

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 13th April, 1995

The House met at 2.30 p.m.

[The Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No. 123

SHOOTING OF MR. ONYANCHA

Mr. Obure asked the Minister of State, Office of the President:-

(a) Since the late Mr. Astariko Onyancha of Nyabitunwa of Bomachoge Constituency was shot by an Administration Police Officer on 18th August, 1994 in his home, and the matter was reported at Nyangusu Police Station, whether the said police officer was arrested and charged in a court of law for the offence.

(b) what measures the Ministry is taking to ensure that innocent people are not killed by police officers who should otherwise protect them.

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

(a) The late Astariko was shot on 4th August, 1994 and not 18th August, 1994. The Administration Police Officer in question has not been arrested but an Inquest File was opened on 5th August, 1994 and is now pending before a magistrate for hearing.

(b) The Government does not condone the killing of any person by any Police Officer and will ensure that wananchi are protected.

Mr. Obure: Mr. Speaker, Sir, it is sad that this young man was shot by an errant Police Officer in our post, and the family was informed that this man would be arrested and charged before a court of law. How long has it to take for an officer who has killed somebody in cold blood while he was drunk, to be taken to court and charged?

Mr. Sunkuli: Mr. Speaker, Sir, the circumstances under which the person was killed were to the police officer was suspicious and the best thing that we could have done was to take the matter to court. As I said, the matter is now in court, and the hon. Member ought to reasonably just enquire why the matter is taking too long to be finalised in court. I think that is not a proper Question to ask a Minister in the Office of the President.

A.2 -13.04.95

Mr. Obwocha: Mr. Speaker, Sir, in view of the reply given by the Assistant Minister,

and while noting that in many previous instances, Administration Policemen have been nuisance in terms of using their rifles, can the Government reconsider retraining all Administration Policemen so that they can be more responsible like the regular policemen?

Mr. Sunkuli: Mr. Speaker, Sir, I think that argument is based on a wrong promise.

Mr. Fallana: Mr. Speaker, Sir, cases of askaris shooting innocent Kenyans are common, not only in hon. Obure's area. Now that the Assistant Minister says there is an Inquest File opened, and the askari has not been arrested, what is the position, no matter whether he used it when he was drunk or not? Is this askari still on duty using his G3 Rifle or whatever kind of firearm or has he been interdicted or suspended? What is the position? Is he still working, if not in the cells? Can the House be told?

Mr. Sunkuli: Mr. Speaker, Sir, I do not think hon. Fallana has understood my answer. I have not said that the person who shot this man was the Administrative Police Officer, because if the facts were as clear as that, there would have been no reason to open an Inquest File. It would have been a straight prosecution.

Mr. Obure: Mr. Speaker, Sir, this is the height of hypocrisy of this Government. The Assistant Minister knows that what wananchi use up there are arrows. We do not have guns, and this Government knows that the Police Officer at Nyabitunwa killed Mr. Askariko and since that time, the man is free and maybe he is going to kill another one tomorrow, you will never know, and this may happen in his Constituency. Why should the Assistant Minister mislead this House when he knows that Astariko was killed by an Administrative Police Officer at Nyabitunwa on 4th March, 1994 at 8.00 p.m. when he was dead drunk? He could have taken the gun and dismiss him.

Mr. Sunkuli: Mr. Speaker, Sir, I am not very sure whether there is only one gun in Nyabitunwa Trading Centre, but what I certainly know is that if the hon. Member's contention that the Administrative Police Officer in question was the one who shot this man dead, under circumstances which call for a charge of murder or manslaughter, the court will find out and it will order that that police officer be arrested.

Dr. Lwali-Oyondi: Mr. Speaker, Sir, arising from the answer given by the Assistant Minister, and in it showing doubt whether this particular policeman had shot anybody, would it be really difficult to know? Policemen are given a certain number of ammunition or bullets when they go out. Would it be very hard for him to count those bullets and find out whether one was used or not? Would it be difficult for him to know the bullet that was lodged in the dead man's body and compare it with the gun? Why is it that he is doubting that?

Mr. Sunkuli: Mr. Speaker, Sir, in this particular case, I am not the judge, but what I am saying is that--

Mr. Fallana: Mr. Speaker, Sir, I would like to get some clarification from the Assistant Minister. The Question from the hon. Obure categorically says, "This deceased man was killed by an Administrative Police Officer". I am not getting the Assistant Minister correct. He is denying that it is not the Administration Police Officer who killed him. Where are we? I am not getting him because if it was the Administration Police Officer, he would have been in the cells and in court.

End of A.

CNJ.

B.1. - 13.4.95.

Mr. Sunkuli: Mr. Speaker, Sir, that is the reason why we have opened an inquest file so that a proper magistrate court can determined who killed the deceased. Otherwise, it is after

examining all the matters raised by the hon. Dr. Lwali and by other hon. Members that, in fact, we found it is necessary under the circumstances, not prosecute this particular administrative officer because the circumstances might reveal to the contrary. However, it is not for me to determine the outcome of the inquest.

Mr. Speaker: Shall we move on to Martha Karua's Question?

Question No. 026

PAYMENT OF MR. KIBOKO'S PENSION

Mrs. Karua asked the Minister for Finance when the Pension of Mr. Fredrick Gichobi N. Kiboko, P/No.151030, who retired on 1st July, 1994 be paid.

The Assistant Minister for finance (Mr. arap Koech): Mr. Speaker, Sir, I beg to reply.

My Ministry is not aware where this particular person worked because the personal number given does not refer to the Ministry where the pensioner used to work. Therefore, it is impossible for us to find out and assess the pension without the particulars of the person. So, I would ask the hon. Member to supply us with the correct Personal Number so that we can follow up the case.

Mrs. Karua: Mr. Speaker, Sir, I am surprised by the hon. Members reply to this Question. I thought the normal practice would have been for the Ministry to communicate with the Questioner so as to get the details before coming to the House to answer this Question. Now that he has asked where the person was working, I would like to inform him that he was working with the Department of Police. Having received that information, could the hon. Assistant Minister indicate as to when he would be ready to give the proper answer to this Question.

Mr. Speaker: Would you be in a position to bring that answer two weeks from now, that is the week after the next?

Mr. arap Koech: Yes, Mr. Speaker, I would be able to do that if I received all the necessary information to enable me to do so.

Mr. Speaker: Next Question! Mr. Owino Achola.

Question No.124

BUILDING OF A DUAL CARRIAGE-WAY

Mr. Speaker: Mr. Owino Achola is not there? Okay, Next Question! Mrs. Wanjiru Mwangi.

B.2 - 13.04.95

Question No.047

S.T.D. FACILITIES IN KINANGOP

Mrs. Mwangi asked the Minister for Transport and Communications what plans the Ministry has to instal Subscriber Turnk Dialling (STD) facilities in Magumu, Karangatha, Heni, Njabini, Ndunyu Njeru and Engineer Centres in Kinangop

Constituency.

The Assistant Minister for Transport and Communications (Mr. Morogo): Mr. Speaker, Sir, I beg to reply.

Automation which will give a Subscriber Trunk Dialling facilities to the people of Kinangop is programmed as follows:-

In Magumu, the planning will start as commercial power reaches the market centre. In Heni, the centre is serviced by a Magumu exchange and so it will be automated at the same time. For Njabini, planning for automation will be done as soon as the commercial power reaches the centre. Karangatha centre is currently not having any telephone subscriber other than the one at Mukeu post officer which is being served from Njabini exchange in South Kinangop. However, it will be automated along with these other centres in South Kinangop. The automation of exchange at Engineer centre and Ndunyu Njeru in South Kinango is programmed for the year 1995/96.

Mrs. Mwangi: Mr. Speaker, Sir, I am satisfied with that reply but I would like to take this chance to thank His Excellency the President for coming to speed up development in my constituency.

Mr. Speaker: Next Question. Col. Kiluta.

Question No.127

REMOVAL OF WATER PIPES

Col. Kiluta asked the Minister for Land Reclamation, Regional and Water Development:-

- (a) whether he is aware that pipes meant for Masinga Water Project were removed from the site and are at the moment lying at the Matuu/Yata Police Station, and,
- (b) what action he intends to take to ensure that these pipes are returned to Masinga to be used for the intended purpose.

The Assistant Minister Land Reclamation, Regional and Water Development (Mr. Ligale): Mr. Speaker, Sir, I beg to reply.

(a) I am not aware that pipes meant for Masinga Water Project are held at Yatta Police Station. What I am aware of is that some 80-lengths 6 inches diameter pipes suspected to have been stolen from Masinga Water Project are in the safe custody of the Yatta Police following the acquittal by the Yatta court of two suspects charged with theft of the pipes. The court was not able to establish the ownership of the pipes and recommended that a more competent authority be questioned to determine the ownership of the pipes.

B.3 - 13.04.95

(b) As soon as I have gathered evidence to conclusively conclude the the pipes belong to the Government, I will apply to a higher court that the pipes be forfeited to the Ministry. It is my hope that the hon. Questioner will forward any useful information that he may have to the Ministry to enable us to take appropriate action.

Col. Kiluta: Mr. Speaker, Sir, I am surprised to hear the Assistant Minister saying that he is not aware that these pipes belong to Masinga Water Project. One of the suspects who was a D.P. candidate during the last general elections was reported to the Police by the Masinga

people after he stole the pipes from the Masinga Water Project site, he was arrested and the pipes found in his House. The truth of the matter is that these Pipes belong to the Masinga Water Project which has been authorized to take place by the President in 1985. Now that the Assistant Minister is aware that these pipes belong to Masinga Water Project, what action is he going to take?

Mr. Ligale: Mr. Speaker, Sir, when this matter was taken to court, one of the reason why the court was unable to established the owner of these pipes was the fact that the pipes found in the suspect's Home, were of a different size from the ones that are lying at the Masinga Water Project.

Mrs. Ndeti: Mr. Speaker, Sir, apart from the fact that these pipes were taken to the police station, could the Assistant Minister assure this House that the Masinga Water Project is not a white elephant but rather a realistic project that is going to be completed for the benefit of the Masinga people? How soon is he going to implement this project?

Mr. Ligale: Mr. Speaker, Sir, I am not aware of any white elephant project in Masinga.

Dr. Lwali: Mr. Speaker, these pipes have been lying at the Water Project site for years and up to now they are still there and this is why they are getting stolen. What is the Assistant going to do now to make use of the remaining pipes so that the masing people can beenefit from this project?

Mr. Ligale: Mr. Speaker, Sir, the remaining pipes will, of course, be used for the purpose for which they were meant, that is, to take the water to the people.

Mr. Muoki: Mr. Speaker, Sir, if those pipes have been lying there since 1985, could the Assistant Minister tell us how long it has to take to implement this particular water project?

Mr. Ligale: Mr. Speaker, Sir, owing to cash flow problems, it is not always possible to implement projects when we expect to do so. Sometimes it takes a little longer than we expect.

END B.

ART

C. 1 - 13.04.95

Mr. Shikuku: Mr. Speaker, Sir, has the Minister ever toured this area? Does he know that the citizen of Ukambani are very hard working, but they lack only one thing, water? How long can it take him to provide water for my in-laws? From 1985 to now, and the Minister can still stand up in this House, and take the matter casually. When will he ensure that the Wakamba in that area are served and those pipes are made use of, even if it means borrowing money from whatever corner to provide water for Kamba people?

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Ligale): Mr. Speaker, Sir, I am aware of the need for water to be supplied to the people in this area, just like any other part of this country. Every effort is being made to ensure that the water project is completed.

Mr. Kiluta: Mr. Speaker, we are talking of some 80 lengths of pipes, fairly sizeable number of pipes that have not been claimed by anybody for the last ten years, and the Minister is looking for evidence to prove that the pipes belong to somebody else but not Masinga.

Now that these pipes have not been claimed by anybody and is ten years, can the Minister give this House an undertaking that he is going to instruct his Ministry to return these pipes to Masinga so that this project can be started?

Mr. Ligale: Mr. Speaker, Sir, the 80 pipes which are lying at the police station are the subject of a dispute. We have yet to establish who they belong to conclusively. No! No! Mr.

Speaker, I am sorry the pipes at the police station have only been there since 1992, not ten years.

Mr. Speaker: Next Question, Mr. Ogeka.

Question No. 132

REMOVAL OF TRANSFORMER

Mr. Speaker: Mr. Ogeka not here? Next Question, Mr. Mwiraria.

Question No.126

RENOVATION OF UNION BUILDING

Mr. Mwiraria asked the Minister for Co-operative Development:-

- (a) how much money has, so far, been paid by the Co-operative Bank of Kenya to the Contractor renovating the Meru Municipality, on behalf of the Union;
- (b) how much has the said Union spent on purchases of materials for the same renovation work; and
- (c) if he could provide the minutes of the Management Committee authorizing the two modes of payment.

The Minister for Co-operative Development (Mr. Munyi): Mr. Speaker, Sir, I beg to reply.

C.2 - 13.04.95

Kshs.5,622,000.00 has already been paid to the Co-operative Union. Two, the Union has already spent Kshs.748,450.00 on the purchase of materials. Therefore, one of the Committees took place in 1991 and the other one in 1994 to approve what was meant to be spent.

Mr. Mwiraria: Mr. Speaker, let me thank my hon. Minister for Co-operative Development for this answer, but arising from the answer is Minister aware that the renovations which were initially tended to cost KSh.7 million have now escalated to KSh.23 million and, if he is aware, what is he doing to bring it under control?

Mr. Munyi: Mr. Speaker, Sir, it is very good that hon. Member has just managed to give thanks to the reply in which I have given. Now, Mr. Speaker, I cannot control the cost of items or anything, but as far as my Ministry is concerned, I will see to it that whatever cent is given is used in good way.

(Applause)

Dr. Otieno-Kopiyo: Mr. Speaker Sir, is the Government satisfied that the Minister for Co-operative Development is competent?

Mr. Speaker: What is the question again?

Dr. Otieno-Kopiyo: Mr. Speaker, I am wondering if the Government is satisfied that the Minister for Co-operative Development is competent!

Mr. Speaker: Order! Order! I think the comment, to say the least, is most unkind, and I don't expect any Hon. Member to address another in such uncivil terms. I do not think it is good

for the integrity of this House. I think every Member here is competent.

Dr. Otieno-Kopiyo: Mr. Speaker Sir, I wish to apologise to the House.

Mr. Speaker: Very good!

Mr. Gitonga: Could the Minister table the minutes of the Management Committee which authorised the two modes of payment?

(Applause)

Mr. Munyi: Mr. Speaker Sir, in any case, I did not want to comment on my friend because he has a minute just like other friends. Because he was aggressive and you know very well I can also reply, but I did not want to reply. Anyway, Mr. Speaker Sir, I will table the minutes on the Table.

Mr. Mwiraria: Mr. Speaker, is the Minister aware that the second mode of payment, namely, purchase of materials for the contractors was introduced so that one of the members of management committee could buy materials for building his own building, and that this information is contained in a Committee Report prepared by his Ministry, which shows that over KSh.10 million was swindled from the Union by this single individual?

And since the probe committee completed its work and the Minister has the report, could he tell us when he will table it to this *Bunge*?

Mr. Munyi: Mr. Speaker Sir, I am not aware of that last allegation.

C.3 - 13.04.95

Mr. Mwiraria: On a point of order, Mr. Speaker. Is it in order for the Minister whose Ministry undertook a review of the activities of the Union following allegations of massive corruption and prepared a report which made recommendations but which have been kept away from the farmers, is he in order not to undertake to produce that report to this House?

Mr. Munyi: Mr. Speaker, Sir, about that report, I will bring it, but not today.

