for Information and Broadcasting (Mr. Nassir): Bw. Spika, ndugu zetu wote wanazungumza juu ya Wizara ya Local Government. Lakini, ukweli ni kwamba, manisipaa zote katika nchi ya Kenya ndizo roho ya Kenya. Manispaa ndizo zinasomesha watu, kuwapa taa, kuwatazama wakiwa wagonjwa, kutengeneza barabara na mambo mengine. Hata ikiwa unataka kusikiza ama hutaki, huo ndio ukweli. Hawa ndio wanafanya kazi kushinda mimi Mbunge. Mimi nikienda Mombasa sina kazi. Kazi yangu ni kuja hapa katika Bunge, lakini kazi kubwa inafanywa na madiwani. Kukiwa na lawama yoyote juu yao, basi ni juu ya wale waliowapigia kura. Watu wa kazi mbali mbali ndio wanaowapigia kura hawa madiwani, wakiwemo wapiga viatu rangi na hata wavuvi. Kwa hivyo, yale wanayofanya, si makosa ya Wizara ya Local Government ni shida ya wale waliowachagua.

Bw. Spika, watu wengine hata nilisikia wakisema kwamba, mimi Nassir ni land grabber ilhali Municipal Council ya Mombasa imempa "yeye" viwanja viwili, bibi yake kiwanja kimoja na dada yake kiwanja kimoja, na ananiita mimi land grabber. Yeye tena alipata bahati wakati wa Sultani, maanake katika barabara nzima ya Kenyatta Avenue, ana jumba kubwa. Je, alilipata bure? Ana shamba Changamwe karibu na shamba langu.

Mr. Farah: On a point of order, Mr. Speaker, Sir. Is it in order for the hon. Member to discuss another hon. Member without a substantive Motion being brought here?

Mr. Speaker: I have said several times, keep the debates impersonal. I would prefer Members to have personal political problems sorted outside the Chamber. Proceed!

The Assistant Minister for Information and Broadcasting (Mr. Nassir): Basi nasema pole, Bw. Spika, lakini kwa sababu alikuwa ametangulia kusema, basi nami yamenitoka.

Kwa hivyo, hakuna kitu kama watu kufundishwa. Labda kuweco na seminar za kufundishwa namna ya kufanya kazi baina ya madiwani na maofisa wa Serikali. Taabu hutokea wakati ambapo diwani fulani anapotaka jambo fulani litendeke, hafuati sheria. Yeye anataka mambo yatendeke vile anavyotaka, ndio maana kuna mvutano kati yao. Lakini jambo la muhimu haswa, ni maofisa wa Serikali na madiwani wawe kitu kimoja ili waweze kusaidiana.

Bw. Spika, Wizara hii ni lazima ipewe pesa nyingi, na iwafanyie watu ambao wamekuwa wengi katika miji, kazi nzuri. Zamani pesa ambazo Municipal Council ilikuwa inakusanya zilikuwa zinatoshwa, lakini leo, pesa hizi hazitoshelezi mahitaji ya manisipaa kwa sababu idadi ya watu imekuwa nyingi. Kwa hivyo, ninawaomba ndugu zangu tuwe na umoja, tupitishwe pesa hizi kwa haraka ili maofisa wengine na makarani ambao hawana mishahara waweze kulipwa. Kwa sababu municipal councils hazina pesa kwa sababu hawana mafuta, dhahabu wala madini. Wao wana pesa kidogo tu kutoka kwa ushuru wanaotoza magari barabarani. Kwa hivyo, ninawaomba madiwani na maofisa wasikizane ili waikuze nchi yetu kwa sababu wao ndio macho ya kila wilaya.

Ninaunga mkono kwamba hoja hii ipitishwe, wapewe pesa ili watu waweze kupata mishahara.

Kwa hayo machache ninasema asante.

Mr. Shikuku: Asante sana Bw. Spika. Jambo la kwanza, ningependa kumjulisha Waziri wa Wizara hii ni kwamba, ule mishahara wa madiwani ni mdogo sana. Hauna hata maana na haufai kuwa hata pocket money. Lazima juhudi zifanywe tuweze kuwapatia wale madiwani mishahara wa Wabunge na Wabunge nao wapewe mishahara mwingine kuliko ule walio nao sasa.

Pili, ningependa kumwambia Bw. Waziri, tumeambiwa juzi kwamba, chama kilicho na wingi wa madiwani hapa katika council ya Nairobi ni chama cha FORD(A). Hiyo ni kweli, lakini madiwani hawatoi ploti. Barua zinazoidhinisha utoaji huu zinatoka "juu". Na nitaleta hapa kitabu kuonyesha kwamba, kufuatana na sheria za council, ni lazima council ikae na ipitishwe ndio mtu yeyote apate ploti. Wengi waliopata ploti kwa sasa, maombi yao hayakupitishwa katika council. Kwa hivyo, ijapokuwa chama cha FORD(A) kina wingi wa madiwani katika jiji la Nairobi, ukweli ni kwamba wao hawapeani ploti. Kama kuna wengine ambao wamenyakua--

The Assistant Minister for Information and Broadcasting (Mr. Nassir): Jambo la nidhamu, Bw. Spika. Ni kwa nini huyu Mbunge mwenzangu ambaye amekuwa hapa kwa miaka mingi na anajua sheria zote anapotosha Bunge hili? Mimi nilikuwa diwani na tungetaka ardhi, sisi wenyewe tulikuwa tunatoa title deeds zetu na hata wao waliofuata, FORD(A) ni zaidi.

Mr. Speaker: Order, hon. Nassir! That is a point of argument. Proceed!

Mr. Shikuku: Bw. Spika nitamsamehe. Yeye anafikiri yuko Mwembe Tayari.

Mr. Juma Boy: Jambo la nidhamu, Bw. Spika. Je, ni sawa mhe. Shikuku kusema Jumba hili ni Mwembe Tayari? Kwa sababu anasema mhe. Nassir anafikiri ya kwamba, yuko Mwembe Tayari ilhali yeye yuko katika Jumba

hili?

Mr. Speaker: If I may ask: What is Mwembe Tayari? Proceed!

Mr. Shikuku: Asante sana, Bw. Spika. Mimi nina mambo ya kusema na pengine mheshimiwa mwenzangu ana mambo yake ya kusema pia; lakini nataka kuotoa maoni yangu, moja baada ya nyingine. Bw. Spika, kufuatana na sheria za local authority, ukipewa ploti, ni lazima ipitishwe katika general council meeting na kuwe na minutes. nyingi za hizi ploti ambazo zimetolewa - na nitaonyesha - hazikupitia katika council. Kwa hivyo, they are all illegally allocated. Ijapokuwa madiwani wengi ni wa FORD(A) hawapitishi utoaji wa hizo ploti. Kwa mfano, utaona kwamba, hata kule katika Manispaa ya Kitale, kuna Kitale National Seed Control Station ambayo imeshagawanywa. Ploti hiyo imenyakuliwa na kuna nyumba ambazo zinajengwa hapo. Sasa tutapata vipi quality seeds? Watu wamenyakua ploti hiyo. Ploti ambako kumejengwa KARI, kule Tigoni, tunaambiwa imepewa mheshimiwa wa nje anayelitwa Kanyingi. Anataka kuchukua yote.

An hon. Member: Mheshimiwa wa nje!

Mr. Shikuku: Mheshimiwa wa nje, siyo wa hapa. Yule ni wa KANU. Amepewa mahali ambapo tunafanyia utafiti wa viazi. The only potato research station in the Republic of Kenya, yeye amepewa. Na hiyo haikupitishwa na Manispaa ya Kiambu. Lazima tuwe na code of conduct na tujue ni nani atakayetoa amri. Tukifuata amri, mambo yote yatakuwa sawasawa. Lakini, kuna watu wengine wanaojifanya ni kama wanataka kuhama nchi ya Kenya. Wanataka kunyakua kila kitu, yakiwemo mashule na hata pahali palipojengwa kanisa. Ningependa kusema kwamba, hata nyinyi mmshaona kwa televisheni visa ambapo developer amechukua shule na anataka kujenga, wazazi na viongozi kutoka Bunge hili wakibomoa jengo hilo na kuchoma. The writing is on the wall. Hii ni onyo kwa wale wananyakua ardhi katika Kenya. Ni lazima wajue kwamba wako katika hali ya hatari. Siku moja, badala ya kubomoa hizo zengenge, watatafuta mwenyewe na kumchinja. This is the beginning. I am not a prophet lakini walahi, Wakati utafika ambapo wananchi watachoka na hawa wenye kunyakua mashamba. Hawatabomoa tu ule ukuta waliojenga pamoja na mabati na kuyachoma, lakini watatafuta yule mwenyewe, land developer and cut his throat open.