Dr. Kituyi: Mr. Speaker Sir, the honourable "very active" Minister has been saying virtually nothing. Can you just oblige him to say something concrete, that if he does not know what he is supposed to know he will get somebody to let him know and come with the specific date when he will give us the information here because he is just "verging on the Question" without saying anything?

Mr. Munyi: Mr. Speaker, Sir, if he is insisting on knowing more, then I will let him know.

Mr. Speaker: Will you want a "parting shot" Mr. Mwiraria? Okay, Mr. Mwiraria, last one.

Mr. Mwiraria: Thank you, Mr. Speaker. The Ministry of Co-operative Development is censed with the Development of the Meru Central Union. They have to approve all payments for development such as the renovation of this building. As we talk now, the contractor has taken the Union to court for payment of over KSh.18 million apart from what is already indicated here in the Minister's report.

Surely, should the Minister not be informed about this and should he not be giving us information in the House when we ask Questions?

(End C.)

AWN

D.1-13.04.95

Mr. Munyi: Mr. Speaker, Sir, I am very happy for that information.

Mr. Nyanja: On a point of order, Mr. Speaker, Sir. Is the Minister in order to continue misleading this House. I am an architect by profession. If you look at point No. A, Kshs. 5.6 million has been paid to this contractor. If you go to point No. B, you will see that Kshs 748,000 has gone to the materials purchased for the same job. That is a very serious abnormality because what happens is that, if it is labour contract it is always---

Mr. Speaker: Order, Mr. Nyanja! I thought I gave you the Floor not to argue but to raise a point of order. Do so.

Mr. Nyanja: Thank you, Mr. Speaker, Sir. I am only laying the ground so that you can understand my point of order. It is very important for the House to be informed about tendering system and contracts in building industry.

Mr. Speaker, Sir, 5.6 million was paid to the contractor in 1991. Nonetheless, the Co-operative Union bought materials worth Kshs 748,000 for the same job. How come that the contractor has been paid Kshs 5.6 million to do a job worth Kshs. 750,000. It has never happened. That is how he is misleading this House and that is why the Questioner, hon. Mwiraria, asked about the minutes but if it were me, I would have asked about the tendering documents and tender documents.

Mr. Speaker: Order now! Would you like to respond?

Mr. Munyi: Mr. Speaker, Sir, he himself being an architect he was involved in the construction of Nyayo National Stadium and I know what I am talking about. I have given them the figures.

Mr. Nthenge: On a point of order, Mr. Speaker, Sir. The point of order raised by the learned architect was asking how one can pay Kshs 6 million for a job of Kshs 700,000.

An hon. Member: Answer the question.

Mr. Munyi: He asked about the mode of payment. Even the hon. Member who asked the Question was satisfied with my reply.

Mr. Speaker: No, we cannot have it any more now.

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

Mr. Speaker: Mr. Mwiraria, what are you complaining about?

Mr. Mwiraria: Is the Minister in order to tell the House that I was satisfied when as you can see from my face and my supplementary questions that I have asked, I am most dissatisfied?

Mr. Speaker: Are you in agony?

Mr. Mwiraria: Yes, serious agony.

Mr. Speaker: Do respond to the agony.

Mr. Munyi: Mr. Speaker, Sir, I have already replied. Hon. Nyanja came in when you had already moved to the next Order.

Mr. Farah: On a point of order, Mr. Speaker, Sir. We have been treated for a long time by this Minister to theatrics. It is a very serious matter. We want to know something that is pertinent. If he cannot give an appropriate answer, let the Leader of the Government Business do that. This man is not fit enough to even teach in a primary school. Can the Minister tell us how a project whose material was going to cost Kshs 750,000 would cost in labour form over Kshs 5 million? I mean this is public funds and we want to know how this is possible. If you cannot explain it, get somebody else from the Government to do it because it is a Government problem. We cannot joke about such things.

Hon. Members: Answer now.

D.2 - 13.04.95

Mr. Munyi: Mr. Speaker, Sir, I have already answered that question and said Kshs 5 million was paid. The hon. Member then asked for a second time what the mode of payment was and I did explain that. I was very clear. They are trying to take us back when we had already moved ahead.

Question No. 027

UNION FOR CIVIL SERVANTS

Mr. Muite asked the Attorney-General why he has not allowed civil servants to have a union as enshrined in the labour laws and other covenants of the International Organisation, which the Government of Kenya is a signatory.

In fairness to the hon. Attorney-General, he has asked me and I had agreed that he be given time to arrange his answer.

Mr. Speaker: How long did you want him to take before he replies.

Mr. Muite: I think he had suggested up to Wednesday, next week.

Mr. Speaker: Okay, that Question is deferred to Thursday, next week.

(Question deferred)

Question No. 036

REPEAL OF CHIEF'S ACT

Mr. Shikuku asked the Attorney-General what steps he is taking to repeal the Chief's Authority Act.

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

On July 20th July, 1993, in answer to a similar Question, I informed this august Assembly that a preliminary draft of the Administrative Officer's Authority Bill had been drawn and the necessary consultations on it were being carried out. Pursuant to those consultations the matter was referred to the task force which was subsequently set up on the reform of laws relating to public order and security amongst whose terms of reference is:

"To examine the preliminary draft of the Administrative Officer's Authority Bill and make recommendations thereon"

As soon as the Task Force has made its recommendations and the said recommendations have been considered by the Government, an appropriated Bill will be tabled in Parliament.

Mr. Shikuku: Arising from that reply which in my opinion is very absurd, is the Attorney-General aware that we who fought for Independence were anti that law and it is a shame that it is still on our Statues? When he talks of consultations, with whom is he consulting because the spokesmen of the people, Members Parliament, note a single one is in favour of this obnoxious law. Which other consultations does he want when the spokesmen of the people who are elected, not like him, are telling him it is a bad law?

D.3 - 13.04.95

The Attorney-General (Mr. Wako): Mr. Speaker, Sir, I know that currently I am not an elected Member of Parliament. The Task Force, I believe, has been in touch with Members of Parliament and other people to give views on all the issues related to this matter not just the Chief's Act but other legislations concerning security. The Task Force, as of now, has toured North-Eastern Province, Eastern Province and will tour other areas. They really want to go into this matter in great depths so that when I make recommendations here they are worthy of laws which will propel us into the 21st Century.

Mr. Maore: On a point of order, Mr. Speaker, Sir. Is the Attorney-General in order to mislead this House by making reference to Task Forces that he knows very well he did suspend nearly a month ago? I do not know where we are.

The Attorney-General (Mr. Wako): Mr. Speaker, Sir, I do not know where the hon. Member got the idea that Task Forces had been suspended. What has happened is that I have called on each Task Force to come with the work they have done to date in order to take an inventory of what they have done to enable me, and the Government, to decide on the best course forward taking into account the Presidential Announcement at the beginning of this year.

End D

JNM

E.1. - 13.04.95

I can assure the hon. Members that a Question is coming up on this specific issue. However, a number of task forces have been told to go ahead with their work and this one is one of them.

Prof. Rashid-Mzee: Mr. Speaker, Sir, it is 32 years after Independence and we still have this very repressive law. Now, after 32 years of Independence do we require a task force to repeal this law? Can the Attorney-General tell us how long it will take this task force to come up with the conclusion to repeal that law?

Mr. Wako: Mr. Speaker, Sir, I think most of us were in school when Independence came to this country. However, those who were here at Independence will bear me witness that there was focus on this particular Act but only a few of its sections were amended. In other words, to put the record straight, at Independence, this Act was looked into and only a few of its sections like sections 4 and 5 were repealed.

Mr. Achieng-Oneko: Mr. Speaker, Sir, I am quite happy to hear the remarks made by the Attorney-General on this particular Act. But is he aware that this Act is not only cumbersome but is also repulsive and demoralising, particularly at this time of multi-party democracy? Even the role of chiefs has been transferred to Kanu activities and, therefore, the chiefs are no longer useful to the community. Could the Attorney-General order now that this obnoxious law be removed tomorrow from our statute books?

Mr. Speaker: Mr. Achieng-Oneko, tomorrow is Easter Holiday and the House is not sitting!

Mr. Wako: Mr. Speaker, Sir, I have neither the authority nor the power to do what I have been asked to do. However, I can assure the Member for Rarieda, whom I respect very highly, that in relation to any piece of legislation--- I think all of us are aware of this Act. I would wish the hon. Members to make a distinction at times between an abuse of administrative powers, or the powers conferred upon the chiefs, and the actual legislation. I would also wish the hon. Members to also help the task force in the re-examination of the role of the chiefs in the new era. The fact of the matter is that the Government, in recognition of the fact that this Act can be subject to abuse - in fact, there have been such instances and we cannot deny them -has issued a circular to all the chiefs under the signature of the Permanent Secretary, Provincial

Administration/Internal Security, on the whole range of issues of unlawful arrest, confinement, prosecutions and how these powers are being abused and has warned the chiefs and other administrative officers that should they be found to have grossly abused or exceeded their powers, and cases result from such excesses and the Government is made liable to pay damages they themselves will pay to the full extent of the damages awarded, in addition to the disciplinary procedures that may be taken against them.

Mr. Speaker: Yes, Mr. Achola.

Mr. Shikuku: On a point of order, Mr. Speaker, Sir. I am the Questioner here but I had only one shot, but now you have moved to next Question. Is that not very unfair?

(laughter)

Mr. Ogur: On a point of order, Mr. Speaker, Sir. I did not understand what hon. Shikuku meant by saying that he had only one shot. Did a mean a pair of shorts or what?

Mr. Speaker: Order, Mr. Ogur! I understood hon. Shikuku to mean "a shot at the Question", whatever other shots you are thinking of!

E.2 - 13.04.95

Mr. Shikuku: Mr. Speaker, Sir, you know we shoot supplementary questions to the main Question. So, I had only one shot at this Question.

Mr. Speaker: Order, Mr. Shikuku! I think we are dangerously getting short of time. Under normal circumstances the Questioner gets more than one chance to put to put questions. However, that is not the rule because I would also like to distribute the chances to shoot supplementary questions to many hon. Members. Nevertheless, very briefly, you can have the last shot.

Mr. Shikuku: Thank you, Mr. Speaker, Sir. That is the correct English. Taking into account the feelings of this House I am sure hon. Members from both sides of the House have suffered from this obnoxious law, which is overdue for repeal. Will the Attorney-General take into account the feelings of this House and not his own feelings? Those who elected us do not want this law. Therefore, he should bring it here for repeal without having to consult people other than the elected hon. Members here, who also do not want this law.

Mr. Wako: Mr. Speaker, Sir, I will definitely bring the opinions and views of hon. Shikuku to the attention of the task force.

Mr. Speaker: Order, hon. Member! We have to start business at 3.30 p.m. but I still have three Questions unanswered. I propose to defer Questions Nos. 124 and 132 by hon. Achola and hon. Ogeka respectively, and proceed to Mr. Wetangula's Question by Private Notice in the next five minutes.

Question No. 124

BUILDING OF DUAL CARRIAGE WAY

Question No. 132

(Question deferred)

REMOVAL OF TRANSFORMER

(Question deferred)

End of E.

QUESTION BY PRIVATE NOTICE

Mr. Wetangula: Mr. Speaker, Sir, I beg to ask the Minister for Agriculture, Livestock Development and Marketing the following Question by Private Notice:-

(a) Is the Minister aware that there is an acute shortage of maize seed for the current planting season in Bungoma District in particular, and Western Province in general?

(b) In view of the fact that the affected areas are important for grain growing in the country, what is the Ministry doing to correct the situation?

(c) Can the Minister assure this House that such shortages will not be occasioned again in future?

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Mr. Speaker, Sir, I have received an answer which I consider unsatisfactory. Therefore, I request that I be given time to get a proper answer which will satisfy the Questioner and the public at large.

Mr. Speaker: Well, then, that question is deferred to next Tuesday.

(Question deferred)

POINT OF ORDER

Mr. Michuki: Mr. Speaker, I have a point of concern to raise here. I would request, through the Chair, that the Minister in charge of Provincial Administration makes a statement explaining what the Government policy is on an issue that has taken place in Kangema Constituency. A District Officer (DO) who I do not know and have never met was posted to Kangema. According to information appearing in today's newspapers, this DO has been scuttled out of the area allegedly because he said that Chiefs were wearing KANU attire and thereby, identifying themselves with a political party.

Mr. Speaker, Sir, through the Chair, may I request that a statement is made to this House next week so that we know whether the Provincial Administration is actually employed by KANU or by this Republic, which includes the Opposition.

Mr. Sunkuli: Mr. Speaker, Sir, in response hon. Michuki's request, I would like to say and beg the indulgence of the House that the matter that hon. Michuki has referred to does not call for a Ministerial Statement at all. In fact, hon. Michuki should put a Parliamentary Question on that specific matter and it will be answered. Secondly, we cannot rely on matters that have been raised in the newspapers.

COMMUNICATION FROM THE CHAIR

Mr. Speaker: Order! I have a Communication from the Chair which I invite hon. Members to listen to.

Hon. Members, on Wednesday, 5th April, 1995, the Member for Kitutu-Masaba, Mr. Anyona, sought my guidance on what he felt would be a procedural hitch regarding the propriety of this august assembly commencing debate on the Report of the Public Accounts Committee (PAC) on the Government accounts for 1992/93 while some of the issues covered in the Report were before the court of law. I have now had time to reflect on that issue and the

appurtenant procedure, and wish to say as follows: Parliament and, hence, the PAC

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became seized of the Report of the Controller and Auditor-General on Government accounts for 1992/93 on 12th July, 1994 when that Report was laid on the Table of the House. Indeed, up to that time, there were some proceedings before the court which could possibly be construed as touching on matters contained in that audit report.

The following cases are in point: Criminal case No.4053 of 1994 lodged in the Chief Magistrates court in May 1994. This case involves Kamlesh Pattni and officials of the Central Bank of Kenya (CBK) charged with the theft of Kshs13.5 billion. This matter was the subject of the audit query in question. However, at no time was the attention of the PAC drawn to the fact that that matter was before the court. It was the responsibility of the relevant Accounting Officer to draw the attention of the Committee to the fact that the subject matter was before a court of law. If anything, substantial information, including the agreement between the CBK and the Exchange Bank appearing on pages 280 and 281 of the Report were made available to the Committee. These agreement also refers to matters which are the subject of a civil case No.29 of 1995 involving the Uhuru Highway Development Company (UHDC) versus the CBK and others. Criminal case No.4314 of 1994, where Mr. Kamlesh Pattni is charged with stealing or obtaining money on false pretences amounting to Kshs2.6 billion is not part of the audit query.

The same is true with regard to the criminal case No.46 of 1995 where Kamlesh Pattni and Dr. Wilfred Koinange are charged with stealing Kshs5.8 billion. Other cases touching on matters dealt with in the audit query include the case lodged by the Law Society of Kenya (LSK) on 8th December, 1994 and another by hon. Raila Odinga filed on 9th March, 1995.

Hon. Members, as you are no doubt aware, as soon as I learnt of the LSK's case, I directed the Clerk of the National Assembly to bring to the attention of the relevant court of law the fact that Parliament was already seized of the same matter. Accordingly, the Clerk swore an affidavit before the Chief Magistrate's court on 27th December, 1994. With regard to the case filed by hon. Raila, this amounts to gross violation of both the Standing Orders and the National Assembly Powers and Privileges Act. The House should address this matter at an appropriate time. It should further be noted that *de facto* proceedings have not even started and I find the issue inconsequential to the operations of Parliament in the light of the affidavit sworn by the Clerk. That having been executed, I was satisfied that the court will take cognisance of the provisions of Section 60 of the Evidence Act, Cap 80 of the laws of Kenya. This stipulates that the court shall take judicial notice of the general course of proceedings and privileges of Parliament. It is my understanding that this procedure was observed. This underscores the presence of mutual respect among the three institutions of the State, namely; the Legislature, the Judiciary and the Executive. The effectiveness of the National Assembly will be seriously undermined if Members should pre-empt debate on matters before the House by resorting to court.

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It is worth noting that Section 60 (1) of the Constitution defines the power of the Judiciary as follows:

"There shall be a high court which shall be a superior court of record and which shall unlimited, original jurisdiction in civil and criminal matters and such other jurisdiction and power as may be conferred upon it by this Constitution or any other law."

Hon. Members, having attempted to discern the powers of the Legislature and the

Judiciary, I would like to address the issue of *sub judice* which has severally been raised in this House. The Chair has consistently enforced, to the chagrin of some hon. Members, strict compliance with the rule of *sub judice* as provided for under Standing Order No.70.

End F.

PAO

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Hon. Anyona urged to be ruled that Standing Order No.74 applies to Paragraphs 38,39, 40 and lately 112. I have already done so. Those hon. Members who have listened to what I ruled in these matters in the course of last week and this, will find this to be so.

Yesterday the hon. Anyona again raised this issue and argued that the amendment brought before the House to remove from the Public Accounts Committee Report, all those paragraphs that deal with the issues before the court not to be discussed. Instead he proposed that I expunge the same from the record. I see no provision for this in Standing Order No.74. If I enforce Standing Order No.74, the House will discuss the Report, excluding Paragraphs 38, 39, 40 and 112. The House may accept the Report including these Paragraphs. In my view, this is a wrong approach.

The correct approach in my view is to have the Motion amended to exclude the offending Paragraphs. This is what the Motion of amendment by the hon. Minister for Finance intends to do. As I have already ruled that matters before the court will not be discussed, I do order that no hon. Member, contributing to the amendment Motion, will be allowed to venture into the matters that are *sub judice*. The discussion on the Motion of amendment shall be restricted as to whether or not the Motion shall be accepted or rejected. No hon. Member should delve into the facts, merits or demerits of those facts, however remotely. Thank you.

COMMITTEE OF SUPPLY

(Order for Committee read)

MOTIONS

- The Assistant Minister for Finance (Mr.Keah):** Mr. Speaker, Sir, I beg to move:-
- (a) THAT, a sum not exceeding K£560,553,194 be granted from the Consolidated Fund to meet expenditure during the year ending 30th June, 1995 in respect of Supplementary Estimates of 1994/95 (Recurrent) having regard to the proposed savingS of K£103,796,837 therein appearing.
 - (b) THAT, a sum not exceeding K£115,882,236 be granted from the Consolidated Fund to meet expenditure during the year ending 30th June, 1995 in respect of Supplementary Estimates of 1994/95 (Development) having regard to the proposed savings of K£126,029,910 therein appearing.
 - (c) THAT, a sum not exceeding K£70,935,003-01s-45 cents be granted from the Consolidated Fund for meet expenditure during the year ending 30th June, 1991 in respect of Statement of Excesses No.1 of 1990/91.

- (d) THAT, a sum not exceeding Kf48,216,360-16s-85 cents be granted from the Consolidated Fund to meet expenditure during the year ending 30th June, 1992 in respect of Statement of Excesses No.1 of 1991/92.

(His Excellency the President has signified consent to these Motions)

(Loud consultations)

Dr. Lwali-Oyondi: Mr. Speaker, Sir, I am trying to listen to the Minister, but the consultation is a bit too loud. I cannot hear.

Mr. Speaker: Order! Order, hon. Members!. We are talking about Kenya Pounds, Shillings and cents. That is very important. Can we hear of every cent that we shall vote in this House. Proceed.

Mr. Shikuku: On a point of order, Mr. Speaker, Sir. As far as I support your order, for bringing us to order, let the hon. Members remember that last time it was a through Supplementary Estimate that all these other things went through. If there could be more---

Mr. Speaker: Order, Mr. Shikuku. You are totally out of order. Proceed.

Dr. Kituyi: Mr. Speaker, Sir, considering the weight of the advice from the Chair about how important every shilling and cent is to this House and considering the limited time hon. Members have had to look at the two volumes of the Supplementary Estimates, I stand under the provision of Standing No.21 requesting the House for an adjournment that this matter be debated after hon. Members have had a bit more to look at where the money for Eldoret airport is being inserted.

(Loud consultations)

Mr. Speaker: Hon. Members, hold your horses. I am referring to the Standing Orders.--- Some hon. Members are always ambushing the Chair. They do not want me to know what they want to raise in advance. So, the hon. Member is referring to Standing No.21. I am just trying to find out what it says.

Dr. Kituyi before I ask you whether you have a Seconder---

Dr. Kitui: Oh, yes.

Mr. Speaker: Order! Wait a moment. I am asking you whether you have ever looked at Standing Order No.143.

Dr. Kituyi: Mr. Speaker, Sir, I have looked at everything.

Mr. Speaker: Can you look at it then? The Standing Order that I am referring to is No.143.(1) which says:

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"The Government shall have the right from time to time to set down an Order Paper of the Day for Committee of Supply for the purpose of dealing with Motions (other than Motions arising out of the Financial Statement on the Annual Estimates) in respect of the business of Supply.

Provided that no Order of the Day shall be set down as aforesaid on any day on which business other than Government business has precedence."

Hon. Dr. Kituyi proposes, at this stage, to move under Section 21 that debate be now

adjourned. If you really want to eat food and eat it without constipation, you must have it properly cooked. There is no debate before this House as of now. That question has not been proposed. The hon. Member must move his Motion; have it seconded; and have the Chair to propose the issue, then debate arises. It is after debate arises that you can move any Motion to adjourn the same.

You are totally out of order! Proceed.

End of G

JKK

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The Assistant Minister for Finance (Mr. Keah): Thank you, Mr. Speaker, Sir. I am sure that hon. Members will have noticed from the Supplementary Estimates, both Recurrent and Development, laid on the Table of the House on 11th April, 1995, that there are notable increases in the Recurrent and Development expenditures of some Ministries as well as substantial decreases in Development Expenditures in a number of Ministries.

I will now take a few minutes to briefly explain what I consider to be the major features of these proposals. The major increases in the Recurrent expenditure are due to the increased salaries and allowances approved by the Government for teachers as well as doctors as well the payment of medical allowances to civil servants and teachers. In addition, the Government is proposing increased allocations for payment under the Early Voluntary Retirement Scheme under the Civil Service Reform Programme so that a larger number of retirees than originally visualized can benefit during this financial year.

Mr. Speaker, Sir, I should also mention here that substantial additional provisions have also been made in almost all the Ministries for the settlement of pending bills pertaining particularly to electricity, water and telephone services.

As far as the revised Development Estimates are concerned, and as the hon. Members are aware, this year, due to a bumper harvest of maize, the Government had to make fairly substantial additional provisions for purchase of maize from the farmers with a view to maintaining farmers incentives in this key economic activity for the nation. There are also increases in the budget allocations for a number of Ministries for the settlement of pending bills and for the speedier completion of particularly donor projects.

Mr. Speaker, Sir, I need hardly mention about the effective fiscal control and deficit reduction programme which the Government is implementing the results of which are already apparent. As part of this overall fiscal strategy, development expenditures in a number of Ministries have to be reduced so that the increased requirement of funds to which I have referred to earlier can be financed within the overall programme.

Mr. Speaker, Sir, hon. Members will have ample time to debate these Supplementary Estimates when the Supplementary Appropriation Bill is presented to the House in a few days time. Finally, the Statement of Excesses, both for the financial years 1990/91 and 1991/92 had been debated by this House when the Public Accounts Committee reports for the two years were approved on the 4th of May 1994 by the House. I need, therefore, not say much more with regard to these particular two items.

Mr. Speaker, Sir, I would like to take this opportunity to mention to hon. Members that this is a Motion on Supplementary Estimates but over and above this, the Supplementary Appropriations Bill will come to the House during which time Members will have ample time to take every figure to pieces if they so wish. There should therefore be no panic that we are panic

this and that the Estimates books came only the other day.

With those remarks, I beg to move.

The Minister for Transport and Communications (Mr. Otieno): Mr. Speaker, Sir, I rise to second this Motion and take the opportunity to emphasise that we are already in the middle of April, just two months away to the end of the financial year and that early approval of the Supplementary Estimates and of course the debate that will come with the Supplementary Appropriations Bill is necessary in order that Government services may not be interrupted unduly.

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We have noticed the good benefits arising out of strict monetary and fiscal discipline that the Ministry of Finance has been able to exercise as we can see evidence in the lowering of inflation and a stable exchange rate in the economy. The liberalisation of our economy is definitely yielding good fruits. It is important to point out that in a liberalised economy, it is important for all Kenyans to realise that even reckless political statements can have an impact on the Kenyan currency. So, it is not just not what the Ministry of Finance does; it is not just the monetary discipline or the fiscal discipline that the Ministry of Finance exercises but we all do together as Kenyans versus the rest of the world will have a bearing on our exchange rates and even on other indicators like our inflation.

There is a growing tendency in the country by people who tend to cite donors; that "if this is not right, we are going to tell the donors. If you do not agree with this, we are going to appeal to the donors." I wish to appeal to our leaders that we should eradicate this donor-help-Kenya mentality and think as Kenyans who can determine their future on their own without frequently having to rush for foreign assistance even by way of interference.

We are implementing a Civil Service Reform Programme which is working very well. But apparently, again, mwananchi is taking the money and instead of investing it, they are converting what otherwise should have been savings in the national economy into consumption. Leaders should advise wananchi that those who take advantage of this facility should as much as possible try to invest those funds.

Finally, I want to say something about bouncing cheques. It seems that after so many years of Kenyans using cheques and other credit facilities, there are so many of us including some reputable leaders who will issue cheques even when they know that there is no money in their accounts and they have not made any arrangements for those cheques to be honoured by way of overdraft facilities. Maybe it is time that the Attorney-General thought of an appropriate legislation that should criminalise the bouncing of cheques so that there is adequate discipline in our monetary system. As of now there is certainly excessive abuse of the issue of cheques when there is no money.

With these few remarks, I beg to second the Motion.

(Question proposed)

End of H.

EWK

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Mr. Obwocha: Thank you, Mr. Speaker, Sir, for giving me an opportunity to contribute to this Motion. Before I start,--

Dr. Kituyi: On a point of order, Mr. Speaker, Sir. I rise on a matter that had been preliminary brought before the House, that this House is faced by a very serious responsibility, and this House is at a cross roads in terms of our reputation about our prudence in scrutinizing expenditure of public money. The amount of money being proposed in the current---

Mr. Speaker: Are you contributing?

Dr. Kituyi: No, it is a point of order.

Mr. Speaker: Then can you put it?

Dr. Kituyi: I am putting it, Mr. Speaker, Sir. I ask for your indulgence that I do keep my promises.

Mr. Speaker: I am becoming a little impatient.

Dr. Kituyi: Yes, Mr. Speaker, Sir, I agree that you are a little bit more impatient with me. It is my considered view that considering the amount of detail and research that is necessary for us to properly comprehend every item on the estimates before this House, and considering that we have not had the benefits of an Estimates Committee going over this and recommending to the Whole House before we can get into the matter within such a short period, that I am moving under the provisions of Standing Order No. 21 that the Question now which has been proposed by Mr. Speaker, be adjourned to a later date.

(Applause)

Mr. Speaker: I am sorry, you will have bad news from me, and that is the Motion that you attempt to move under Standing Order No. 21 is not applicable to the Committee of Supply, and I invite the hon. Members to peruse Standing Order No. 143 paragraph 4 which reads as follows:

"On any day upon which the Chairman is under this Order directed to put forthwith any questions, the consideration of the business of Supply shall not be anticipated by a Motion for the adjournment of the House, and no dilatory Motion shall be moved in relation to that business, and the business shall not be interrupted under any Standing Order". On any day upon which the Chairman is under this Order directed to put forthwith any questions, the consideration of the business of Supply shall not be anticipated by a Motion for the adjournment of the House, and no dilatory Motion shall be moved in relation to that business, and the business shall not be interrupted under any Standing Order."

Proceed, hon. Obwocha.

Mr. Obwocha: Mr. Speaker, Sir, that is very bad news for us. We thought we would have time to look at these Estimates because most of us got these books today. We have had a crash programme to look at what the Government is asking this House to approve, and therefore our contribution will be very limited. However, as the Minister said, we probably would have more time when the Appropriation Bill comes before this House.

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Mr. Speaker, Sir, I would like to start with the Development Estimates. The Government is asking this House to approve K£115,882,236 for development purposes. It is very surprising that out of that figure of K£115,882,236, a whole K£110,000,000 is going to the Office of the President. We know that the kind of projects that fall under the Office of the

President are very sensitive. Looking at the Estimates, one is surprised that the Office of the President is asking for K£20,000,000 which is Kshs.400,000,000 for the Kenya Airports Authority. We suppose that this is in connection with the Eldoret Airport. This is a very controversial project. The Government has not come to this House, or brought any Paper to explain and seek authority from Parliament to have this money or to have this Airport constructed at Eldoret. Right now, the existing Airports, the Jomo Kenyatta International Airport, the Mombasa Airport and the Kisumu Airport and the little ones in Malindi and so on are in very bad shape. Why is the Government rushing on this particular project when they are in the process of trying to close the Airport at Kisumu. The Government should come clean and tell this House why it is rushing on this project. It is very sad because the safety measures at our Airports have been left out and the Government is rushing to construct an Airport at Eldoret.

Mr. Speaker, Sir, I would also like to request and find out from the Government why this office wants large amounts of money. This appears on page 14 of the Recurrent Expenditure and is about the same Kenya Airports Authority. Apart from the Development Expenditure they are asking this House to approve, they have gone ahead and requested for an additional K£21,000,000, another Kshs.400,000,000. That is Kshs.800,000,000 being sought for the Kenya Airports Authority.

End I

CNJ.

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Mr. Speaker, Sir, this House is anxious to know from the Minister what this £21,893,153 that they are asking to be granted to the Kenya Airports Authority. The status of the Kenya Airports Authority as we know it at the moment, is a parastatal and there have been a lot of complaints from leaders in this country that the accounts of parastatals are not up to date. The grants that have been given to these parastatals are not being accounted for properly. We would like to know which are the latest published accounts of the Kenya Airport Authority.

Mr. Speaker, Sir, I would also like to say that there is a saving of £17 million under the Ministry of Education while at the same time, they are asking this House to approve in the Recurrent Expenditure £244 million. What an irony is this! The way the Ministry of Education is spending money voted to them for the purposes of putting our education system proper, leaves a lot to be desired. I particularly would like to refer to the grants that have been requested by the Minister to the Teachers Service Commission, which appears on page 556.

Mr. Speaker, Sir, we were told that there is a programme by the Government to reduce the number of teachers in the country. This programme has been going on for the last one or two years and it is surprising that the Government now comes to the House to request for an additional sum of £156,087,273. We know from the previous Public Accounts Reports that the grants that have been given to the Teachers Service Commission have not been accounted for up to date. These accounts are in arrears for over two years and we would like to know when these accounts would be laid on the Table of this House so that the public may know that the money that was given to the Teachers Service Commission has been fully accounted for. In this case, we are talking of money to the tune of shs.550 million.