Ningependa kusema kwamba, hata lile shamba la KARI ambalo Serikali hii ilitoa hapo mbeleni, ekari 230, kati ya hizi ekari zote, ekari 125 zimenyakuliwa na watu binafsi. Hizi ploti zimenyakuliwa na akina--- Ninataka kuweka hii kwa record kwa sababu vizazi vijavyo watapata hizi rekodi na watakuja kuwakamata wale watu na watoto wao mwishowe. Parcel A ambayo ina ukubwa wa ekari 30 ilipewa Major-General Gichuru. Parcel B ilipewa Dr. Kiano, na akamuuzia Bw. Kuria Kanyingi na Kanyingi, pia akamuuzia Bw. Mukuria ploti nyingine hapo. Pia ploti nyingine hapo, ikapewa Mwalimu Mkuu wa Alliance Girls High School na yeye akakata sehemu kidogo na akamuuzia mwingine. Pia sehemu hiyo ya KARI imeanza kuwa ndogo na saa hii nimepata habari; nilikuwa huko leo alasiri, na wafanyakazi wa KARI wameniambia wanatishwa na watu kama vile Bw. Kanyingi. Bw. Kanyingi ameenda kuwatisha kwamba sehemu hiyo yote ni yake. Juzi, Bw. John Ngige aliwaambia pia hiyo ni ardhi yake, na watu wa KARI ni lazima wataondoka. Tunaweza kukaa hapa bila kusema haya maneno? KARI is for the good of the nation. Ile research inayofanywa pale ya viazi na mbegu itakuwaje? Kama viongozi watatumia madaraka yao kunyakua sehemu hizi zote. Hata zile za prisons ambazo zilikuwa zinatoa chakula kwa watu wa jela zimeanza kugawanywa kule Kitale na kwingineko. Kituo hiki kinaendelea kuangamia na ni lazima tuseme hivyo. Hata mkienda kanisani mara nane kwa siku, haitawaokoa. Ni lazima ukweli usemwe saa hii, kwa sababu wakubwa wanaona kama ardhi yote ni yao. Ni lazime tuwache mahali pa research.

The Assistant Minister for Research, Technical Training and Technology (Mr. Kagwima): On a point of order, Mr. Speaker, Sir. If those papers which hon. Shikuku is reading are official, I would like to look at them on behalf of the Ministry of Research, Technical Training and Technology so that we can make a follow-up.

Mr. Shikuku: Bw. Spika, nitawasamehe. Waswahili wanasema kumwashia kipofu taa ni kuharibu mafuta. Ni lazima hizi sehemu ambazo ni za manufaa kwa nchi yote na wananchi wote---

The Assistant Minister for Research, Technical Training and Technology (Mr. Kagwima): Mr. Speaker, Sir, I take this to mean that he is imputing improper motives on my character, that I cannot see hata nikipatiwa taa. Is he in order to say I cannot see---

Mr. Speaker: Maybe I shall require the services of hon. Nassir to interpret what that means.

Mr. Shikuku: Bw. Spika, nimeambiwa kwamba huyu mheshimiwa---

Mr. Speaker: By the way, Mr. Shikuku will you clear off that one now, so that we can proceed? Order! Order, hon. Shikuku. I said this afternoon that debates shall remain totally impersonal. That is how they will proceed to be from now henceforth. That is the way forward! That is how it is done in all Parliaments across the world.

Mr. Shikuku: Ahsante Bw. Spika lakini dunia ni ngumu---

Mr. Speaker: Hakuna mambo ya lakini. Wewe endelea!

Mr. Shikuku: Dunia hii ni ngumu na watu wengine wanaona ni sawa kwao, lakini ni ngumu kwa wengine.

Jambo ninalomaliza nalo ni hili. Madiwani ni lazima wawe na nguvu katika mabaraza ya wilaya, na hawa madiwani wasitumie madaraka yao kunyakua ploti. Kwa haya machache, naunga mkono.

Mr. Wetangula: Thank you, Mr. Speaker, Sir, for giving me this chance to contribute on this Motion.

To start with, the powers of the Minister for Local Government under the Act are too draconian and need to be cut down. The Minister himself has said time and again that his powers are too enormous and I would like to urge him, I believe that he is listening, to look into ways and means of bringing the Act here for review so that we can bring his powers in line with the modern democracy. As it is, the Minister, to quote his famous phrase, is like a little king in the Ministry and that is not good for healthy democracy.

I want to echo the sentiments of hon. Ligale about town planning. I do not know whether town planning and provision of services has been overcome by greed on the part of the officers who run the council or by the mediocrity of the staff that we have in these councils or both. In this country, we have mushrooming of slums. There is no single upcoming town in this country that one can look at and be proud of its planning. Long gone are the days when we used to stop on our way to Nairobi and admire the planning of Kericho Town. Long gone are the days when we could stop and admire the beauty of the railway station in Nakuru and also long gone are the days when we used to admire the avenues of Kitale. All these have gone under the active participation of our own officers in the councils.

It has been said that councillors are underpaid and I do agree. I suggest to the Minister that ways and means should be found of setting at least a minimum pay package for every councillor in this country at the rate of Kshs10,000 per month, payable by the Central Government. Many of these councils do not raise sufficient revenue to even pay their cleaners, their messengers and so on; and yet, you expect them to pay the councillors from the revenue they collect. That amounts to expecting too much from very little. Therefore, to expect them to pay the councillors from the revenue they collect is to expect too much from them. This is what gives rise to the continuous looting of public land, other public property and the endless corruption that we have within the councils, so as to make the councillors survive the rigours of the day-to-day life of grassroots politicians.

Mr. Speaker, Sir, I want to suggest to the Minister that most local authorities, especially county councils, are charged with the responsibility of excavating and maintaining some unclassified rural roads. The Minister should find a way of at least providing a tipper and a grader to every county council to enable them grade and look after the roads. These unclassified roads are very important for rural agriculture in shifting produce from the farms to the available markets. If you go to the countryside you will see that even classified roads have degenerated into total disrepair, and unclassified ones are not even looked after. We still expect the county councils to maintain these roads without asking ourselves whether or not they have the necessary funds and equipment to do so.

Many local authorities in this country also run nursery schools. I want to urge the Minister to find ways and means of liaising with the Ministry of Education to have that Ministry either provide teachers, or assist in training teachers who are deployed in those nurseries, which are feeder grounds for most primary schools. If you go to those nursery schools which are maintained by local authorities you will find that many of the teachers in them are unqualified and untrained relatives of either council staff or the councillors themselves. This has the effect of compromising standards and undermining the basic background that our children need to go to school.

The Minister for Local Government must come out very clearly to fight corruption in various councils in this country. Starting from Nairobi City Council down to the tiniest urban council, it is like a directory of corruption. Services are only rendered on account of favouritism and who pays what. This is not doing our country any good. When you go round towns you see that the streets are filthy, garbage is not collected and grass is not mowed. If you ever had the misfortune of entering a public toilet in this country you will live to regret why you ever did so. The standard of hygiene is at its rock bottom, and yet these are the services that wananchi pay for. Hon. Awori mentioned something to do with the payment of our rates and services charge. We do not get equal services in return for all the funds that we pay, and the Minister should do something to ensure that people get what they pay for in every local authority in this country.

Another area that the Minister should look into is the maintenance of municipal roads. Starting with Nairobi itself, if you go to Eastlands or Industrial Area you will find that not a single road is worth being called a road, and yet the residents of this City are paying rates, services charge and licensing fees, not to mention the grants from the Central Government to the local authorities, which are part of the money that we are debating and approving here. What supervisory role does the Ministry have over local authorities in terms of maintenance of public utilities? Estates are coming up without any street lighting; towns are coming up where there are no security lights. This is a terrible hazard and is part of the breeding ground for the criminal menace that we are now having in Nairobi and its environs.

We also have the constant conflicts between the councillors and officers of the local authorities like the town clerks. In my view, recently the Minister - I do not whether it was him or his Permanent Secretary who was wrong - directed that councillors should not go to council offices without appointments. I do not understand the basis for this directive. Councillors are elected leaders and have to be at the council offices from day to day to see that they provide

the necessary services and council workers are actually performing their duties. A way should be found of harmonising the relationships between the council officers and elected councillors. Banning councillors from going to the office of the town clerk does not solve the problem we have in our local authorities. Discouraging councillors from going to the office of the council treasurer does not solve our problem. We should define very clearly the powers and roles of the council officers and their relationship with the councillors. Is it the councillors who are the bosses? Or, is it the town clerk who is the boss? Or, do they operate on parallel lines, where there is permanent conflict, and as a result they cannot provide any services?

Mr. Speaker, Sir, I beg to support.