Mr. Speaker, Sir, the Teachers Service Commission has a lot of problems at the moment. The programme of retiring teachers so that those in employment can commensurate with the number of schools and pupils that we have in the country, is not working properly. I am saying so because teachers who have so far retired under this programme have not been paid their

pension up to now. We would like to know from the Minister when these teachers are going to be paid their money. There is no point in the Minister coming to this House to request hon. Members to approve personal emoluments, house allowances and so on, when teachers who have been doing a good job have not been paid their pension.

Mr. Speaker, Sir, I am also shocked to note that in these Development Estimates, the Ministry of Health has also been listed as one of those Ministries that is saving money. Under page 212, they are giving in £7,553,038 when we are talking about lack of medicine, drugs and equipment in our hospitals. The Ministry of Health should be a little bit serious. I do not know whether the Minister for Health is in the House. It is unfortunate that all the time he has been telling us that there is no money, but in the Estimates, he is saying that they have saved so much money. This kind of a situation is not explainable and we would like to know why the Ministry of Health have saved so much money which they have returned to the Treasury, when we have no medicine, drugs and equipment in our hospitals. It is very sad indeed that we are being asked to approve money in this

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House when the same Ministry is returning money to Treasury while our people continue to die in hospitals for lack of health services.

Mr. Speaker, Sir, another thing that I would like the Minister to tell us about, is the maize safety net programme which appears on page 14 under Recurrent Expenditure. Here under Recurrent Expenditure they request for £90 million last year while this year, they are asking for £215 million, an increase of £125 million. What is all this money for when our maize farmers have not been paid for their maize? We hear that people have been given licenses to import maize into this country. We would like to know where this £125 million will be going.

Mr. Speaker, Sir, we would also like to know from the Minister for Public Works and Housing what is happening regarding the Road Rehabilitation Project. Today, roads in the entire country are in very poor condition, particularly in my district which is very rich in agriculture potential. We need good roads to be able to transport our agricultural produce and yet on page 20 of the Development Estimates, the provision for road rehabilitation programme has been reduced from £15 million to £7.6 million. We would like the Minister to tell us why this reduction has been made when our roads are in such a bad condition. Recently, the Minister for Public Works and Housing told the country that they are collecting shs.1.5 billion from the fuel maintenance levy. We would like to know where this money indicated in the Estimates in terms of Appropriations-in-Aid. They are asking for money to do A, B, C, but where are the Appropriations-in-Aid from the Fuel Maintenance Levy. We would like to know where that money is.

Mr. Speaker, Sir, I would now like to turn to the Ministry of Home Affairs and National Heritage which is---

Dr. Kituyi: On a point of order, Mr. Speaker, Sir. I stand under the provisions of Standing Orders No.143 Section 3, which provides for the possibility that the House can order the committee of supply to extend beyond one day and seek leave of the House that this Committee be so ordered to extend beyond one day.

END J.

Mr. Muite: Mr. Speaker, Sir, I stand up to second the Motion proposed by hon. Kituyi.

We need a lot of time to go through these details because a very quick look through the figures being proposed here by the Government, there can be no doubt whatsoever that there is an attempt to use this august House to approve what one would describe as being analogous to the payments that were made to Kamlesh Pattni. It would appear that last year alone, just to cite one example, Kenya Airport Authority in the Budget itself asked for K£13 million. In the Supplementary Budget, they are asking for K£20 million. Since when did the amount required in the Supplementary Budget exceed the amount in the Budget? This is a back-door way of getting this House to approve KSh.400 million for the construction of the airport at Eldoret without informing this House. When the Motion was being proposed and seconded, there was not even one word that they want this money for the Kenya Airport Authority in order to construct the airport at Eldoret.

So, we do need a lot of time and I strongly second the Motion. Thank you.

(Question proposed)

The Minister for Labour and Manpower Development (Mr. Masinde): Mr. Speaker, Sir, I rise to oppose the Motion.

It is very obvious and clear that the first Motion is here and the hon. Members are all here. They have information in the books and can look at whatever they want to talk about, oppose or support. It is also important that the Ministries must run. We would like this other Motion to be deliberated upon very freely by anybody who wishes to do so. There is time for today and let us conclude it on time today so that we give the Ministries what they require to do in order to enable the Government to continue providing its services.

On those grounds, Sir, I beg to oppose the Motion.

Mr. Kibaki: Mr. Speaker, Sir, I thought that the proposal by hon. Kituyi is a very sensible one. These papers were submitted to hon. Members only a day ago, and we are serious.

The hon. Member who has just spoken has not even read these Supplementary Estimates and yet there he is. He will be ordered how to vote and he will vote that way. Let us be fair to each other. One more day, namely, Tuesday, is not going to make the working of the Government impossible. At the end of Tuesday, the money shall be voted and nobody is opposed to that.

So, all that hon. Members are saying is that we need time to read because there was a delay in presenting these papers. This is a most reasonable thing to do and I think it would be totally unreasonable to oppose a very good proposal just for the sake of it. So, I plead that we be allowed one more day so that hon. Members can go through these Estimates and vote clearly for something that they have read. It is a reasonable request. So, I do hope that the Deputy Leader of Government Business does not really want to insist on utilising his famous whip. I think "whips" should never be used irrationally because you can break things by so doing.

So, let us have the time; just one more day and that will be adequate. I beg to support the Motion.

The Minister for Information and Broadcasting (Mr. Makau): Thank you, Mr. Speaker, Sir.

We have heard the argument that has been advanced by the Mover, Seconder and hon. Mwai Kibaki. We understand that probably some people might not have read the Supplementary Estimates. This is not the end of the matter. There is the Appropriation Bill that is coming after this. So, the question of time does not really arise. I think one day or two days for an hon. Member is enough to look into what is going to be debated. So, the question of time - having one more day - does not really arise. I am sure we can get this matter through today since there will be the Appropriation Bill and anybody will be free to speak for any number of days. He can also refer to all the details and he will have enough time.

So, I would like to oppose the extension of time.

[Mr. Speaker left the Chair]
[Mr. Deputy Speaker took the Chair]

Ms. Karua: Thank you, Mr. Deputy Speaker, Sir.

I rise in support of the Motion. It is a very well thought out Motion and all we are asking is for a little bit of more time to be able to discuss the matters before the House with full information.

Mr. Deputy Speaker, Sir, in his address while opening this House, the President did caution the hon. Members that we should not oppose each other just for the sake of it. Today, I would like to ask my colleagues on the Government side to heed the advice of the President and not to oppose this Motion just for the sake of it. All we are asking is for a little bit of more time to be able to go through the document so that we can be able to effectively articulate the views of our constituents.

Unless if there is something to hide in the Motion before the House, I before the House, I do not see what the hurry is for and why we cannot have one more day so that we understand and raise all the questions that we wish to with regards to this Motion.

Mr. Deputy Speaker, Sir, I would like to remind hon. Members that we have heard many of them state - those hon. Members who were in Sixth Parliament - that they were not aware when the money allegedly passed to pay Goldenberg was passed. We do not wish such a situation to recur and we do not also wish to pass these Supplementary Estimates in ignorance. We have already identified some areas that need greater scrutiny and we would ask our colleagues on the Government side to let this Motion continue up to Tuesday afternoon so that we can be able to point out the areas that we think the Government needs to reconsider or so that we may be able to pass this Motion with clear conscience that we are doing the best for our constituents.

With those few words, Sir, I beg to support.

(End K.)

AWN

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The Minister for Commerce and Industry (Mr. Osogo): Mr. Deputy Speaker, Sir, I stand to sympathise with the Mover of the Motion and I do not see why we should antagonise it because even what they said that certain issues have been concluded. This is a wrong reading. The K£20 million that is being requested for is explaining the Estimates as going to Moi Airport in Mombasa and it includes grants from Japan. The Government had run

short of money for constructing that airport and Japan is aiding Kenya with K£20 million which is being included in the Estimates. Starting with the fear that anything might be detected during the two days, this cannot arise because the Estimates are straight forward and I feel that the Mover should be given the two days to read the Estimates so that he explains them.

Mr. Nthenge: Mr. Deputy Speaker, Sir, when we talk of money we must remember that there is no Kenyan who is not going to be affected because whether I am in Kanu, Ford or in whichever party I choose. All the members of the public are going to be involved in public spending because we are---

The Assistant Minister of State, Office of the President (Mr. Sunkuli): On a point of order, Mr. Deputy Speaker, Sir. It would appear that the hon. Members who are contributing are now repeating themselves and would I be in order to call that the question be put to vote now?

Mr. Deputy Speaker: Mr. Nthenge, continue.

Mr. Nthenge: Mr. Deputy Speaker, Sir, what I was saying was that all Kenyans have interest in taxation and when they are taxed they are told it is for their representation in the House. So, it is we who are the custodian of their money and when we rush over these Estimates without studying them, we are not only letting ourselves down but those whose trust is on us. So, I am saying we have some scholars here, on both sides, who understand these things even better than some of us. It would be wrong to deny them the scrutiny they so badly require for the good of everybody including Members of Parliament and their constituents. Therefore, I am saying that by adding this extra day, during the Easter holidays, will help them to sit extra hours to study the Estimates and on Tuesday when we meet they will have known slightly more than what they now know. Mr. Speaker, Sir, I would again like to urge hon. Members here to know that we are hon. Members of one and the same class called Parliament. To the voters we are the same and in the same way, we should care for their interests. So, when it starts being a showdown it is not pleasing. I am begging hon. Members to forget showdowns and become friends and understand each other.

With these remarks, I beg to support that debate.

Mr. P.N. Ndwiga: Mr. Deputy Speaker, Sir, I do feel that the request by hon. Dr. Kituyi is very very reasonable. Unless there is something that the Government wants to hide, I do not see why we cannot have one extra day. I bet that even most of these Ministers have not looked at these documents. Considering the amount of money that we are required to pass in these Estimates, I think it is very reasonable that we accede to the request by hon. Dr. Kituyi. Opposing this move risks bad faith from the Government side and we are already highly suspicious that there is something that this Government is trying to hide in these Estimates.

With those few remarks, I beg to support.

Mr. Boy: On a point of order, Mr. Deputy Speaker, Sir. Would I be in order to call upon the question to be put?

L.2 - 13.04.95

The Minister of State, Office of the President (Mr. Kones): Mr. Deputy Speaker, Sir, I stand to oppose the Motion. We realise that these funds are actually needed urgently for various functions of the Government which are now almost stalled. Most Ministries are looking forward for these supplementaries to be approved so that they can start spending that money. Even if we were given another two days there is not much---

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

Mr. Deputy Speaker: Order! Order! It seems there are hon. Members who usually

stand on points of order even when there is nothing to challenge. What was that provoking violation of the Standing Orders as hon. Members will not allow the Chair to consult with the Clerk? I did not see anything so provoking in his contributions to cause all that.

Dr. Lwali-Oyondi: On a point of order, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Dr. Lwali-Oyondi, it had better be a serious point of order. You have yet to learn what is a point of order.

Dr. Lwali-Oyondi: Mr. Deputy Speaker, Sir, is the Minister in order to mislead the House that this one day we are asking for would impend the Government from using money when we know very well that money will not be used tomorrow and the following day because they are public holidays? Is he in order to mislead this House that the Government needs money very urgently.

The Minister of State, Office of the President (Mr. Kones): Hon. Oyondi is totally ignorant of what happens within the Ministries. The monies that we are asking to be voted for could be used even today, tomorrow, Saturday, Sunday, Monday and so on. We cannot let Government operations to stop just because some hon. Members were lazy to read their own books which they were given since Tuesday.

End L

JNM

M.1. - 13.04.95

Mr. Shikuku: On a point of order, Mr. Deputy Speaker, Sir. Mine is a very serious point of order. The hon. Member on the Floor is telling us things which we were told earlier on; he came in late. Would I, therefore, be in order, to move that the question be now put?

Mr. Deputy Speaker: Finish first, Mr. Kones.

The Minister of State, Office of the President (Mr. Kones): Mr. Deputy Speaker, Sir, all that I am asking is that hon. Members see the seriousness in voting this money so as to allow the Government to incur the expenditure.

With those words, I beg to oppose.

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

Mr. Deputy Speaker: Order, Mr. Mulusya! Disallowed. Yes, Dr. Kituyi.

Dr. Kituyi: Thank you very much, Mr. Deputy Speaker, Sir. First and foremost in moving this Motion I did say very clearly that there was nothing very partisan about moving a Motion that hon. Members be accorded a little more time to scrutinise documents coming before them which they are passing into law. I very much thank hon. Osogo for bringing out the point that if there is actually no real reason why the Government side should be hostile to a Motion moved by an Member of the Opposition, the Government is not seized of a responsibility to oppose for the sake of it. I am glad that in doing that he rose above the pettiness of certain people in his own group.

Mr. Shikuku: On a point of order, Mr. Deputy Speaker, Sir. First of all I must thank the hon. Member for the giving me this opportunity. Secondly, I wish to inform him and the House that we are not opposed to the Motion being debated: All that we are saying is that we should debate it today and also next Tuesday. We are not stopping any Motion from being debated. Therefore there is nothing in wrong in us using the Standing Order to increase time. That is all that we are asking for.

Dr. Kituyi: Thank you very much hon. Shikuku. I think part of our problem is a weakness in our own practice. If we had an estimates committee which was meeting regularly and presenting before the House the details of what is being brought as supplementary estimates we would not need as much time as we do now. It is interesting that an hon. Member of this

House, particularly one who is a Minister of Government, can stand up and tell the House that hon. Members are lazy and do not do their reading. I want to put it to that hon. Member that some of us definitely read much more than he is ever going to read in his life time. So, he has no possibility whatsoever of challenging and questioning our ability to read. However, because we read, we know the importance of reading every item in the estimates. We are not saying that there is something wrong, but we want to know more. We are carrying out our duties responsibly and are inviting Hon. Members on the Government side to also carry out their duties responsibly.

With those few remarks, I beg to move.

(Question put and negatived)

Hon. Members: Division! Division!

(Several hon. Members stood up in their places)

[Mr. Deputy Speaker left the Chair]

*[Mr. Speaker resumed the Chair] **End of M.***

GKI

N-1. 13.04.95

Mr. Speaker: Order! I think the number required for a Division is adequate. We will proceed to the division. The procedure is that all those who will vote aye will proceed to my right and those who will vote no proceed to my left. The Tellers for the ayes will be Mr. Farah and Mr. Falana. The Tellers for the noes will be Mr. Maore and Mr. Shidiye. Can we now proceed to voting?

End N.

PAO

O.1 - 13.04.95

DIVISION

(Question put and the House divided)

(Question carried by 46 votes to 32)

(Abstention 2)

AYES: Messrs. Achieng'-Oneko, Achola, Akumu, Aluoch, Gatabaki, Getonga, Icharia, Kapten, Mrs. Karua, Messrs. Kibaki, Dr. Kituyi, Dr. Lwali-Oyondi, Messrs Mbeo, Maoka, Mohammed, F.M, Muite, Mulusya, Munyasia, Murigu, Mutani, Mutere, Mwaura, Mwiraria,

Mrs. Ndetei, Messrs. Ndwiga, Mrs. Ngilu, Messrs Nthenge, Nyanja, Nyagah, Obwocha, Omino, Ogur, and Shikuku.

Tellers of the Ayes: Messrs. Farah and Falana

NOES: Messrs. Achuka, Angatia, Badawy, Boy, Fallana, Godana, Kalweo, Kamotho, Kamuren, Kamwithi, Kariuki, Keah,, Col. Kiluta, Messrs. Kochalle, Komora, Kones, Lotodo, F.P.L, Lotodo, J.D., Makau, Dr. Manduku, Messrs. Manoti, Masinde, Mcharo, Misoi, Mohamed, H.M, Moiben, Momanyi, Morogo, Muchilwa, Gen. Mulinge, Messrs. Mumba, Muoki, Mutiso, Nang'ole, Ndotto, Nyachae, Rev. Ommami, Dr. Lwali-Oyondi, Messrs. Rotino, Sambu, Shamalla, Shidiye, Sunkuli, Bishop Tanui, Dr. Wako, Mr. and Wetangula.

Tellers of the Noes: Messrs. Maore and Shidiye

Mr. Speaker: If there is nobody interested in speaking---

Mr. Obwocha: No, Mr. Speaker, Sir, I was on the Floor. This is very unfortunate because as I said we were having a crash programme trying to see what is in these Estimates.

O.2 - 13.04.95

Mr. Shikuku: On a point of order, Mr. Speaker, Sir. I seek your guidance on this subject. If you look at Standing Order No.143.(3) it says as follows:-

"On any day on which an Order of the Day for Committee of Supply has been set down under this Standing Order, the business of such order shall commence not later than three hours before the time for interruption of business and, unless the House otherwise orders that such business shall continue for more than one day, the Chairman shall, half an hour before the time of interruption of business forthwith put every question necessary to dispose of the Motion then under consideration and shall then forthwith put severally the questions necessary to dispose of the business of Supply under the same Order of the Day."

In view of the fact that we have not been debating since 3.30 p.m., will this still be three hours? If we adjourn at 6.30, it will just be like debating a Vote of any other Ministry. It has been the practice that if we do not get three hours to debate a vote then that day is not counted. Unless you extend the time, today will not be counted.

End of O

JKK

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Mr. Speaker: According to Standing Order No.143 the House is supposed to debate this issue for three hours. What is not provided for here, or what I have not got any guidance on from the Standing Orders is whether the debate arising out of the issue raised under Standing Order No.143(3) - extension of time -is part of this Motion. I have not had time to direct my mind to that particular issue. And because I have to consider that and give a ruling, I think the safest thing that I can do is that I will have to resort to Standing Order No.1 which provides that:-

"All matters not hereinafter expressly provided for shall be decided by Mr. Speaker."

So, for lack of assistance under Standing Order No.143, I think the only way that I can use this Standing Order No.1 is to ensure that the actual debate shall take three hours. I shall extend the time to make it exactly three hours. So, we shall not rise at 6.30 and the time taken by the Division shall be added to our ordinary time. So, to be absolutely fair, I will give one hour from 6.30. So, we shall finish at 7.30 p.m.

Mr. Obwocha: Mr. Speaker, Sir, I would like to touch on the Ministry of Home Affairs and National Heritage. I can see the Minister, hon. Lotodo, laughing but I would like to tell him that this is not a laughing matter. On page 63 of the Development Estimates book, this Ministry has requested only for an additional K£714,160; being additional funds which are required to settle pending bills. What I want to say on this is that the condition in which the staff of the Prisons Department live are pathetic. We had a chance also visit the Nairobi Remand Prison. This particular Remand Prison is accommodating--- When we went there in January it was accommodating 3,000 inmates but it was meant to accommodate 800 inmates. Some of the inmates were sleeping in the corridors. When we got a chance to go and see where the staff live, we found that they live in mud and mabati houses. We were just wondering whether this is the Kenya Government or not. The Minister is smiling and he was in prison at one time! I do not know what he is going to do about this problem.

The Minister for Home Affairs and National Heritage (Mr. Lotodo): Give me money!

Mr. Obwocha: He is asking me to give him money but I do not have money. He is sitting next to the Assistant Minister for Finance!

Mr. Speaker, Sir, we would like to request that in future the Ministry of Home Affairs and National Heritage should be the first one to ask for money so that it can improve the living conditions of staff and inmates. We interviewed some of the inmates in that Remand Prison and we discovered that they have problems with the courts; arising from adjournments. For example there is a court in Kikuyu which keeps on adjourning cases whenever accused persons are taken there. Some of the inmates have been in remand for two years. This is a deplorable situation.

Mr. Speaker, Sir, I do not want to take much time, but I would like to say that the issue of settlement of pending bills has been a major problem. The Government is not serious about this issue. Members of the public continue to supply goods to Government institutions but the Government does not settle these bills. This Government has turned its own citizens into beggars. Some of the people who had money to start businesses have run out business because the Government is not paying them for the services they give to Government

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institutions and departments. I have a particular example where a farmer who is supplying milk to Nyamira District Hospital has not been paid for the last two years. How do you expect him to continue supplying this milk without payment? His cattle need cattle feeds. The farmer needs a lot of money to keep him in business. We expect the Government to be more serious than that.

Mr. Speaker, Sir, we would also like the Minister for Agriculture, Livestock Development and Marketing and the Minister for Commerce and Industry to tell us how far the liberalisation process has gone. What have we achieved so far and what bottlenecks are there? Although the World Bank, the IMF and ourselves have been saying this is a good thing, our economy is not as developed as the economies of the developed countries. We are a Third World country. So, we would like to know how far this policy has succeeded in this country.

Mr. Speaker, Sir, looking at the Development Estimates, we also wish to condemn the

policy of single sourcing of projects in Government. This is because this single sourcing of projects has led to money getting lost; it has led to corruption. We have been discussing cases where the Government paid for goods that had not been supplied. That was as a result of this single sourcing policy.

We would like the Government, Mr. Speaker, Sir, to tell us more about what they refer to as the second generation of identity cards. This one appears on page---

QUORUM

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

Mr. Speaker: Is that the correct position?

(Several hon. Members stood up in their places)

Order! Order! I have not said there is no quorum. Until I declare there is no quorum the House is in order. The Clerk at the Table will count the Members and let me know whether there is a quorum.

(The Clerk at the Table counted the Members)

I am informed that we have a quorum. Proceed, Mr. Obwocha.

Hon. Members: Shame! Shame!

Mr. Obwocha: Mr. Speaker, Sir, definitely, most Members have left the Chamber because they have little to contribute to this Motion because they have not had time to look at these Estimates. I would like the Government to tell us what this second generation of national identity means. The item appears on page 5 of the Development Estimates.

End of P.

EWK

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There are many young people in this country who need Identity Cards but up to now, the Government has not supplied them. They are not serious about this exercise.

The Minister of State, Office of the President (Mr. Kalweo): What do you mean?

Mr. Speaker, Sir, I have a heckler here in the name of a Minister called Kalweo, and he has not given our people Identity Cards. We would like the Identity Cards to be given to the young people of this country. It is their right, and they are not begging for it. They should be given these Identity Cards, and not to wait until the Elections time and then run around to give them out. We are demanding for them.

Mr. Speaker, Sir, to finish, the Secunder said that---

QUORUM

Mr. Munyasia: On a point of order, Mr. Speaker, Sir. There was no Quorum and there is no Quorum!

(Laughter)

Mr. Speaker: What is the position, Mr. Clerk?

*(The Clerk-at-the Table informed the Speaker
that there were only 22 members)*

Mr. Speaker: I am informed there are only 22 hon. Members. Therefore, there is no quorum. Ring the Division Bell.

(The Division Bell was rung)

Mr. Speaker: Order! Now we have a Quorum. Mr. Obwocha, carry on.

Mr. Obwocha: Mr. Speaker, Sir, I was saying that the Seconder to this Motion talked about bouncing cheques. It is not a surprise because bouncing cheques in law is a crime. I do not know why the Minister was saying that action should be taken when, if you give a cheque that you know there are no sufficient funds, you are committing a crime. I can hear lawyers telling me---

Dr. Lwali-Oyondi: On a point of order, Mr. Speaker, Sir. I think my hon. friend is not informing us quite correctly. When you give a crossed cheque and it bounces, there is no crime in that. It is only in cash cheques where it is a crime. Is he in order to keep on misleading the House?

Mr. Obwocha: Mr. Speaker, Sir, I am trying to say that the Government is not doing reconciliations of its accounts. They do not know which cheques are outstanding and they do not know which cheques have bounced. So, it is up to the Government to put their accounts in order. Instead of the Minister asking us to assist him in this question of bouncing cheques, should do reconciliations of the accounts and follow up these things in Government.

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Overall, we would like to appeal that development should be distributed evenly in the country. We know two wrongs do not make a right. If there was the previous Government that centred development in one area, it does not mean that to correct that evil is to centralise or direct this other development to another area. Mr. Speaker, Sir, we are asking that developments be evenly distributed in the country so that the people of this nation get their fair share of the national cake.

Mr. Speaker, Sir, when it comes to plundering the resources of this country, the Government is asking us to approve these things, and yet issues that have come here, for example, this amendment they brought throughout the Supplementary Estimates on approving the payment to Goldenberg, they line up evidence from A to Z that this happened very well, it was covered this way, they present documents and then they make a turn about and say, "Look, we are sorry these things never happened". Anyway, we have now thrown that nyang'au to the Government. You are the people who started the Goldenberg saga and have it again. With those very few remarks, I beg to support.

End Q

CNJ.

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[The Speaker left the Chair]

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

The Minister for Information and Broadcasting (Mr. Makau) Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me the chance to contribute to this Motion which is very straightforward. This Motion is calling upon us to approve this years supplementary estimates so that the services that cannot be paid for can be made so that the Government can continue to give services to wananchi.

Mr. Temporary Deputy Speaker, Sir, allow me first to pay a glowing tribute to the Minister for Finance and his Staff for the way they managed the economic reforms in this country since 1993. We are discussing finance under this Motion and one of the things that we should be proud of is that the financial management that has been undertaken by the Ministry of Finance has resulted into a drop in our national inflation to one digit. These reforms have also influenced the positive growth in our economy. As the implementation of economic reforms is going on, there is need for the Minister for Finance to continue evaluating the impact of these reforms. We know that the social dimensions of development have looked into all these things, but there is need for periodic evaluation of the economic reforms that we are implementing.

Mr. Speaker, Sir, the removal of import control has resulted into a lot of negative effect in our economic growth. The importation of agricultural products into this country has resulted into a lot of suffering when it comes to the farming industry in this country. Kenya is an agricultural country as we all know and agriculture is the backbone of our economy. Therefore any excessive importation of agricultural products into this country, is affecting not only the farmer but the entire agro-industry in this country. So, we are very happy that the Minister for Agriculture has put a notice in the Kenya Gazette saying that there should be no importation of agricultural products into this country. This Gazette notice should be seen to be working so that we do not hear any more of ships in Mombasa carrying imported products into this country. I am saying this because the sugar industry in this country has been affected. Therefore, this is an area that should be looked into seriously.

Having said that, I would like to say that this Motion is extremely important in that services for various Ministries which have almost been coming into a standstill, will not be revived. When it comes to the Ministry of Information and Broadcasting, we are looking forward to the approval of these supplementary estimates to enable us to continue giving the services to wananchi. The Kenya News Agency under the Directorate of Information would like to continue gathering and disseminating information. There is the need, therefore, for vehicles to be available, for the telephone to be functioning and so on to ensure that the 70 Kenya News Agency Stations throughout the country, would be in working order so that our people can be properly informed, educated and entertained.

Mr. Temporary Deputy Speaker, Sir, the Kenya Institute of Mass Communication where the majority of the members of the Press Gallery went for training, offers the best training for mass

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communication in the world. This institute needs money to continue with training students and that is why I am supporting this Motion to enable us to do so.

Mr. Temporary Deputy Speaker, Sir, allow me to say that Kenya has one of the best professionally trained journalists who can fit anywhere in the world. These professionals are the graduates of the Kenya Institute of Mass Communication. I would therefore like to take this opportunity to urge our journalists to continue being as professional and patriotic as they have been. I would like to correct an impression that was created by the Nation and the Standard when I announced that the foreign correspondence association which had written some articles

portraying the wrong image for Kenya. This was a normal correction in the profession and I am glad to let the Kenyans know through the Press that those corrections have been done by the Times Magazine and the Washington Post. They also did apologize for the wrong impression that they had created. I would like to appeal to the foreign bureau based in the international press centre to employ more Kenya journalists. We know they have already employed some and we appreciate this fact. The Chairman of the Foreign Correspondence Association is a Kenyan who is very competent and can work anywhere in the world.

With those few remarks, I beg to support.

END R.

Dr. Lwali-Oyondi: Thank you very much Mr. Temporary Deputy Speaker Sir. We have been pressed by the KANU hawks to have this Motion not postponed although many of them have not read ---

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): On a point of order, Mr. Temporary Deputy Speaker. I have never known that in Parliament, we do have KANU hawks. I thought that we have hon. Members of Parliament. Is Dr. Lwali in order to impute improper motives on hon. Members of this House, particularly those ones on the Government side? Can he be asked to withdraw and apologise?

The Temporary Deputy Speaker (Mr. Wetangula): Dr. Lwali, I know you as a very decent person and you know there are only hon. Members in this House. We do not have any hawks or doves in this House. Can you withdraw and apologise to the House?

Dr. Lwali-Oyondi: Mr. Temporary Deputy Speaker, Sir, I will withdraw the word "hawks" and apologise. Let me put it this way; there are Members of Parliament who support KANU. They have forced us, and we have put it on record to identify those who support wananchi and those who go against wananchi. It is on record for posterity to read. I also know that many of my friends on that side have never looked at these things because you cannot do it in a day. Therefore, these hon. Members are mechanical and they are not serving wananchi but their pockets.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I wish to go to the point ---

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to allege that we are not serving the people but our pockets? Can he substantiate?

Dr. Lwali-Oyondi: Mr. Temporary Deputy Speaker, Sir, that is my opinion and I need not substantiate.

From the little perusal that I have done, these estimates have quite a few questions. This is money coming from wananchi. I wish also to correct the impression created by hon. Kones that the Government cannot go on without this Motion having been passed today because, they have already used the money anyway. In fact, they have finished it and these are only figures which we have to stamp. But all the same, we have the right and we are the representatives of the people. We ought to know how every Motion, Bill and everything that ---

The Minister for Education (Mr. Kamotho): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member really in order to mislead this nation that the money that is being asked for now has already been spent and that the Government is trying to use this House as a rubber-stamp?

Dr. Lwali-Oyondi: Mr. Temporary Deputy Speaker, Sir, I can prove that by the over-expenditure in all the books that we look at. Even the Public Accounts Committee has been pointing out that the Government has been using money which has not even been passed by this House. Therefore, Mr. Kamotho is just questioning the obvious and I do not need to substantiate the obvious.

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The Minister, in his introduction, commented that the salaries and allowances for the teachers and the doctors have been increased. This is okay, but the doctors wanted to have an associations. The Government stubbornly refused to negotiate with them and there was a strike for a long time, during which time many of our Kenyan citizens lost their lives because there

were no doctors to attend to them. Why could the Government not talk to the doctors? Among these doctors are some of the most learned and cleverest people we have in Kenya who look after our lives. Why could the Government not have the courtesy to talk to them, negotiate and have their union registered, then give them a salary that is commensurate to the work they do? If you refuse a doctor a salary, he will engage in private practice which will earn him a lot of money per day. The question of competing with them is not wise. This was just a question of pride. We ought to put our pride down and talk to our own people who are taking part in making our lives to be what they are. Presently, because of this demoralisation, many of our patients have to be sent overseas and we, Members of Parliament, have, from time to time, keep on trying to get money through harambee to sent people either to overseas or to private hospitals at astronomical fees. For example, there are many wananchi who want to undergo operations and who need money. Among these are old women who have never even seen Kshs2,000 in their lives and the doctors charge them more than Kshs6,000 and even Kshs20,000 for operations. These operations used to be done in Kenyatta National Hospital more or less free of charge. All these are a result of misusing our resources. Therefore, it is high time we put our heads together again and tried to put our medical services in order by simply paying a doctor about Kshs40,000. If you do this, you will have a doctor who is interested in his job because most doctors know very well that a place like Kenyatta National Hospital has got a lot of facilities and if they would like to further their expertise, in medical practice, then that is the best place for them.