Mr. Gichuki: Thank you, Mr. Speaker, Sir, for giving me a chance to air my views on the Vote of the Ministry of Local Government. The Minister gave a very comprehensive contribution yesterday about his Ministry and what he intends to do. But on the ground, the situation is not as the Minister made it appear, at least in some instances. I will start by touching on the money that the Ministry collects from the Commissioner of Lands on behalf of the local authorities. As of now, the Ministry holds quite a bit of money that should be remitted to several local authorities throughout the country. When I say this I have in mind, Nyandarua District. The Ministry owes Nyandarua County Council over Kshs10 million---

*(Hon. Nassir crossed the Floor
without bowing to the Chair)*

Dr. Otieno-Kopiyo: On a point of order, Mr. Speaker, Sir. Did you see hon. Nassir crossing the Floor without going to the Bar and bowing to the Chair?

Mr. Speaker: What are you complaining about?

Dr. Otieno-Kopiyo: Mr. Speaker, Sir, hon. Nassir walked very slowly from his side, and went straight to see Dr. Oburu Odinga on this side of the House. Was he right?

Mr. Speaker: Hon. Nassir, when you want to cross the Floor, you proceed with due dignity to the Bar, bow to the Chair and then proceed to the other side of the House. Will you do that?

*(Hon. Nassir proceeded to the Bar
and bowed to the Chair)*

Very well, hon. Nassir. Proceed, hon. Gichuki!

Mr. Gichuki: Mr. Speaker, Sir, as I was saying the Ministry of Local Government owes Nyandarua County Council a lot of money from rates. The money owed should be over Kshs10 million. The same thing goes for Nyahururu Municipality and Ol Kalou Town Council. I would request the Minister to consider giving this money to these local authorities. Its non-payment is making it difficult for the local authorities concerned to meet their obligations. The councillors are supposed to run the local authorities. Yesterday, the Minister himself said that the local authorities are very vital to the development of our nation because they are fundamental at the grassroots. Whereas I agree with that, I would request the Minister that next time when we go to the next elections, we should have a standard measure for councillors. For example, right now, the situation is that we can even have illiterate councillors elected to county councils. Local authorities are very vital for development in the rural areas. In this light, I propose that the Minister should come here with a proposal where anybody who stands as a councillor, should be of a particular standard, for example, at least, of form four standard. Most of the local authorities are failing because of the low standard of councillors. Most of them are elected and the only agenda they have is to go and acquire plots. Some hon. Members talked yesterday and said that we lack comprehensive physical planning in most of our local authorities. If we could have this, at least the standard and the level of understanding of our councillors could be raised and this would improve the performance of our local authorities. I join my colleagues who have said that the salaries and allowances of our councillors are too low. It is high time this was increased by the Central Government because, currently, we have a big fight with our councillors back home because they argue that we, as hon. Members, only talk for ourselves and we do not talk on their behalf. I believe it is the wish of every hon. Member in this House that the allowances of councillors should be increased.

Mr. Temporary Deputy Speaker, Sir, having said this, the Minister should also stop the practice of nominating councillors and "denominating" them at will. This does not reflect well. For example, if a councillor is nominated today and tomorrow he disagrees with some political adversaries, he is denominated, this does not augur well for the continuity and enhancement of our local authorities. The Minister talked about where he has allocated money for sewerage projects in towns all over the country. But when I went through that list, I noticed that in Nyandarua, especially in Ol Kalou, which is supposed to be the headquarters of Nyandarua District, there was nothing allocated for

sewerage in Ol Kalou Town Council. I say this because our headquarters was moved from Nyahururu to Ol Kalou. Ol Kalou has the constraints of expansion because we do not have enough water resources. We also do not have a sewerage scheme there. I, therefore, call upon the Ministry for Local Government to consider this and do something about it.

There is the Urban Development Programme (UDP). We have been hearing of this Urban Development Programme for the last two to three years. Since most of our roads in the local authorities are in terrible conditions, it is high time the Government stopped dragging its feet and implemented the same so that our roads and the services that are supposed to be rendered by the councils are up to the required standards. I call upon the Ministry to have a clear policy where most of our local authorities are concerned. We have a situation where some local authorities are supposed to be water undertakers. Here, there is a conflict between the Ministry of Land Reclamation, Regional and Water Development and the National Water Corporation to an extent that the local authorities concerned are confused.

The consumers do not know who is going to bill them; whether it is the local authority, the National Water Corporation or the Ministry concerned with water development. These two Ministries should liaise in order to avoid this confusion. When I say this, I have in mind the municipalities of Naivasha and Nakuru, where the National Water Corporation is flexing its muscle to control the water services, whereas, this can be done directly by the local authority.

In fact, it can be a means of earning revenue for the concerned local authorities. If this could be done, the confusion like the one in Naivasha municipality, where the consumers are billed by both the National Water Corporation and the Ministry could be avoided. The consumers do not know where to pay their bills. This should be rectified.

Mr. Temporary Deputy Speaker, Sir, I support the sentiments expressed by my colleagues who spoke before me regarding the local authorities which have no money at all. A good example is in my area, Nyandarua. We had a few centres where businesses had to be closed because of lack of toilets and because the council has no dozers for exhausting those toilets and the councils have no facilities to effect this. Most of the centres in Nyandarua had been closed by the Public Health Office because the councils have no such facilities. This is quite bad for our people, especially those who operate small scale businesses in those centres. The Ministry should do something about this and try to equip the councils. But this situation could be rectified if the Ministry lives to its responsibility to remit the funds accrued to those local authorities.

With those few remarks, I beg to support.

(Mr. Sambu was applauded)

Mr. Sambu: Ninakushukuru, Bw. Naibu Spika wa Muda, kwa kunipatia nafasi hii ili nitoe hotuba yangu ya kwanza, maiden speech kama "back-bencher". Ninachukua nafasi ya kwanza kumshukuru Mheshimiwa Rais kwa kuniteuwa nifanye kazi kama Waziri wake kwa muda wa miaka karibu minne.

Bw. Naibu Spika wa Muda, nikizungumzia Mswada huu wa ruzuku ya Wizara ya Serikali za Wilaya, niko na maoni machache yanayohusu, vile vile, watu wangu na watu wa Jamhuri ambao ningependa kuyatoa. Kwanza, ninatumaini kwamba maoni yaliyotolewa juzi na Waziri yatatekelezwa. Kwa sasa, kusema kweli, Serikali nyingi za Mitaa ni vyombo tu vilivyo pale; hazina nguvu wala uwezo wowote wa kutekeleza kazi yoyote. Kazi zote zinatekelezwa kupitia District Development Committees (DDCs). Ni wazi niseme kwamba katika DDC nyingi, kusema kweli, ni District Executive Committee ile ya ndani ndiyo inatekeleza kazi. DDC yenyewe ambayo Wabunge wenyewe ni wanachama, mara nyingi hata hawahusishwi na kazi zinazoendelea.

Bw. Spika, county councils nyingi hazina mapato ya kutosha na hata haziwezi kulipa wafanyakazi wake kama wale wa kufagia barabara na waalimu wa nursery schools. Kuna shida sana. Ninatumaini kwamba maoni ambayo yalitolewa na Waziri jana ya kupatia madiwani mamlaka zaidi yatatekelezwa.

Kwa sasa, barua ya kukataza meya na wenye viti kuenda kwenye ofisi za baraza za miji imetolewa. Ni lazima Bw. Waziri alichunguze jambo hili kwa sababu wale ni watu waliochaguliwa na wananchi na kuwakataza kufika kwa ofisi ni vibaya sana. Kwa sasa kazi yote imewachiwa makarani na weka hazina. Wale ni watu waliojariwa na hawajali maslahi ya watu wa sehemu ambazo wanafanya kazi. Wengine hata hawatoki katika sehemu zile. Ninafahamu kwamba madiwani wengine wametumia vibaya mamlaka yao na kunyakua vitu vingi lakini hicho kisiwe kisingizio cha kuwakataza kutumia ofisi za councils.

Councils au local authorities ni lazima zipewe mamlaka ya kutekeleza kazi kama vile primary education na primary health. Kama hii kazi itatekelezwa na serikali za mitaa, mitaa itatekelezwa vyema zaidi kuliko ilivyo sasa. Tena hapa kuna ubagusi. Ukifika kwa manisipaa nyingine utapata kwamba zemeruhusiwa kutekeleza kazi hiyo hali nyingine hazina ruhusa. Ni lazima tuone kwamba serikali zote za mitaa zinapewa mamlaka ya kutekeleza kazi kama vile ya afya, primary education na kuangalia barabara zile ndogo.