Mr. Temporary Deputy Speaker, Sir, an hon. Member raised a point about the maize purchases which the Minister talked about. He will have to tell us where this huge amount of money has gone to and yet our farmers have not been paid. We have what they call Civil Service Reform Programme. This is one place where the Government will have to be very clear because there are many wananchi who have applied for this golden handshake and, as I gather, the lowest amount that should be paid is Kshs100,000. Unfortunately, most of the civil servants who are going away are being given Kshs60,000. This money came from the World Bank if I am not wrong, and it was to be given whole. The Government is retaining Kshs40,000 and when the civil servants ask about it, they are told that it is for training purposes. Where is the institution for training? Why should you charge somebody Kshs40,000 for an imaginary training which will never happen? Why do you not give this poor man Kshs100,000 which, in all practical purposes, cannot be sufficient for any other business apart from a kiosk? At the same time, when people in Nakuru put up kiosks, they ---

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QUORUM

Mr. Shikuku: On a point of order, Mr. Temporary Deputy Speaker, Sir. While I hate to interrupt the hon. speaker on the Floor of the House, the Standing Orders are not being complied with, particularly Standing Order No. 24. There is no quorum.

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Shikuku, why do you not just say there is no quorum? I think that is what you want to say. Alright, ring the Division Bell.

(The Division Bell was rung)

End S.

Mr. Temporary Deputy Speaker (Mr. Wetangula): We have a Quorum now. Proceed Dr. Lwali-Oyondi.

Dr. Lwali-Oyondi: So, those small kiosks that are put up are usually licensed. What happens is that the district commissioner (DC) and his Administration Police come in the middle of the night, steal all that is inside the kiosks and then demolish them. I do not know what we are talking about when we say that we want our people to go ahead. They do not---

The Assistant Minister for Finance (Mr. Keah): On a point of order, Mr. Temporary Deputy Speaker, Sir. This is an honourable House and we do not use the word "steal" here. Is he really in order to say that the DCs and the Administration Police go during the night to steal things in the kiosks? He must withdraw and apologise to this House.

Dr. Lwali-Oyondi: Mr. Temporary Deputy Speaker, Sir, I can substantiate that fact. Secondly, the word "stealing" is not used against an hon. Member of this House. I am using it against those people outside there who molest wananchi and steal their goods and then after that render them poor. Some people are fascinated by letting other people get poor. There was somebody here---

The Assistant Minister for Finance (Mr. Keah): I would like the hon. Dr. Lwali-Oyondi to substantiate his remarks, that DCs steal. He may have one DC in mind who is doing that but not all DCs doing that. These are the DCs of this Republic of Kenya. Is it true that at night the DCs go to steal from kiosks? I want him to substantiate that.

Dr. Lwali-Oyondi: Okay, I can do that if the Assistant Minister wants it.

Mr. Temporary Deputy Speaker (Mr. Wetangula): Not if the Assistant Minister wants, the House wants it.

Dr. Lwali-Oyondi: First of all, in Nakuru about 600 kiosks were demolished under the command of the DC using 400 policemen and I have got---

Mr. Temporary Deputy Speaker (Mr. Wetangula): He is quarrelling with your allegation that Dcs go in the night and steal from the kiosks. That is what he wants you to substantiate.

Dr. Lwali-Oyondi: Yes, the point is this. Before they demolished these kiosks first of all they had a Ministry of Public Works's lorry in which they carefully put the eggs from the kiosks they took away all the bananas, everything there, biscuits and so on and the Press is my witness. In the morning when those kiosks had been flattened with a Caterpillar there was not even one egg or a bottle of soda broken. They were all stolen.

The Assistant Minister for Finance (Mr. Keah): Mr. Temporary Deputy Speaker, Sir, I think you helped me by explaining to hon. Dr. Lwali-Oyondi that my contention is that it is the Dcs and the Administration Police how went to steal or do steal from the kiosks during the night.

There are many Dcs in Kenya. Do we condemn all the Dcs? I want him to substantiate that on a such a such a date the Dc for Kilifi---

Mr. Temporary Deputy Speaker (Mr. Wetangula): You have made your point.

The Assistant Minister for Finance (Mr. Keah): Thank you, Mr. Temporary Deputy Speaker, Sir.

Mr. Temporary Deputy Speaker (Mr. Wetangula): Dr. Lwali-Oyondi, you are presumed to be responsible with the accuracy of any facts you allege to be true. You will have to substantiate or withdraw.

Dr. Lwali-Oyondi: Mr. Temporary Deputy Speaker, Sir, I do not need to withdraw that because it is so common. I have cited the example of Nakuru. If the Assistant Minister could only be patient with me I was just citing Nakuru first then I want to go to his own province, Coast. If he has not known that kiosks have been demolished in the night then I do not see why he is here and he comes from Coast Province.

The Assistant Minister for Finance (Mr. Keah): I come from Kilifi.

Dr. Lwali-Oyondi: So, that is Coast Province and Mombasa is the headquarters of your Province. The Dc demolished these kiosks. The Dc demolished kiosks in Kisumu. If he has not been reading this, I do not know what he is doing. That is why we are proving that these Ministers are only minding their own things and not what wananchi are suffering from. I will proceed.

The Assistant Minister for Finance (Mr. Keah): On a point of order, Sir. Dr. Lwali-Oyondi has not proven the fact that he has stated here in this House. He has not done so because he has only mentioned Nakuru, Mombasa and Kisumu. There are over 60 districts in this country. We cannot condemn all the Dcs in Kenya. It would be wrong and, therefore, I am not satisfied with that answer.

Dr. Lwali-Oyondi: Mr. Temporary Deputy, Spear, Sir, the Assistant Minister is suffering from one problem---

(Hon. Anyona and hon. Shikuku stood on points of information)

Mr. Temporary Deputy Speaker (Mr. Wetangula): From whom do you want the information; hon. Anyona or hon. Shikuku?

Dr. Lwali-Oyondi: I want the information from hon. Anyona.

Mr. Anyona: Mr. Temporary Deputy Speaker, Sir, the point raised by the hon. Dr. Lwali-Oyondi is valid more than a 100 per cent. He has mentioned the Dc of Nakuru. I can tell the House that the Dc of Kisii District and the Dc of Nyamira District just to mention those Dcs from where I come from, have also been busy demolishing kiosks of poor Kenyans.

Mr. Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Shikuku. Hon. Anyona and those who are speaking on this issue. The issue is not whether the Dc demolished kiosks or not, the contention is that Dr. Lwali-Oyondi stated categorically that the Dcs go in the night and steal before they go back to demolish the kiosks. That is what he has been challenged to substantiate.

Mr. Anyona: It is true that in the process of demolition both before and during and even after they steal. Wananchi are crying. It is true.

Dr. Lwali-Oyondi: Mr. Temporary Deputy Speaker, Sir, may I continue with my contribution.

The Assistant Minister, Office of the President (Mr. Sunkuli): On a point of order, Mr. Temporary Deputy Speaker, Sir. With respect to what hon. Anyona has said, I think he has also missed the point because hon. Dr. Lwali-Oyondi has categorically stated that the reasons why the kiosks are demolished is because prior to demolition theft has already taken place and hon. Anyona is talking about theft in the process of demolition by persons other the district commissioners.

Mr. Anyona: The hon. Members is misleading the House. I said the stealing takes place before, during and after.

Mr. Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Members. That is really a side show and I will not let it derail the debate that is so important.

Dr. Lwali-Oyondi: Thank you, very much Mr. Temporary Deputy Speaker, sir for protecting me because in the English language when we are more than two---

Mr. Temporary Deputy Speaker (Mr. Wetangula): That matter is not part of these Estimates. Whether Dcs are stealing or demolishing kiosks is not part of these Estimates.

Dr. Lwali-Oyondi: I just wanted to get the correct form of my statement that when we have more than one Dc in the English language they becomes DCs and not DC.

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

Mr. Temporary Deputy Speaker (Mr. Wetangula): I have closed that chapter if that is what you want to talk about. Do you want to speak on the issue of Dcs and kiosks?

Mr. Falana: There is a new development, Mr. Temporary Deputy Speaker, Sir.

Mr. Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Falana. The Chair only recognises Dr. Lwali-Oyondi as the one on the Floor.

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Dr. Lwali-Oyondi: Mr. Temporary Deputy Speaker, Sir, nowadays I happen to know very much about the Ministry of Home Affairs and National Heritage. This Ministry is in a lot of trouble, more so the Prisons Department which I had a very close look at. Prison warders are in a lot of mess. For one, they do not have uniform. When prisoners are taken to court they are handcuffed to the miserable warders, most of whose shoe soles are broken into two pieces and uniforms have patches all over. I pitied those people because they are worse off than prisoners. It is good that the Minister himself is around. These are civil servants who ought to be given uniforms so that they look neat. When I was entering the prison I saw that the national flag flying over its buildings was in tatters - it was a mini sort of flag. If one has to ever abuse his country the worst way of doing so is by flying a tattered national flag. On one side there was the neat Prisons Department flag and on the other side was this tattered national flag. Inside the prison I saw that the wardens, some of whom are married, share a room, which they divide between themselves using curtains. In some cases married officers share rooms with bachelors and yet the married officers are at times on night duty. I leave what may happen at such times, when the married officer is on night duty and the bachellor is in the shared room with the other officer's wife, to the imagination of hon. Members.

Again, water has been a problem in Nakuru, though I understand that the supply has now improved a little bit. There was a time we had no water and yet the prison has flush toilets, just like the ones we have here in Parliament. If you have no water in a block with 300 people and which has only three toilets you can imagine the situation in the morning. That is why sometimes prisoners have to save urine for use in flushing the toilets. This happens although somebody was trying to argue against it. People are dying in our prisons and the Minister cannot deny it. Six or seven people are put in one cell. People are so close together that they look like piled up school chairs. The result is that so much heat is generated by human bodies that people are sweating throughout. As a result of this, there is a lot of diarrhoea. There is also food poisoning and other diseases like typhoid, cholera, not to mention AIDS. Due to this closeness of human bodies there is a lot of scabies in our prisons - prisoners are scratching themselves

throughout. We were fortunate that we were put three in one cell. I would like to take this opportunity to thank the Minister because while we were there new blankets and 3-inch mattresses were supplied to the Nakuru Prison. One 3-inch mattress is given to three people so that if a cell has six people they can join the two mattresses together. In this way at least somebody's body up to the waist is on a mattress while the legs will be elsewhere.

That was a little bit of an improvement, but food in prison is deliberately poorly cooked. This is why when I was there people thought I had high blood pressure - I will never have it. As far as I know I had low blood pressure because of extreme dysentery which dehydrated me. Again, in my block over 270 people, including me, were poisoned in one night, though it appeared as if only Members of Parliament were poisoned. In fact, I was taken to hospital with another inmate who was so sick that he was unconscious. Fortunately he survived.

Now, as for the police, and particularly, CID officers, they are wasting a lot of money. For example, cells in Nakuru, particularly those in the Railways police, were empty at one time because suspects had been taken to various places. I was taken to Rongai while my colleague was taken to Eldama Ravine in a Pajero car; another one was taken to

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Mogotio. Since a car was being used to transport each one around those places this was a waste of

public funds. How important had we become suddenly so that we could be taken to various upcountry police stations when we had more than enough security in the original cell? If you reported a crime to the regular police at that time they would have told that they did not have petrol and so they could not reach the scene of crime. But they are always ready to reach places where illicit beer exists. Holding pombe seems to be a more dangerous crime than murder.

Mr. Temporary Deputy Speaker, Sir, let me say what is happening in Nakuru in this same Ministry. The police are molesting wananchi deliberately. The idea is to depopulate Nakuru Town. A corollary to that is the fact that identity cards are not being given in Nakuru. People are being told to go and get the cards from Kiambu, Murang'a or Western Kenya so that after that you can be told that you do not belong to Rift Valley Province. This is politically dirty and I wish---

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The Assistant Minister of State, Office of the President (Mr. Sunkuli): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is hon. Dr. Lwali-Oyondi not misleading the House by saying that the Government has an intention of depopulating Nakuru Town and that the Government is politically refusing to give people Identify Cards in Nakuru when he knows that, in fact, the Government is adhering to the principle that persons must be registered at their place of residence and that he has been party to the importation of persons who deliberately want to be registered in Nakuru while they do not reside there?

Dr. Lwali-Oyondi: Mr. Temporary Deputy Speaker, Sir, I will ignore that. That hon. Member who, I understand, used to be a magistrate must have imprisoned a lot of innocent people.

What I am speaking about---

The Assistant Minister for Agriculture, Livestock Development and Marketing (Mr. Maundu): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is hon. Dr. Lwali in order to impute improper motives on a very hon. friend?

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Maundu, what is the improper motive?

The Assistant Minister for Agriculture, Livestock Development and Marketing (Mr. Maundu): He is saying that hon. Sunkuli was an unjust magistrate.

The Temporary Deputy Speaker (Mr. Wetangula): If that is your understanding, then it is unfortunate.

The Assistant Minister of State, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, the words that hon. Dr. Lwali used are that "I imprisoned innocent people".

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Sunkuli. I do not see why you should take issue with that. He said you have imprisoned a lot of innocent people. You may have not!

Dr. Lwali-Oyondi: Thank you very much, Mr. Temporary Deputy Speaker, Sir. Our people are not getting ID cards. The people born there, whose fathers and grand fathers have lived there are not being registered. In any case, the House has been informed that our offices for registration were closed down, therefore, whether you were born there or not, you cannot be registered at the moment. However, there are certain people who are still being registered and if you can "toa kitu kidogo", you will get registered. This is common knowledge and I think it is something that needs to be rectified. We are bringing to the attention of the Minister that we ought to have this money given to you so that you can register everybody who is supposed to be registered. There are no ID cards being issued, but whenever there is a search, the police want you to have your ID card and when you do not have one, you are taken to the police station and later on, you are taken to court where you are fined by the magistrate. This is wrongly done because they know you cannot make your own ID card, yet they fine you for not having one.

A few days ago, a chief was killed in my constituency. First of all, he had been beaten up by KANU youth-wingers. I had to come to his aid when the former KANU chairman instructed his people to beat him up. Two chiefs in my constituency have been beaten up by KANU youth-wingers. After they had finished beating up the Opposition, they started beating up not only the ordinary KANU fellows but also the chiefs who are serving KANU there. This time, one of the chiefs has been killed and because of that, I understand over 500 people have been arrested for that one murder. Five hundred people cannot kill one

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chief. We should use proper methods to look for those people who commit such crimes instead of going wholesale and screening everybody and subjecting everybody to suffering. There is too much of intrusion into houses in Nakuru. Our money is not meant for that. Our money is meant to protect the people but not to molest them.

Mr. Temporary Deputy Speaker, Sir, I have seen a lot of increase in the Estimates because of House allowances. There are reasons given here. We are going to be in a lot of trouble. This Government and other future governments will be in a lot of trouble because senior civil servants are being ejected from their houses and these houses are being sold to certain politically right individuals. In Nakuru, doctors have been thrown out of their houses because some mysterious men have bought the houses. Usually, almost immediately, these individuals sell these houses to Asians. May I take this opportunity to tell our Asian brothers

that they should not be the perpetrators of corruption. There is no way you will fold Government land and put it in your brief-case and run away with it. It does not matter if you put a dynamite there and it blows a big hole in that land because we can always fill it up with murrum and then build on it. These houses are being taken away in an unorthodox manner which is not prescribed by Government regulations and this is causing a lot of suffering to civil servants. These houses will eventually be recovered at one point. May I take this opportunity to say that the Ministry of Lands and Settlements is now being run by people who are worse than the Governors of the Central Bank. They can issue a title deed within one day, probably under a fake name and immediately, such a Government plot is sold to an Asian at a very high price. Why should a government of the people condone corruption and theft of such magnitude? Now, when you stand on public platforms at various rally centres and say you are serving the people, do you think those people are fools? This is one thing to which I wish to draw the attention of the House. I would also like to mention that there is no Kenyan who is a fool. They are all listening. They listen to the radio, read newspapers and communicate among themselves. They are the ones who give us these ideas. We, as Members of Parliament, do not know much. We get these from the ---

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is hon. Dr. Lwali-Oyondi in order to tell us that there are no Kenyans who are fools? When were Kenyans fools? Can he substantiate that?

Dr. Lwali-Oyondi: I will ignore that with the contempt that it deserves!

Mr. Temporary Deputy Speaker, Sir, how shall we pay for these houses that have been taken away? The Minister will have to tell us how we shall house the Permanent Secretaries and the District Commissioners whose houses have been taken away.

End V.

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How can we have policemen who have no houses? The Ministry for Public Works and Housing is saying that they will rent houses. The houses that have been in Kileleshwa in Nairobi have been sold to private people. Even some houses in Nakuru and other towns have also been sold. These houses are being sold at throw-away prices. Subsequently the Government is going to rent houses for KShs.30,000 or 40,000 per month. How will that happen? As a result all the money that is collected in this country is going to be used for Recurrent Expenditure instead of being used on development.

Mr. Temporary Deputy Speaker, Sir, it is high time that these mis-deeds were stopped. While some people are enjoying these fruits of Independence, as they call them, I can tell you they are going for a "high jump". The high jump will not only affect them, but their children as well. With regard to the Asians who are acquiring those properties, one day they will have to return them because as I have said before, you cannot fold a ground and get off with it. Land does not deteriorate. Land cannot be written off, neither can it be boarded like a Land Rover or like an old GK vehicle. We are all aware that land appreciates. A piece of land that used to cost KShs.1 million last year, today is going for KShs.2 million. Therefore, it is untrue and completely illogical for the Government to tell us "you see this house has become obsolete". How come those who have bought these houses do not demolish them? They just live in them comfortably. If they are really obsolete, the best solution is to demolish them and tell the Ministry of Works and Housing to put up new buildings. In this way, the Government will not

lose anything. The excuses that the Government is giving are hollow. We in the Opposition, are keenly studying these moves. We do not sleep. I wake up at 3.00 p.m to study these supplementary estimates. We shall always know when civil servants or certain politicians have stolen public funds.

Mr. Temporary Deputy Speaker, Sir, we are causing desertification. The forests in Molo, like Ndoinet forest are being sub-divided and given to "the politically correct people". Soon we shall have no water catchments. There is one Minister here who caused clashes because he wanted to protect a certain water catchment. Instead of taking the normal legal methods of evicting people, he commanded his tribesmen to spear those people with arrows. These people went scot free and funny enough the Government condoned that. You will be judged one day. Forests in the same area are being sub-divided and given to certain individuals.

This is not happening in the particular Minister's area, but in many other areas. We have seen a lot of forests being gazetted for sub-division. I hope the Minister will protect the *kayas* at the Coast which have got some medicinal values. Some people there even use some of these trees for religious rituals. I hope they have not already been sub-divided and given to Kanu hawks. In my area, this sub-division is going on and may I quote a Swahili saying that: "unapomuona mwenzako ananyolewa, weka maji" Sisi tunanyolewa huko, wewe weka maji.

Mr. Temporary Deputy Speaker, Sir, there is a bit of "shaving" of forests with razor blade on the other side.

Mr. Temporary Deputy Speaker (Mr. Wetangula): Hon. Lwali-Oyondi, address the Chair, why are you addressing Dr. Misoi?

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Dr. Lwali-Oyondi: Mr. Temporary Deputy Speaker, Sir, I am addressing him through you. There is a lot of "shaving" of forests in upcountry and the Coast people, with their beautiful forests of mangroves *etcetera* should start putting soap on their heads the "shaving" is being done by razor blades and without soap, it can really be painful. Those are the things that we should look at and those some of the points that can save our country.

Mr. Temporary Deputy Speaker, Sir, the Central Firearms Bureau which is also mentioned here seems to serve only Kanu people. Whenever a person crosses over to the Opposition, his gun is taken away from him.

Mr. Sunkuli: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is Dr. Lwali-Oyondi really in order to say that when hon. Members cross over to the Opposition their guns are taken away from them. Is he in order to say that when in fact quite a number of Opposition hon. Members own guns?

Dr. Lwali-Oyondi: Mr. Temporary Deputy Speaker, Sir, I have hon. Members here whose guns have been taken away. Though they have never misused them like the administration police are doing and yet they retain their G3s. We have as yet to see an hon. Member from the Opposition being accused of shooting anybody. People should be free to own guns, although myself I do not need any and I do not even need an arrow. If hon. Members should own guns, then this right should be extended to cover all hon. Members whether in Kanu or Opposition. I feel they should be allowed to own guns because immediately you become a Member of Parliament, you are representing people and more or less you may have enemies and if you think you are safe with a gun, then you should be allowed to have one. Although I know of people who were in this House and who died while in possession of guns but they never fired back. Somebody was shot dead recently when he had five guns and he never used them. Another hon. Member, who had three guns in his car had all of them snatched from him and he

never even used any of them. So to me guns do not really help. But for those who believe they are safe with them, let them have them. I am trying to emphasise here that there should be no discrimination in the issuing of permits for the ownership of guns for hon. Members and even for any ordinary mwananchi.

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Mr. Temporary Deputy Speaker, Sir, the Vehicle Inspection Unit has been mentioned here. The police on the roads are spending most of the time asking for bribes. They are not interesting in looking after safety on the roads. Most Members of Parliament are always on the road and they see cars, both big and small, smoking away on the roads. You cannot even overtake them because you cannot see far because of the smoke they emit. Traffic police officers must make sure that we do not pollute our air. Already Nairobi is very polluted. Very soon Nairobi residents will be suffering from chest infections because the air in the City is very polluted. You cannot drive with your windows open because there is pollution. But this pollution could be reduced if the police made sure that diesel cars and diesel lorries have their engines serviced to ensure that they do not emit too much smoke.

On State Lodges, I would like to say that there are too many of them. These State Lodges are a waste of money because the President does not sleep there. Even if he did, there is no need of having a State Lodge in Kisumu, another one in Kakamega and another one in Eldoret. In fact the President drives Mercedes Benz 600 which can move from Kakamega to Kisumu within ten or 20 minutes. So, we do not need to have such expensive when we have lodges scattered all over the place and only bats, not the President, sleep in them. Therefore we ought to reduce expenditure on these State Lodges. This is an austerity measure. We have a State Lodge in Sagana. I do not know whether the President has ever been to Sagana. Sagana is just next to Nairobi and there is a dual-carriageway. So, why have a State Lodge there? We also have the military Buffalo transport plane which can land almost anywhere and the President uses it. Why can he not use it all the time instead of wasting all this money. This money should taken from these Lodges and given to primary schools to buy books instead of having ghosts sleeping in those State Lodges.

With those few remarks, I beg to support.

Rev. Ommani: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. I am contributing in support of the Motion. This is because we need money to implement the projects that we need to implement. I just want to say that national cake should be shared equally so that all areas of this country get something small.

Mr. Temporary Deputy Speaker, Sir, I think the Ministry of Public Works and Housing has failed us in the past. We have so many impassable roads in some areas of this country. For example there is a road from Kakamega through Nambacha to Bungoma. A Motion was moved in this House in connection with that road. So many Questions have been asked in this House about that road. Wananchi in Bunyala and Bungoma are unable to communicate well with the towns of Bungoma and Kakamega without this road.

An Hon. Member: Are they KANU supporters?

Rev. Ommani: Yes. I am in KANU. So, if I am in KANU they are also in KANU! The national cake does belongs neither to KANU nor the Opposition. This is because Kenya is one nation. We vote money here but the Ministry of Public Works and Housing Keeps on saying there is no money. Where does that money go? We want that money to reach the areas where it is needed. The Ministry should repair and maintain our roads.

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On the Ministry of Local Government, I would like to say that instead of that Ministry encouraging small scale traders and jua kali vegetable hawkers, they are discouraging them. This they do in the sense that they have imposed a daily charge of KShs.30/- per woman who

comes to sell vegetables in the market. There are large scale traders who earn more than KShs.1 million in one day but they are charged an annual fee. I think the mama who is selling vegetables is losing a lot of money by paying that charge of KShs.30/- on a daily basis when what she is selling will fetch only KShs.60/- at the end of the day. We are not encouraging the poor jua kali vegetable sellers on the market. I urge the Ministry of Local Government to come to the aid of those jua kali vegetable sellers. The Ministry should assist the small scale traders to come up.

The Minister for Local Government (Mr. ole Ntimama): On a point of order, Mr. Temporary Deputy Speaker, Sir. I do not think the hon. Member is in order to imply that the Ministry of Local Government is charging rates on vegetables. He should persuade his own local authority to stop charging rates on vegetables in the market. He should ask the local authority what it does with the revenue it collects.

Rev. Ommani: I thank the Minister but the local authorities are under his Ministry. He should take care of that.

Mr. Temporary Deputy Speaker, Sir, the Ministry of Land Reclamation, Regional and Water Development should identify areas where water is needed. Water is life. We have many water borne diseases. Some areas do not have clean water and this is causing a lot of havoc in this country. We are asking the Ministry to intensify their efforts to ensure that we have clean water, if possible, in every village in this country.

On banking in this country, I would like to concur with the Minister on what he said about cheques. Banks in this country are not even honouring their own cheques. Some customers do not write cheques. For that reason one has to carry a lot of money on his body or in his car when he wants to buy something and pay in cash. This is why we have so many robberies and some people are even murdered. Why can we not honour our own cheques?

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Why do we not honour our personal cheques so that when you want to pay something in your cheque, you do not have to carry money in your pocket which sometimes can be very insecure? Today, banks in this country are charging much more high bank fees for maintaining accounts than in any country in the world. This discourages small-scale businessmen from keeping their money in the banks because if they are being charged more fees than the money they have in their accounts, then they do not find any purpose of keeping bank accounts. This is why many people these days opt to keep their money in their houses, something which is very risky because the money can be stolen. Therefore, the banks should consider reducing ledger fees even on savings accounts.

Mr. Temporary Deputy Speaker, Sir, with regard to loans schemes in these banks, you will find today that so many people cannot have access to these loans. One of the reasons is that you have got to have some amount of money already existing in your account to offer as security before you get the loan. This is more than we expect from these banks. There appears also to be some form of discrimination when giving out these loans. A person who offers his three-acre land as security for a bank loan may end up getting shs.1 million but another person who offers his seven-acre land may only get only 30,000/- after applying for a loans of shs.1.5 million. What can he do with that sort of money? It is of no wonder that some of the land is sold by the banks because the applicant ends up getting much less than he applied for his project which does not assist him to generate any income.

Having said that, I would now like to say something about the Ministry of Health. Today, if you went to Kakamega Provincial Hospital, for example, you would find there are no drugs and you wonder what we are voting this money for. In this Hospital, you will find beds without mattresses and those which have mattresses do not have blankets. What is even worse is that some wards are so congested that you find some patients have to sleep on the floor. This is not how to take care of our people. When we vote money in this House, we want to see the conditions in our hospitals improving. What we are not seeing in our hospitals is very disheartening to our people and it is unfortunate that while wananchi are looking forward to getting assistance from this Government, nothing appears to be done to solve the problem existing our hospitals. Therefore, I would like to appeal to the Government, through the Ministry of Health, to provide drugs, medicine, equipment and other facilities to our hospitals so that our people can stop suffering the way they are suffering at the moment.

Mr. Temporary Deputy Speaker, with regard to the political situation in Kenya, we are pleased to note that this country has accepted a multi-party system of Government where we have the Opposition seated side by side with the Government. We recognize the members of the Opposition as our colleagues because they too were elected like us into this National Assembly. However, it is unfortunate to note that some of them have adopted a tendency of misleading the public I am saying this because some of the opposition leaders appear to imagine that if they formed the Government, everything would run smoothly because the Government would be run by angels from heaven.

I do not think that would be the case because we are all human beings and---

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Dr. Lwali: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member who defected to Kanu in order to say that today the Opposition appears to imagine that if we formed the Government, everything would run smoothly because we think that we are angels? That is absolutely out of order!

Rev. Omani: Mr. Temporary Deputy Speaker, Sir, some of the opposition Members have been in the Government and have been doing the same things that they are accusing this Government of doing. In fact, they are to be blamed for some of the bad things that are happening in this Government. So, I do not see why---

Mr. Anyona: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to mislead the House by saying that the Opposition member are responsible for some of the bad things that are now happening in the Kanu Government because they happened to have been in this Government some time ago? Is he in order to make such a serious allegation. I personally have never been in this corrupt Government and I---

The Temporary Deputy Speaker (Mr. Wetangula): Order hon. Anyona! He did not say all the Opposition members are responsible, he said some are.

Mr. Anyona: If that is the case, could he then tell this House who some of these Opposition members are?

Rev. Omani: Mr. Temporary Deputy Speaker, Sir, whether we are in the Government or in the Opposition, the important thing us to unit for the common goal of tackling together, the problems facing the people of this country. We should be able to do this as leaders of this country because history will tell that you were there in the Opposition when such and such a thing happened. Today, there are certain problems that have come up in the Public Accounts Committee where members of the Opposition have been members. What I am trying to say is that we are all leaders who have been elected by the people to represent them in this House.

Therefore, whatever party we belong to or where we come from, is not very important. The important thing is to be able to tackle the problems facing our people together.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Wetangula): Yes, prof. Mzee you have the Floor.

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

The Temporary Deputy Speaker (Mr. Wetangula): Order Mr. Shikuku! Are you basing your point of order on the fact that the Chair has given the Floor to prof. Mzee?

Mr. Shikuku: No, Sir, but I know that you know that some of us have been sitting here for---

The Temporary Deputy Speaker (Mr. Wetangula): Order Mr. Shikuku! If there is any hon. Member in this House who gets more than his fair share of the Floor, it is you.

Mr. Shikuku: It is my right to be heard!

The Temporary Deputy Speaker (Mr. Wetangula): Yes, I know it is your right to be heard, but you must know that other hon. Members have a right to be heard as well. Proceed Prof. Mzee!

END Y.

ART

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Prof. Mzee: Ahsante sana, Bw. Naibu Spika wa Muda, kwa kunipatia nafasi hii. Nataka mhe. Shikuku aelewe kwamba tangu Bunge lifunguliwe sijawahi kupata nafasi ya kusema lakini yeye amepata nafasi nyingi sana. Kwa hivyo, asinionee "kijicho" nikipewa nafasi hii leo. Bw. Shikuku, utanisamehe!

Mr. Shikuku: Huo ni uwongo mtupu!

Dr. Lwali-Oyondi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Professor in order to address another Member directly except through the Chair?