Omamo Commission imezunguka kusikiza maoni ya watu na ninajua kwamba watu wanataka manisipaa

zipanuliwe. Maoni yangu ni kwamba hizi manispaa zikipanuliwa zisipanuliwe sana hadi kuingia ndani ya mashamba kwa sababu kufanya hivyo itawabidi wenye mashamba kutoa kodi na hali huduma hazifiki kule. Kwa mfano, katika Kapsabet, Kakamega au mji wowote ule wa manispaa utapata kwamba sehemu ambayo iko kwa mashamba ni kubwa kulika ile sehemu ambayo imejengwa na yote inajulikana kama manispaa. Watu wote wanoishi katika hii manispaa wanatakiwa kulipa rates ambazo zinatozwa na manispaa. Jambo hili halifai kwa sababu hakuna huduma za maji, barabara, stima nakadhalika ambazo zinatozwa kule mashambani. Kwa hivyo, ninapendekeza kwamba hata watu wakitaka kupatiwa manispaa wapatiwe lakini zisipelekwa mpaka mashambani. Katika manispaa ya Kapsabet na Eldoret ninasema mipaka ibaki pale ilipo.

Nikizungumzia mambo ya Wanandi walionichagua kuja hapa nitaonge juu ya maji katika maji wa Kapsabet. Mtambo unaotumika katika mji ule uliweka hapo miaka ya 1940's na Wabeberu. Sasa watu katika mji huo wameongezeka sana na ni zaidi ya 40,000. Huo mtambo ulikuwa umepangiwa kuhudumia watu 500. Sasa mahoteli yetu lazima itafute watu kwenda kuteka maji kutoka mtoni. Katika shule zetu lazima watu wateke maji kutoka mtoni. Katika mahospitali yetu mambo ni kama hayo hayo. Kuna shida sana. Kwa hivyo, ninataka Bw. Waziri akijibu atueleze pesa ambazo zimekuwa zikitengewa Kapsabet miaka nenda miaka rudi, zimeenda wapi. Kila mwaka tunaambiwa kwamba kuna pesa zimetengewa Kapsabet kwa minajili ya kutatua shida ya maji.

Vile vile hali ya barabara ya Kapsabet in mbaya sana. Miaka nenda miaka rudi tunaambiwa kwamba kuna pesa zimetengwa ili kutengeneza hizi barabara lakini hizo pesa hazifiki huko kutekeleza miradi ya barabara. Kuna hii Board inayojulikana kama National Water and Pipeline Conservation Board. Kwa maoni yangu, ningependekeza kwamba iwe moja kati ya zile kampuni za Serikali ambazo zitaondolewa. Haifanyi chochote bali inaleta matatizo kwa watu. Mara nyingi watu wa kampuni inayohusika na umeme wanafika kule Kapsabet and kukata stima kwa sababu haijalipwa. Wanakuja kukata stima inayoenda kwa mtambo wa maji kwa sababu hii Board haijalipa pesa za stima na hali raia wanaotumia maji wamelipa maji. Ingekuwa vizuri kama manispaa yenyewe ingesimamia maji haya. Huko Eldoret, manispaa inasimamia maji na hakuna matatizo. Kwa nini kubagua pahali pengine na kuweka hii National Water and Pipeline Conservation Board kusimamia maji na hali pahali pengine manispaa inasimamia? Jambo hili halifai. Kule Kapsabet hawa watu hawana ofisi. Kukitokea shida kama vile mtambo mmoja wa maji kupasuka, itawabidi watu waende Kisumu kuwatafuta. Haifai. Kama manispaa zikitelekeza miradi ya maji zitakuwa zinahusika kwa sababu watu wanaishi pale kwa manispaa zenyewe.

Nikizungumzia kidogo mji wa Eldoret ambao ni jirani yangu, kuna sehemu kama vile Langas, Kamukunji, Huruma na Mwendeni ambako kuna shida sana kwa sababu sehemu za kutoa maji chafu ni mbovu. Pia barabara ni mbaya. Pia hawa watu hawana stima. Huko kuna giza sana na ndio sababu watu wanavamiwa kila mara na wakora. Ningependa manispaa ile ipate usaidizi kutoka kwa Wizara hii ili itekeleze mambo hayo.

Kwa sababu hii ilikuwa Maiden Speech yangu ninafikiria maoni yangu itachukuliwa na Waziri. Ahsante.

Mr. Kariuki: Mr. Speaker, Sir, I would like to thank you very much for allowing me this opportunity to say a few words on this Motion.

From 1963 to date, we have been debating about this Ministry and it has never changed since then. Time has come when we must re-look and see whether we need this Ministry at all or we do not need it. Personally, I would like to say that the purpose for which this Ministry was created has never been fulfilled. The philosophy behind creating this Ministry perhaps was to see that local authorities or local people were served properly and of course the Government expected that the work of the Central Government would be shared and reduced to some extent. Looking at the Ministry of Local Government, the way it is and the way it has been performing its duties, I think we shall continue complaining like we have done since Independence because it not doing its work. If this Ministry was to do its work, it should have done more than what it has been doing.

Mr. Speaker, Sir, for example, the Ministry has been collecting rates. Every time, county councils and municipal councils are in the Ministry's office wanting to be paid money which has been collected in lieu of rates. You wonder why we have a Ministry which takes money from the local authorities to keep for them, but finds it very difficult to pay this money back. In other words, who is killing the local authorities? It is the Ministry itself. Therefore, I do not know on what basis this Ministry was created. Is it British or American administration of local Government or whose? This is because the time has come when, as Kenyans, we must decide whether we need this Ministry or not. If we strengthen the DDC, we will not need this kind of a Ministry, which does not seem to be functioning.

[Mr. Speaker left the Chair]

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

The other speaker on the Floor had talked about land grabbing. On land grabbing, I hear a lot of senseless statements being made by hon. Members and by so many other people outside this House. If land has been allocated by the Government, Ministry or County Council, it becomes a legitimate allocation. Therefore, we should not make political capital or mileage out of nothing. Other than just shouting and asking ourselves why land has been grabbed, we should ask ourselves what needs to be done. We are not capable of reversing the decision which has been made. Therefore, let us not mislead the public that this House is working very hard to stop land grabbing and allocation of plots. We are not going to do anything as far as that one is concerned.

Mr. Temporary Deputy Speaker, Sir, on the way elections in the county councils are conducted, my proposal is that the Chairman of a county council or a municipal council, or the mayor for that matter, should be elected by the public, that is direct elections, so that these people can make decisions without fear of other councillors. By the way, we are exposing them now, but they have to pledge their loyalty to all the councillors, the Minister and to everybody. So, they become just servants within the system.

I think when we directly elect the chairmen or the mayors of various local authorities, they should become automatic members of the National Assembly so that they can explain their problems. I think it is only fair to give some people some powers and let them have those powers without limitations. But the way things are now, the local authorities have got a supervisor, who is called the Minister for Local Government, supervising these people---

Mr. Ndicho: On a point of order, Mr. Temporary Deputy Speaker, Sir. I think I heard hon. Kariuki say that mayors and chairmen of county councils should be elected directly, and should be members of the National Assembly. Is that not calling for the amendment of the Constitution?

Mr. Kariuki: Mr. Temporary Deputy Speaker, Sir, I hope time will come when hon. Members will take this House very seriously. I can propose the amendment of the Constitution. We have every right and we know when we will have that amendment done, but not when the Opposition wants it.

Before I was interrupted, what I was saying is that we should give the local authorities, that is city, municipal and county councils power to deal with the affairs of their areas without interference. This is because when you have the Minister acting as if he was the manager of these people--- The Minister nominates a councillor and tomorrow, if he is disappointed with that particular councillor, he cancels the nomination. That is the most unfair thing to happen. The Minister should not have any power at all, to cancel a nomination. That councillor should remain a councillor whether his loyalty to the Minister or to the Government is there or not. This is because it should be a Constitutional matter. There is no point of the Minister playing around with councillors, and telling them: "You support me or else, I sack you". What is that? That is most scandalous and I do not accept it.

Mr. Temporary Deputy Speaker, Sir, if you look at the roads in all the townships and municipalities, complaints are everywhere that these councillors are not doing anything. But the question that we need to ask ourselves is: "Do they have money to do the kind of job they are required to do?" The other thing that we need to ask ourselves is: "How are these people employing workers?" You find that like the City Council of Nairobi, the number of workers is so high, that there is no amount of money which can be collected from rates to pay them. It is equally true in all the other areas. There is no council which can claim to have money, except those which are in the cash crop areas like Central Province. But what about local authorities in ASAL areas and Western Kenya where there is no coffee? We claim that these people have local authorities. What kind of local authorities are those? The DDCs are getting money from the Central Government. Local councils are not getting money from the Central Government, unless they waste a lot of time begging and pleading to the Minister, and yet the same Minister is keeping their money.

I think it is high time the Minister organised local authorities according to our needs, and according to the ability of Kenyans to maintain those councils. He should not just follow the old traditions, where the British left us. We are still there. We should have our own minds as planners. The Ministry has got so many officers here, who can think differently and come up with ways of how the councils can survive.

On the Omamo Commission findings, which have not been published, we need to know whether his recommendations were that we continue with the county councils the way we are doing now, or the time has come when we can do away with them. There is no need of creating jobs for boys in this country, where we have a lot of problems.

The Ministry of Local Government has got very many officers. They should not wait for a Commission to be formed. Let them sit down and advise this country on whether we need to continue with this type of local authority or not.

With those few remarks, I beg to support.

Mr. Kapten: Mr. Temporary Deputy Speaker, Sir, thank you very much for giving me this opportunity, to contribute to this Motion.

The problem with local authorities is the Local Government Act. This Act was enacted in 1963. From 1963

to date, we have had 46 amendments to this Act. Most of the amendments have been eroding the powers of the local authorities. The powers have been transferred from the local authorities, to the Minister. That is the problem which we have with the local authorities.

Mr. Temporary Deputy Speaker, Sir, if the powers of the Minister can be reduced, and that power be transferred to the local authorities, we will have genuine local government. As of now, we have mere shells. We have local governments without any powers at all.

Mr. Temporary Deputy Speaker, Sir, on the question of election of the mayors in the last few years, you will find that two or three days to the elections, the councillors disappear somewhere. They go to some lounges or hotels, stay there and re-appear on the date or the time of the election. That means only people with money are able to be elected mayors. That is why it is important that mayors and chairmen of councils should be elected directly by the people and not indirect election by the councillors.

As regards the question of nomination of councillors by the Minister, it is the most undemocratic way of having leaders in their position. This question of nomination of councillors should be done away with. There is no reason why we should have nominated councillors 33 years after Independence. And not just the question of nominating people representing certain interests, what happens these days is that we have people who are most loyal to certain powerful groups. Those are the people who get nominated as councillors. The Act requires that only one-third of the councillors should be nominated, but in Kitale Municipality, we have more than that. Why do we have more nominated councillors in Kitale? Kitale is a fairly poor Municipal Council and I do not see the reason why the Minister over-nominated councillors to the Kitale Municipal Council. We demand that the people who were last nominated to the Kitale Municipal Council should be degazetted and removed. We do not see any need why we should be over represented on nomination.

On the question of land, the Local Authorities are supposed to be the agents of the Central Government in-so-far as land within their area of jurisdiction is concerned. But these days, the Local Authorities have no power over these land. All land is allocated directly by the Commissioner of Lands. In majority of these cases, the people who are given that land do not deserve it because they are the same people who are given land over and over again. You come to Nairobi, they are the people who get land, you go to Nakuru, they are the same people, you go to Eldoret, they are the same people, you go to Kitale, they are the same people and so on. Why should we have only a few people within this country getting land and the majority of Kenyans denied the rights to own land in this country? Like in Kitale, we have KARI land, prison land and we have some ADC farms within the Municipal Council. If you look at the list of the land owners who have got land in the last few years, they are the same people. The District Commissioners, for example, the former DC Kitale called Ben Mogaka grabbed a house of the employees of the Research Station within the Research Station land. He sent the APs to get the employees of the Research Station evicted. As if that was not enough, he also grabbed the communal cattle dip. That is the District Commissioner. If we have senior civil servants grabbing Government land, communal land and so on, where is this country headed to? More often than not, we have heard no other person than the President himself complaining about the behaviour of some civil servants. The people who are undoing the President and the KANU are not really members of the Opposition. There are some of the civil servants of the KANU Government who are behaving in a manner that will actually bring down this Government.

Most of the wards or areas represented by councillors are based on administrative locations. In the last few years, we have had so many locations created. That means come to the next general election we will have so many councillors, over and above the present councillors that we do have. I do not think Kenya has enough money to pay so many councillors' salaries and allowances. My proposal is that wards should not actually be based on administrative districts because some of these administrative districts are so small and the population in those districts is so small that it should not have a councillor representing such a small mute place. So, my suggestion is that the Electoral Commission should create viable wards that the councillors should represent.

The Temporary Deputy Speaker (Mr. Wetangula): I thought wards are created by the Minister?

Mr. Kipten: Whether it is the Minister or the Electoral Commission that should be looked into. There is no need why wards should be based on locations, some of which are too small.

With regard to the allowances of councillors, these people do a lot of work. They are the primary grassroots leaders. An allowance of Kshs3,600 is not enough to cater for the needs of a councillor. Every suggestion has been floated like Kshs10,000 and so forth. May I argue that even Kshs10,000 is not enough for a councillor. In fact, that money should be doubled so that the monthly allowance of a councillor should be to the tune of Kshs20,000. If they are paid that kind of money we will have reasonable people vying to become councillors. As of now, a person who is earning a good salary will not want to become a councillor because of the kind of money they earn.

With regard to the chief officers in the councils, I think it is not good that we have chief officers of the municipal councils or the county councils appointed by the Public Service Commission. That being the case, their

loyalty is elsewhere. It is not within the council. My suggestion is that all the chief officers in the employment of the urban councils should be hired directly by the respective councils. If that is done, we will not have this kind of indiscipline that we are seeing in this country.

Mr. Temporary Deputy Speaker, Sir, coming back to Trans Nzoia, Nzoia County Council has some officers who have reached 60 years, that include the Clerks to council. I am wondering why the Ministry has decided to keep this Town Clerk in Nzoia County Council when he is over and passed the retiring age. We do not want deadwood in our councils. We should replace the Clerk to the Council, including the internal auditor who has reached and passed the retiring age.

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

Mr. Ndicho: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to say something about the Ministry of Local Government. From the onset, I want to support the Permanent Secretary in charge of this Ministry for his recent circular that was circulated to all the Local Authorities in this country. We support that circular because it is spelling out the way things should be. I think the Permanent Secretary came in time to save the councils, because they were almost collapsing. There is no way, as my colleagues are requesting, that councils should be autonomous. If the Local Authorities are left to be autonomous without close supervision from the Ministry itself, from the Permanent Secretary and from its officers, we are going to have a lot of problems in the field.

I happen to be the only Member of Parliament who has got 23 councillors in my Constituency. I have got three councils that I deal with, namely: Thika Municipal Council, Thika County Council and Ruiru Town Council. If these people are not checked properly, they can ruin this country. Therefore, I am calling upon their close supervision by the Ministry. I am very happy by the way the Minister also supervises them. We have heard a Mayor calling for the sale of the council houses. What are they selling these houses for and where are they taking this money? I saw the circular by the Permanent Secretary which was calling on the councillors not to occupy council offices throughout the week. I support that.

In Thika, and I want this to be investigated, telephone bills for Thika Municipal Council amount to over Kshs1 million, because 16 councillors are permanently camped in Thika Municipal Council offices making both international and trunk calls, yet the people of Thika are going without street lights, with pothole roads and uncollected garbage. There is no way that these people should be allowed to camp in the council offices.

Mr. Temporary Deputy Speaker, Sir, the vehicles of Thika Municipal Council are immensely misused. Recently, I met with the current Mayor of Thika Municipality with the Mayoral vehicle with the flag in a place called Kihunguini, attending a funeral. I told him not to fly the flag outside the jurisdiction of the Municipality. But he feels very good when he goes with the Mayoral flag outside the jurisdiction.

There is also no way that the chief officers should be left alone without the supervision of the councillors. What I would call for is symbiotic relationship or working relationship between the councillors and the chief officers. There should be close supervision of these guys, because they are not good gentlemen. I agree, especially, those from the Opposition zones, and I also agree with the hon. Kamotho, that it is councillors from the Opposition zones who have messed up councils by grabbing land. In Thika, ever since I came here in 1993, we have been talking about grabbing of land, and councillors are to blame because they are the people on the ground. These are the people who tell the officials of the Ministry of Lands and Settlement where land is for grabbing. This should be checked.

Mr. Temporary Deputy Speaker, Sir, in Thika Municipal Council, Kshs3.5 million has been kept in a secret account in Nairobi, to earn interest where four chief officers are getting the accrued interest on monthly basis and pocketing that money. These officers must be disciplined. I also call upon the Ministry of Local Government to make sure that Thika Municipal Council, because Thika is a cosmopolitan town, gets officers from different tribes. Thika Municipal Council is completely Kikuyunised. It belongs to one tribe and what these gentlemen are doing to the Council is nothing short of "raping" it completely.