Prof. Mzee: Bw. Naibu Spika wa Muda, kuna jambo moja ambalo ni lazima niseme. Tulipewa vitabu hivi viwili jana tu asubuhi na leo tunatarajiwa kuwa tumevisoma na kuelewa vizuri. Lakini hii si haki kwa sababu vitabu hivi vilikuwa vimekaa hapo nje zaidi ya wiki mbili na tumekuwa tukiviona tukipita. Kwa hivyo, mimi nina wasiwasi isiwe kuna siri ndani yake kama ile ya Customs refund. Kusema kweli nina wasiwasi huwa kuna siri nyingi sana hapa pengine huenda --

Mr. Fallana: Jambo la nidhamu, Bw. Naibu Spika wa Muda. Sitaki kumkatisha Profesa Mzee lakini hakuwa hapa awali kwa sababu hayo anayosema yalikuwa yamejadiliwa na kushindwa. Sasa yeye anarudia tu yale tuliyomaliza na hakuwako. Ana haki?

Prof. Mzee: Bw. Naibu Spika Muda, mimi nasema kwa niaba yangu mwenyewe na pia nina haki ya kutoa maoni yangu.

The Assistant Minister, Office of the President (Mr. ole Sunkuli): Jambo la nidhamu, Bw. Naibu Spika wa Muda. Kufuatana na jambo la nidhamu la mhe. Fallana, mhe. Rashid Mzee anaendelea kusema kuwa ana haki kuvunja sheria za Bunge hili kwa kuyarudia yale ambayo aliyokuwa akisema juzi eti kwa sababu "anasema kwa niaba yake binafsi". Ana haki kusema hivyo?

Prof. Mzee: Bw. Naibu Spika wa Muda, mwanzo, ningependa kuzungumza juu ya Wizara ya Uchukuzi na Mawasiliano ambao wameomba pesa nyingi sana hapa ambazo kiasi

kikubwa kinaenda katika Idara ya Reli. Lakini mimi nashikwa na wasiwi kwa sababu mpaka hivi sasa Shirika la Reli halina nidhamu wala faida yoyote katika nchi yetu. Kila mara linaleta hasara badala ya faida.

Bw. Naibu Spika wa Muda, si hoja kuwa Mkurugenzi wa Shirika la Reli ni Profesa kwa sababu "maprofesa sio watu wazuri kufanya biashara" na Shirika kama hili linahusika na mambo ya biashara. Lalamiko langu kubwa sana juu ya Shirika hili ni kuwa mwanzo gari moshi hizi hazileti wakati wake kabisa. Ukipanda gari moshi Mombasa na kutarajia kufika Nairobi saa mbili ili ufike hapa Bungeni saa tatu, lakini huwezi kutumainia gari moshi hizi. Wakati mwingine zinafika saa tano, nane au siku ya pili ama ya tatu kabisa. Tena lalamiko langu kubwa zaidi ni kuwa gari moshi hizi zinasimama katika vituo vyote vya Ukambani lakini hazisimami katika vituo vya Pwani ambapo kuna watu wengi sana. Hizi ni pesa za umma ambazo zinatoka kila mahali. Kwa hivyo, haifai kuwa eti kwa sababu Mkurugenzi anatoka Ukambani, basi gari moshi zote ziwe zinasimama Ukambani. Ningependelea kuwe na kituo maalum Pwani cha magari ya moshi.

Hivi sasa magari moshi ni "relics for tourists" maana yake ukipanda gari moshi kutoka Nairobi kwenda Mombasa, karibu asilimia 90 ni watalii. Kwa hivyo, bei ya gari moshi iko juu sana na wananchi hawawezi kusafiria kwa gari moshi. Pia isipokuwa gari moshi ni chombo kizuri cha kusafiria, imekuwa ni ya zamani sana (kerne ya 18th na 19th). Gari moshi katika Kenya ziko vile vile zilipoanza, hazijabadilika katika miaka hii yote.

Z.2 - 13.04.95

Bw. Naibu Spika wa Muda, nikirudia katika hizi Supplementary Estimates, pesa nyingi sana zinakwenda katika Ofisi ya Rais na kuna mipango mingi sana ya rehabilitation ambayo inatumia pesa nyingi sana katika Recurrent na pia Development Expenditure. Kuna pesa nyingi sana za kujengea nyumba kama Ikulu ambayo tunaambiwa hapa inauzwa --

The Temporary Deputy Speaker (Mr. Wetangula): Order, Prof. Mzee! The hon. Member who made that allegation "ate his own words" by withdrawing and apologising to the House!

Prof. Mzee: Bw. Naibu Spika wa Muda, nikirudi katika Hoja -

The Minister for Education (Mr. Kamotho): Jambo la nidhamu, Bw. Naibu Spika Muda. Nidhamu yangu ni kuhusu maneno ya mhe. Prof. Mzee. The damage is already done. Yeye kusema kwamba eti Ikulu imeuzwa, yafaa ayaondoe maneno hayo na kuommba msamaha kwa sababu umemrekebisha.

Mr. Shikuku: Jambo la nidhamu, Bw. Naibu Spika wa Muda. Nilipokuwa hapa nakumbuka pengine alikuwa mhe. Mulusya alisema kwamba nyumba za Serikali zinauzwa na mwishowe tukasikia pia State House imeuzwa--

The Temporary Deputy Speaker (Mr. Wetangula): Hapana, Bw. Shikuku, hakusema hivyo. Alisema "hata State House imeuzwa" na akayaondoa maneno yake na kuomba msamaha aliposhindwa na kuthibitisha. Endelea, Prof. Mzee. I would rather you go towards the subject at hand. Why are you inviting all those points of order? It is very unnecessary.

(End Z.)

AWN AA.1-13.04.95

Prof. Mzee: Bw. Naibu Spika wa Muda, nimechukuwa maoni yako na nitaendelea kuzungumza. Nimeogopa kitu kimoja katika Idara ya Uchukuzi na Mawasiliano. Mwaka jana,

mwezi wa June, tulitoa pesa nyingi sana za kutengeneza kiambaza cha kuzuia maji ya bahari yasiingie Lamu na vile vile tukatoa pesa za kutengeneza jeti ya Lamu. Sikitambo sana, mimi pamoja na wenzangu wa Ford-K mjini Lamu tulitembelea jeti la Mokoe. Tulipofika kule tuliona ile hali ya jeti ya Lamu na ijapokuwa tumetoa milioni nyingi sana za pesa, bado milioni za pesa zinatakikana katika Recurrent Estimates za matumizi na katika Development Estimates za maendeleo. Mpaka hivi sasa nisimamapo hapa, wewe Bw. Naibu Spika wa Muda hauwezi kuipita jeti ya Lamu. Ukifika tu utaona kuwa unaweza kuanguka chini. Iko katika hali mbaya sana.

The Assistant Minister for Labour and Manpower Development (Mr. Ali): Jambo la nidhamu Bw. Naibu Spika wa Muda. Hiyo sehemu anayoiongea juu yake ni yangu. Kwa hivyo Bw. Professor hana haja ya kuzungumza juu ya Lamu. Ni vizuri sana kama angezungumzia juu ya Mombasa kisiwani.

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Ali! Prof. Mzee has every right to talk about Lamu and anywhere else.

The Assistant Minister for Labour and Manpower Development (Mr. Ali): Nataka kumwaarifu.

The Temporary Deputy Speaker (Mr. Wetangula): Order! Are you disputing the ruling? Do you want information hon. Prof. Mzee?

Prof. Mzee: Sitaki habari yoyote Bw. Naibu Spika wa Muda maanake mimi ninasema ukweli. Juzi nilikuwa Lamu na nikaona jeti ya Mokoe iko katika hali mbaya sana na tuna Mbunge kutoka pale. Nilikuwa nikifikiri kuwa pengine ataeleza hii habari. Juu ya kuwa pesa zingine zinatakikana katika Supplementary Estimates kule Lamu, si pesa kidogo ambazo tumeambiwa leo tutoa idhini ya matumizi yake. Kwa hivyo, ningependelea kuwa katika kukitengenza kiambaza cha bahari katika Lamu, jeti ya Mokoe itazamwe. Watu wote wanaopita kwenye jeti ya Mokoe wanatoa pesa. Ukiwa una pakacha la samaki au la machungwa hauwezi kupika jeti ya Mwokoe bila kulipa pesa. Kila pakacha linalipiwa pesa na pengine hata huanguka chini likaingia kwenye bahari. Mhe. wa Lamu anaweza kukubaliana na mimi kuhusu jambo hili.

The Assistant Minister for Labour and Manpower Development (Mr. Ali): Jambo la nidhamu Bw. Naibu Spika wa Muda. Je, Prof. Mzee ana habari kwamba hivi majuzi tender ilitolewa kuhusu mambo ya jeti?

Hon. Members: Hajui hivyo! Hajui kabisa!

Mr. Farah: On a point of information, Mr. Temporary Deputy Speaker, Sir. The Lamu jetty has been in that condition for the last 30 years and up to now nothing has been done on it. The hon. Member is too busy with his leader from India of the Bohra Community than the people of Lamu. He is a Mhindi and he has nothing to do with those people.

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Farah! That is very discourteous of your colleague. There are only hon. Members in this House. There are no Indians and there are no races. Can you withdraw and apologise.

Mr. Farah: Mr. Temporary Deputy Speaker, Sir, with a heavy heart I apologise and withdraw.

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Farah! Unconditionally, withdraw and apologise.

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Mr. Farah: Mr. Temporary Deputy Speaker, Sir, I withdraw and apologise to the House.

Mr. Shikuku: On a point of order, Mr. Temporary Deputy Speaker, Sir. While you

were standing to bring the House to order, did you realise at what speed hon. Dr. Misoi was going? Would you not advise him that immediately you stand up he should stand where he is and not start running in this House like Kipchoge Keino?

The Temporary Deputy Speaker (Mr. Wetangula): Thank you, hon. Shikuku. Dr. Misoi has heard that.

Pro. Mzee: Bw. Naibu Spika wa Muda mimi ningemwomba Waziri ambaye yuko hapa, kabla mwaka huu haujamalizika, na kwa kuwa sisi tumekubali atumie pesa, atengeneze hii jeti ya Lamu ambayo miaka thelathini imekaa hivi hivi bila ya kutengenezwa au kurekebisha. Si jeti ambayo tunavuka bure, tunailipia pesa.

Pili, tuliambiwa kwamba kutatiwa ferry kati ya Lamu mainland na Mtangawanda. Kazi imeanza pale lakini bado hatujaiona hii ferry. Ijapokuwa leo kuna jeti ya kupokea ferry, ferry haijajengwa wala haijaanza kufanya kazi pale. Ikianza kufanya kazi pale italeta uchumi mwingi sana maanake kuna samaki wengi sana kutoka Pate, Faza na visiwa vingine. Ikiwa mawasiliano baina ya visiwa na mainland yatakuwa sawasawa na uchumi wetu utakuwa ni mzuri. Pesa za mambo haya zimepitishwa tayari. Sioni kwa sababu gani tunakaa, tunapitisha Bajeti, tunakuja tena na kufanya supplementary Bajeti na kazi hatuoni ikifanywa. Upande ule, Waziri ususahau kwa kuwa ni muhimu. Unaona vile European community inapigana juu ya samaki peke yake tu. Hili jambo linatendeka kule Spain. Wanapigana mpaka Canada. Utakumbuka vile waziri wa samaki kule Ulaya alivyopigwa na mifuko ya unga kwa sababu alikuwa hatazami hali ya wavuvi. Kule tuna uvuvi na uvuvi ni pesa. Ikiwa tunaweza kusaidiwa katika mawasiliano na usafiri katika sehemu hii, tunaweza kuendeleza uchumi sana. Mimi nimesikiwa kuwa upande ule kuna mafuta. Kuna Kampuni moja inafanya kazi ya kuchimbua petroleum gas. Tunataka upande ule ijapokuwa kuna Wabunge wake usisahauliwe. Tufanye bidii tuwezavyo tuweze kuwasaidia watu ambao wameweza kuhifadhi natural resources upande ule mpaka hivi sasa tukienda kule tutazipata zile faida zao.

Bw. Naibu Spika Wa Muda, kwa kuwa nataka kuzungumzia habari nyingi sana nataka sasa kuongea kuhusu Wizara ya Afya. Kwa hivi sasa katika hospital kuu ya Pwani hatuna madawa ya kutosha. Katika hii hospitali zile pesa za cost-sharing, Bw. Waziri, zimetumiwa kununulia gari jipya badala ya kununua madawa. Situmaini kuwa wananchi wanatoa pesa ili zitumike kununulia watu magari mapya. Hili ndilo jambo limetendeka katika hospital kuu ya Pwani. Pesa za madawa zinatumiwa kununulia magari. Pesa za cost-sharing zinatumiwa kununulia magari.

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The Minister for Health (Mr. Angatia): The speaker, on the Floor is misleading the House. The Cost-Sharing money was used to buy an ambulance and that ambulance is helping wananchi. So, I do not know why he should object to the idea of buying an ambulance which is bought to help the patients.

Prof. Mzee: Bw. Naibu Spika wa Muda, mimi nimefurahi sana kwa kuwa ambulance ilinunua lakini na gari lingine pia lilinunulia na nina ushahidi huu. Gari la kutumika kwa watu kwenda kazini limenunulia bali si gari la kubebea wagonjwa peke yake. Limenunulia Bw. Waziri, ikiwa hujui. Mimi ninakwambia leo kuwa gari limenunulia kwa pesa za cost-sharing na hii inaonyesha kuwa Bw. Waziri hujui. Juzi tu nilikuwa kuona mgonjwa ambaye alikuwa anaogua cerebral Malaria. Niliambiwa nitoe pesa za kununua dawa.

End AA

Asubuhi yake nilipokuwa nataka kwenda benki kutoa pesa za kumnunulia mgonjwa huyu dawa, ambaye alikuwa mwalimu katika Khamis Secondary School, alifariki. Inasikitisha kuona kwamba vijana wengi ambao tunatumia pesa nyingi kuwapa elimu hadi kiwango cha kuwa waalimu wa shule za sekondari wanakufa---

The Temporary Deputy Speaker (Mr. Wetangula): Order, Prof. Rashid-Mzee! Your time is up. Can the Mover reply?

The Assistant Minister for Finance (Mr. Keah): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to reply to hon. Members' comments. I take this opportunity to thank hon. Members for their contributions towards these Recurrent and Development Estimates. I want to assure them that the comments they have made have been duly taken note of not only by the Treasury but also by the respective Ministries, whose representatives, particularly those in the Front Bench, have been sitting here and listening attentively.

I will touch upon one or two points by way of clarification only because when I was moving the Motion I did clearly state the areas of emphasis where there were increases and decreases in the estimates; hence I need not repeat those points. On the questions raised by hon. Obwocha and other hon. Members, I would like to add here by way of emphasis that in so far as the Office of the President is concerned the issue is one of safety. As for the Kenya Airports Authority the increase is with respect to the Moi International Airport, Mombasa, which is currently under construction. As for the Ministry of Education we have six AIDA grants whose year has ended and, therefore, they cannot be utilised. Unfortunately, we have to show that those funds can no longer be utilised in these revised estimates.

As for the liberalisation programme and how successful it is I can only, at this juncture, make pointers that inflation is now down to a single digit; the Kenya Shilling has grown stronger from KShs.65/-, when we prepared the last Budget, to the current rate of KShs.44/- to the US Dollar. Many other indicators show very well that we are doing fine. I want to thank hon. Members for the support they have given to this Motion. They will have ample time during the debate on Supplementary Estimates Bill when they can debate this matter more thoroughly.

For now, I beg to move.

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Members, it is now time to interrupt our business and the House stands adjourned until Tuesday, 18th April, 1995 at 2.30 pm.

The House rose at 7.05 pm.

End of BB.