Mr. Temporary Deputy Speaker, Sir, in the circular to the Minister from the Permanent Secretary, he talked about councillors interfering even with the work of the Permanent Secretary. When he sends an officer, like the Town Clerk or County Clerk on transfer, the councillors interfere with it. They go to see the Minister and the Permanent Secretary. Even the Mayor went to see the President, so that the current Town Clerk of Thika Municipality, who has completely run down Thika Municipal Council should not be transferred. There is a new Town Clerk who was transferred from Kitale. The Town Clerk in Thika Municipal Council has refused to vacate that Office so that the incoming Town Clerk can assume office. Now, we have got two Town Clerks, one is in the Office and the other one is camping outside the Town Clerk's Office. It is high time that this Town Clerk from Thika Municipal Council was forced to go to where he was transferred. He is arguing that his time for retirement is close, but let him go and retire where he has been transferred. Mr. Temporary Deputy Speaker, Sir, the other point I would like to talk about is the role of District Commissioners in Local Authorities. This is the one that has ruined these Local Authorities. The DCs should go there as an *ex-officio* without any powers to vote and to direct the way things should be run, because in

Kiambu County Council, it was during Oreta's time that Kiambu County Council was ruined to areas beyond recollection. The land that was grabbed during Oreta's time is terrible and I am speaking this with a very heavy heart, that what Oreta left at Kiambu where he grabbed all the land there with the County Clerk, who was also transferred to Nyeri, but I understand he has also refused to go.

Mr. Temporary Deputy Speaker, Sir, there is a gentleman I hear from the Ministry called Mbaria Maina. This is the man, we are told that when these officers are transferred, wanaenda huko wanamwona and then they refuse to go. Mr. Minister, you should take action because Kamau must leave Kiambu and go to his new station, because what they have done in Kiambu, wanasema, "sasa wacha Wakikuyu wauane".

The Temporary Deputy Speaker (Mr. Wetangula): Which language do you want to use?

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

(Laughter)

Mr. Temporary Deputy Speaker, Sir, the Minister should take note of that and ensure that these clerks are transferred. In any case, a transfer is a Government exercise and it should be done and viewed as being done without fear or favour.

Mr. Temporary Deputy Speaker, Sir, I want to appeal to the Minister, because the Government gave us Thika County Council, but we do not have our Headquarters. The land which was earmarked for the Headquarters right now has been grabbed. I am asking the Minister to intervene and have that land returned back to Thika County Council to build their Headquarters.

I want to thank the Government for agreeing to upgrade Ruiru Town to a municipality. I would also like to thank the Government for giving Ruiru Town water from the Third Nairobi Water Supply Project. We have received a lot of water, six inches from a-T erected at Kwamaiko. We are now doing everything possible to have this water supplied to Ruiru. We are very, very grateful.

Mr. Temporary Deputy Speaker, Sir, I would also like to support what hon. G.G. Kariuki said, that Mayors should be elected directly by the public, because the current methodology is very poor, and the current Mayors pay their allegiance and loyalty to the councillors who have elected them. Let wananchi elect Mayors directly. As I said and it has been said here, the role of the District Commissioners to keep one per cent cess of money generated from coffee and tea, is a sheer way of encouraging corruption because they steal all this money. They do not use this money to tarmac or repair roads.

The Deputy Mayor of Thika has constructed a factory inside Kimathi Estate, where he has erected machines and now the people of Kimathi Estate cannot breathe because he has grabbed the land.

Mr. Temporary Deputy Speaker, Sir, with these few words, I beg to support. Thank you.

Mr. Temporary Deputy Speaker (Mr. Wetangula): Minister, it is now your time to reply unless you want to lend any of your time to any of the Members on the Floor, if you do not want to spend your 30 minutes; it is up to you.

The Minister for Local Government (Mr. Ntimama): Mr. Temporary Deputy Speaker, Sir, all these people are my friends and I do not think I will give my time to anybody. The time has come for me to reply and I think I should respect the procedure.

Mr. Temporary Deputy Speaker (Mr. Wetangula): Gentlemen, you have run out of time and the Minister will reply now.

The Minister for Local Government (Mr. Ntimama): Mr. Temporary Deputy Speaker, Sir, I want to take this opportunity to thank all hon. Members who have contributed to the debate on the Vote of the Ministry of Local Government. Most of them have contributed very well by talking on matters that affect their local authorities and it is important, indeed, to know that all of us are attached to our local authorities. Otherwise, anybody was free, like hon. Ndicho and other Members, to say anything.

Mr. Temporary Deputy Speaker, Sir, I want to say in the outset that all that the hon. Members have said is going to be taken very seriously by my Ministry. We are going to try and address the matters that have been raised by hon. Members as much as we can. Indeed, I know that we have to liaise with other Ministries on certain requests that have been made by hon. Members and this one we are going to do effectively because we have probably a few hon. Members like hon. Masinde who talked about plot allocation and title deeds. We have Dr. Otieno-Kopiyo who talked about economic viability of councils and the way that the councillors should be paid. Hon. Ligale raised a very pertinent point on how to plan the areas under our local authorities to avoid mushrooming of illegal settlements in our urban centres. Indeed, hon. Opere requested that we upgrade Mbita Point. We are going to consider that very seriously. Mr. Sumbeiywo requested that a game reserve be established in Kerio Valley. Hon. Mwaura wanted us to look into the possibility of giving water from the Ndakaini dam to the people of Murang'a. I take very seriously what

hon. Kapten said about over-nomination in Kitale County Council. Indeed, if there is any over-nomination, we are going to investigate and then, for sure, we are going to take some action according to the law of the land.

Mr. Temporary Deputy Speaker, Sir, also many other hon. Members contributed and made specific requests that will be taken into consideration. The notes are being taken by very powered group of officers from my Ministry there and we are going to make sure that some of these issues and even those that I have not mentioned, are taken care of. Hon. Muchilwa raised quite a number of things about councillors and many other things and we are going to consider them.

Mr. Temporary Deputy Speaker, Sir, there are few points that I want to make very clear, especially with regard to this question of money in lieu of rates which hon. Kariuki raised. Hon. Mwangi said that the Ministry is holding council's money. I want to make it very clear that money in lieu of rates is normally not held by the Ministry of Local Government but by Treasury. What happens is that, the Government ensures that the property we have in some of this local authorities is rated like everybody else is rated. Money is supposed to be paid to the local authorities through the Ministry of Local Government and sometimes this money is not forthcoming in time. These people have learned to come to the Ministry of Local Government, but they now also go to Treasury. What I can promise the local authorities is that we are going to try and speed up matter to make sure that any money collected in lieu of rates will be sent to the really local authorities. But I do not want hon. Members to go with that idea that the Ministry of Local Government owes or holds any money at all from the local authorities.

Mr. Temporary Deputy Speaker, Sir I want now to go slowly into this question of the Minister having so much excessive powers. This Act was enacted after Independence and several amendments have been made in the Act and truly, lawyers raised this question. I do not know whether hon. Maore who raised the issue is a lawyer. He should read the Act properly and he will see that people who have the powers are the local authorities. We only co-ordinate their affairs and we only make sure that we regulate the affairs of the local authorities. After all, there is a national central Government which looks after most of the things happening within the borders of this country and that includes the regulations and sometimes a little bit of control and direction of local authorities. That is all we do. The question of saying that the Minister has excessive powers is more psychological than real. So, it is the question of reading the Act properly. But in any case, I want to affirm here that this Government is committed to supporting the democratisation of local authorities to enable people down there to be able to make decisions on matters that affect their people at grassroots level.

Mr. Temporary Deputy Speaker, Sir, I want to talk about what hon. Kibaki and, of course, my friend hon. G.G. Kariuki said about the Omamo Commission Report. This report is one of the most important reports on the local Government since Independence. It is very exhaustive. These Commissioners had to do a lot of groundwork all the way including interviewing Members of Parliament here, civil servants and councillors. They went to meet people in their local areas and they have produced a very important Report. I can assure hon. Members that this report is not going to be shelved. This Report is now being studied by the Government and very soon, we will bring it into this House either in the form of a Bill or a Motion so that hon. Members will have time to study it. It has far-reaching recommendations on local authorities. I am not really in a position to tell you exactly what these recommendations are right now, but I can tell you that it has made certain recommendations that we think will improve the financial, administrative and everything concerning our local authorities.

I think, when they talked about the councillors, a lot of hon. Members spoke about licences. At least two hon. Members talked about local Government licences and Government licences. It is true that the licensing of businesses in this country is in a confused state because one businessman is supposed to pay for five licences for example; some Government licences and some local authority licences. And there have been complaints even from members of the manufacturing sector in this country. They have really complained that this licensing process should be streamlined and harmonised so that those licences dealing with multi-nationals and some other big corporations should go to the Government. That is the import and export licences and so forth. But small business licences, for small entrepreneurs and other *Jua Kali* groups should go to local authorities. That, I think, is going to be discussed properly because now it is really a murky business. I mean people do not know where to pay for their licences. Some are charged twice and so forth. The Ministry of Finance and ourselves are going to sit together and try and harmonise this situation so that the wananchi do not suffer by paying for extra licences when they should not actually be doing so.

Mr. Temporary Deputy Speaker, Sir, I want to talk a little bit about Nairobi City Council and the councillors in general. Some people raised an issue yesterday by saying that there is a conflict between the councillors and the chief officers of Nairobi City Council which includes the Clerk. Indeed, right now, there is an on-going conflict between the councillors and the chief officers accompanied by a lot of mudslinging between the two sides. But I can assure you that what the Ministry has done and what I have done is to make sure because --- The Act is very clear on the functions of the mayors and chairmen and on the functions of the chief officers who are executive officers in reality and the councillors themselves. We have a problem here because in the last multi-party elections, a lot of euphoria was

generated which brought some people into leadership who have never had any experience at all in public affairs. This ill wind which blew these people to positions of leadership is what has caused the problem in some of our local authorities today.

(Loud Applause)

Most of these people have never been able to lead even small nursery schools and now they are heads of local authorities. Somebody said, and it was in fact, across here, that some of these leaders are more of touts than leaders. That is the problem that we have right now. We have put into position of leadership people who have come into these local authorities to grab. They have excessive greed. They arrogate themselves a lot of power which the law has not given them. This is what we have right now and we are watching this situation very carefully so that it does not explode. Right now we have a situation whereby a civic leader is trying to organise a small demonstration or something to break some doors in Nairobi City Council. That is wrong. These are the people who must be taught a little bit of civility. These are the people who must be controlled. I want to say here that in the past councillors had to have ratable property wherever they were supposed to be elected. Some of these people have been picked up from the streets and they have come to be leaders. They have no ratable property. They do not care for anything. If Nairobi was destroyed today, they will lose nothing. And we have to go back to those days where ---

Mr. Gitau: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Minister really in order to attack councillors who are not in this House to defend themselves by calling them touts when it is very well known that his Ministry and himself in particular, are responsible for running down the City by ignoring even the KANU nominated councillors? Is he in order to talk about euphoria whereas we know that we even have KANU MPs who are touts in this House?

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Gitau, what was the point of order?

Mr. Gitau: My point of order was ---

The Temporary Deputy Speaker (Mr. Wetangula): Order Mr. Gitau. You are out of order.

The Minister for Local Government (Mr. ole Ntimama): Mr. Temporary Deputy Speaker, Sir, actually the word "tout" if I can remember, and I was taking my notes very, very carefully, indeed came from the other side of the House and Mr. Gitau himself was not there and as a matter of fact, I think, I have just supported that kind of view.

Mr. Mak'Onyango: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Minister to use the word "tout" simply because it gets --- Two wrongs do not make a right. If the Minister knows that the word "tout" is wrong, then why should he apply it in his case? Is he not misleading the House by using the wrong terminology?

The Temporary Deputy Speaker (Mr. Wetangula): What is the quarrel?

Mr. Mak'Onyango: He used that word simply because that word came from this side. If he knew that the word "tout" is wrong, then why does he use it?

The Minister for Local Government (Mr. ole Ntimama): Mr. Temporary Deputy Speaker, Sir, I want to continue, but a lot of people accept to be called "touts". So, what is wrong with the name? I mean, they are here in this country. They are doing a service in this country. So, what is funny?

I want to continue and say that it is important that we all consider now that the people whom we elect into these local authorities are not being blown by an euphoric wind that is going to give us trouble.

We should elect people who have got ratable property. Elect people who have got a certain degree of leadership because that is what it is. In any case, according to hon. Gitau, it is FORD (A) which has been ruining Nairobi City Council since Independence.

Mr. Gitau: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order really for the hon. Minister to impute ill motives on my party that it is FORD (A) which is ruining this City when it is very well known that our FORD (A) councillors do not have any power at all? The power belongs to the chief officers and the Ministry.

The Minister for Local Government (Mr. ole Ntimama): Mr. Temporary Deputy Speaker, Sir, I do not want to waste time with Mr. Gitau, but he knows very well that the leadership of Nairobi City Council since 1992 has been in the hands of FORD (A) anyway.

I want to say very briefly that some people talked about our financial problems in local authorities. What we are requesting the Government to do is to try and strengthen the Audit Department of the Ministry of Local Government so that they can be able to assist in auditing the books of most of our local authorities throughout the country.

Mr. Temporary Deputy Speaker, Sir, that is also the same case with the physical planning department so that we are able to perform because the local authorities themselves are supposed to be planners in their own right and the

law gives them power to be planners in their respective areas.

Mr. Temporary Deputy Speaker, Sir, that is also the same case with physical planning, so that we are able to plan, because the local authorities themselves are supposed to do that. So, those who made the request, I think we support them and I think we would like to liaise with other Government departments, so that the Ministry of Physical Planning is combined with the Ministry of Local Government and probably strengthened, so that it can be able to give improved service.

Mr. Temporary Deputy Speaker, Sir, before I finish and it looks like we have very little time, I would like to say that the Omamo Commission Report is coming; we are going to deliberate and debate on it, but right now the Act remains as it is, and the allowances of councillors are supposed to be paid by the relevant local authorities from the revenues that they collect within their own areas. So, it is not the responsibility of the Government. Maybe if for some reason, some day, the Government is going to decide on what to do with the allowances of Councillors. But, right now, it is the local authorities themselves which are supposed to be responsible for the payment of allowances to Councillors.

Mr. Speaker, Sir, some Members yesterday suggested that the Councillors should be qualified and well educated before they get elected to these councils. I think we agree that some level of education should be considered.

And this should be more so, in our urban centres like Nairobi City Council or some other municipalities of this country. But it is also important, and I want to stress this point, that, we consider those outlying areas; that is the outlying districts which for no fault of their own, had no access to education. The Missionaries were not allowed to go to those places by the imperialists. They said that the people of those areas were hostile and primitive. So, we did not get the Missionaries like those who went to Maseno, Thogoto, Kabaa, Kikuyu and all those places where most of the leaders of this country are coming from. So, it is most important to consider the fact that these people, for no fault of their own, have never come across an alphabet. So we must consider this, so that the Minister for Local Government himself can probably give exemption to some of these people, who have not had the possibility of being educated for no fault of their own. But it is also important to say here, that literacy alone is not the qualification for leadership. Most of these people who have led people in this country and who have been leading these places, some of them are almost illiterate, but they are people who are committed and dedicated to their jobs and it is important to consider these issues when coming to consider the level of education of Councillors.

Mr. Temporary Deputy Speaker, Sir, hon. Kamuyu talked about roads in Dagoretti and I think I have told the Nairobi City Council and asked my Ministry to look into the possibility of repairing some of the roads in Dagoretti Constituency. If I ever get time, maybe we can look around with the City Council and my Ministry to see the state of roads in Dagoretti Municipality.

He also talked about Maasai cows. It is true, but I want to say that I sympathise very much with hon. Kamuyu and I sympathise very much with the people of Dagoretti Constituency, but I think more sympathy should go to those pastoralists who have been flushed out of their land by being coerced to accept little money in exchange for their land without knowing exactly what the consequences are. These people are right now in trouble, they are grazing their cattle along the road reserves and it is rather unfortunate. It is not necessarily the tycoons from Dagoretti Constituency who went in and bought this land, but they must have come from somewhere. I would say, most of the interlockers themselves are coming from around that area. So, this might be just the way nature is balancing the human equation. This might be another way to balance the human equation - I do not know.

The last point is that he complained about a huge, well coloured Zebu bull served one grade cow belonging to one of his friends. I understand the man was so infuriated that, that Zebu bull really served the grade cow. Well, I sympathise with him and I am sorry if he is really annoyed that, that Zebu bull really served that cow. But, I can say, I am sure, it is the cow that broke lose and not the bull which went to serve her. If that is the case, maybe the cow was trying to get something different. Instead of having artificial insemination, it preferred natural service. I am sure, if that cow was to talk, I am sure she is very happy and she might try it again.

Mr. Gitau: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order to talk obscene language in the House about the Maasai cows threatening properly bred animals in Dagoretti?

The Temporary Deputy Speaker (Mr. Wetangula): I do not see anything obscene about it.

The Minister for Local Government (Mr. ole Ntimama): My friend hon. Gitau, you were not here yesterday. You do not know what hon. Kamuyu said. Maybe you are just supporting him for the sake of solidarity. Anyway, what I am saying is that I really sympathise with that, but I am only stressing that maybe---

Mr. Temporary Deputy Speaker, Sir, I am so grateful that we had the time, although I have not got enough time to talk about all the points that I wanted to talk about, but I must say I am so grateful for the contribution by hon. Members on the Vote of the Ministry of Local Government and I consider it very important indeed, because everybody is affected; everybody has a local authority to look after and I think it is very important indeed.

Somebody talked of cess tax and I have got one minute, the cess tax belongs to local authorities. All crop

cess belongs to local authorities and although we do not really mind any assistance from the DC or the District Development Committees, in reality, that Cess money belongs to the local authorities.

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

(Question put and agreed to)

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

IN THE COMMITTEE

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

Vote 12 - Ministry of Local Government

The Minister for Local Government (Mr. ole Ntimama): Mr. Chairman, I beg to move:-
THAT, a sum not exceeding K£34,454,675 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 1997, in respect of:-

Vote 12 - Ministry of Local Government

(Question proposed)

RECURRENT EXPENDITURE

SUB-VOTE 120 -GENERAL ADMINISTRATION AND PLANNING

Mr. Mak'Onyango: Mr. Temporary Deputy Chairman, I am concerned with Sub-Vote 122 and 124 on page 633.

The Temporary Deputy Chairman (Mr. Ndotto): Order, we are not yet there. Hon. Mak'Onyango, we are on Sub-Vote 120. You are ahead of us.

Mr. Achola: On page 635 head 375, Item 320; could the Minister explain why grants for urban infrastructure projects is being shown under Recurrent instead of Development Expenditure?

The Minister for Local Government (Mr. ole Ntimama): The hon. Member wants to know why this is under Recurrent Expenditure. This is --- although it is in our Development Estimates as well, to show that these are the grants which are going to develop our 22 towns which have been earmarked for road development.

Mr. Achola: We have been told before that most local authorities have failed to produce their accounts for the last 30 years. Why is the Ministry still giving grants to these local authorities when in fact, they cannot account for the money?

The Minister for Local Government (Mr. ole Ntimama): I do not know what the hon. Member is talking about. This money has just been negotiated recently by the Government and the World Bank. I do not know anything called 30 years.

The Temporary Deputy Chairman (Mr. Ndotto): Order! Mr. Achola, you wanted clarification and the Minister has clarified.

(Heads 360, 362 and 375 agreed to)

(Sub-Vote 120 agreed to)

SUB-VOTE 122 - CONTRIBUTIONS IN LIEU OF RATES

(Heads 367,383, and 415 agreed to)

(Sub-Vote 122 agreed to)

SUB-VOTE 124 - GRANTS TO LOCAL AUTHORITIES

Head 372 - Grants to needy County Councils

Mr. Mak'Onyango: Mr. Temporary Deputy Chairman, the Minister did say in his main speech that what the Government was doing was to empower the local authorities and yet what we have here is K£300,000. It is the same amount that was given last year and the same is being given this year. Does that show in anyway that the local authorities are being empowered?

The Minister for Local Government (Mr. ole Ntimama): I do not think that there is anything wrong in allocating the same amount of money this year and next year. If the funds are not available, we are lucky to have been allocated that amount of money last year and this year.

(Head 372 agreed to)

(Sub-Vote 124 agreed to)

DEVELOPMENT EXPENDITURE

SUB-VOTE 120 - GENERAL ADMINISTRATION AND PLANNING

Head 360- Headquarters Administrative Services

Mr. Ojode: Could the Minister explain, Head 360, Item 326 - Kenya Urban Council Transport Infrastructure Project, for which he wants us to approve K£17 million?

The Minister for Local Government (Mr. ole Ntimama): I am not an accountant. This is the same amount of money that hon. Mak'Onyango was asking about and I think it is the same amount of money that we are going to use for urban transport throughout the country.

Mr. Achola: Could the Minister explain Head 360, Item 191 - Local Government Reform Programme. What is it that is going to cost K£3.7 million?

The Minister for Local Government (Mr. ole Ntimama): Mr. Temporary Deputy Chairman, Sir, my Ministry has got a little money which we will use to try and get views from the people, in seminars and other things, for what we consider to be the Local Government Report.

Mr. Mak'Onyango: Could the Minister explain in detail what he means by the Local Government Report? Considering that this country has spent a colossal sum of money on the Omamo Commission, which did exactly what the Minister is trying to tell us he needs for; in what respect is he going to spend this money other than facilitate things like the Omamo Commission which has already taken place?

The Minister for Local Government (Mr. ole Ntimama): Mr. Temporary Deputy Chairman, Sir, the reforms are about the problems affecting local authorities. This does not necessarily refer to the Omamo Commission Report.

Mr. Ojode: Mr. Temporary Deputy Chairman, Sir, could the Minister give us more details on Head 360, Item 531 - Property Compensation? These details are not given on the summaries side.

The Minister for Local Government (Mr. ole Ntimama): Mr. Temporary Deputy Chairman, Sir, I think this Item has something to do with a dam in Chebera in Keiyo District. I think the people there are being paid some compensation for, probably, their land that has been made use of.

Mr. Mak'Onyango: Mr. Temporary Deputy Chairman, Sir, I am on Head 360, Item 155 - Small Towns Infrastructure Programme. Last year the Minister asked and got K£1.5 million, but this year he is not asking for anything. I would have thought that this is an on-going programme. Why is he not asking for anything for it this year?

The Temporary Deputy Chairman (Mr. Ndotto): Mr. Minister, in brief, Mr. Mak'Onyango is on Item 360, Item 155. Why are you not asking for any money for this project this year? Last year you got K£1.5 million for it.

The Minister for Local Government (Mr. Ntimama): Mr. Temporary Deputy Chairman, Sir, this is money which we use to train personnel for water and sewerage systems throughout our local authorities. But this project is coming to an end now.

(Head 360 agreed to)

(Sub-Vote 120 agreed to)

SUB-VOTE 125 - DEVELOPMENT SCHEMES

Head 365 - Local Authorities Water Supply

Mr. Ojode: Mr. Temporary Deputy Chairman, Sir, I am raising a query on Items 422 and 440. Why is it that Kisumu Municipality, which the Minister knows very well has been having a water problem, has been allocated only K£50,000 and yet Eldoret Municipality, which was established the other day, has been allocated K£10 million? Can he explain this?

The Assistant Minister for Local Government (Mr. ole Ntimama): Mr. Temporary Deputy Chairman, Sir, I think the Kisumu Municipality project has been completed while the Eldoret Municipality project is just starting.

Mr. Ojode: Mr. Temporary Deputy Chairman, Sir, you heard the Minister saying that he thinks the Kisumu project has already been completed. But let me tell him that that project has never taken off, leave alone being completed. Can he verify his information instead of giving us the wrong picture of what is actually happening in Kisumu? What was the criteria being used in allocating this money? Allocation of K£50,000 to one project and K£10 million to another does not make sense!

The Minister for Local Government (Mr. ole Ntimama): Mr. Temporary Deputy Chairman, Sir, as far as I know the water project in Kisumu was completed. If it has not been taken over by the council, that is another issue.

Mr. Ojode: You are wrong!

The Temporary Deputy Chairman (Mr. Ndotto): Order, Mr. Ojode! This is not a time for argument! You are only seeking clarification.

Mr. Ojode: Mr. Temporary Deputy Chairman, Sir, I am on Head 359, Item 595 - Fire Fighting Equipment. Where will the Minister use the K£400,000 allocated to this Item?

The Minister for Local Government (Mr. ole Ntimama): Mr. Temporary Deputy Chairman, Sir, some of this money is only meant to supplement the money given to us by some friendly foreign countries for purchase of fire fighting equipment. So, this is part of the contribution by the Government of Kenya.

Mr. Mak'Onyango: Mr. Temporary Deputy Chairman, Sir, I am on Head 369. For Item 503 - Land Acquisition. The Minister is asking for K£90,000. Would he explain to the House the kind of land he is trying to acquire?

The Minister for Local Government (Mr. ole Ntimama): Mr. Temporary Deputy Chairman, Sir, I do not know what the hon. Member wants to know. This money will be used to pay for acquisition of land.

Mr. Mak'Onyango: For what use is the Minister acquiring this land?

The Minister for Local Government (Mr. ole Ntimama): This land will be for the implementation of the Eldoret Municipality Sewerage Project.

(Heads 364, 365, 369 and 370 agreed to)

(Sub-Vote 125 agreed to)

(Vote D12 agreed to)

(Question put and agreed to)

(Resolution to be reported without amendment)

(The House resumed)

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

REPORT

Vote 12 - Ministry of Local Government

Mr. Ndotto: Mr. Temporary Deputy Speaker, I am directed to report that the Committee of Supply has

considered the Resolution that a sum not exceeding K£34,454,675 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1997 in respect of Vote 12 - Ministry of Local Government and approved without amendment.

The Minister for Local Government (Mr. ole Ntimama): Mr. Temporary Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee of Supply in the said Resolution.

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

(Question proposed)

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Wetangula): Order! Hon. Members, that concludes the business on the Order Paper. The House is, therefore, adjourned until tomorrow, 24th October, 1996 at 2.30 p.m.

The House rose at 5.55 p.m.