

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 17th October, 1995

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

NOTICE OF MOTION

RETIREMENT AGE FOR CIVIL SERVANTS

Dr. Kituyi: Mr. Speaker, Sir, I beg to give notice of the following Motion:-
 THAT, in view of the fact that many public servants cost this country dearly in training before and on the job; considering that many Kenyans join public service at fairly advanced ages; and in light of the improving life expectancy across the country, and as a way of maximising public benefits from skills acquired by long service, this House argues the Government to introduce legislation, raising mandatory retirement age from the current 55 years to 57 years.

ORAL ANSWERS TO QUESTIONS

Question No. 402

SHOOTING OF MR. HAMISI

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

- (a) Whether he was aware that Mr. James Hamisi was shot by a forest guard on 5th December, 1994 at Kiriita Forest (Kimende) in Lari Division and was admitted at Kijabe Hospital (Admission No.201236) on the same day;
- (b) what were the circumstances that led to this unpalatable incident;
- (c) whether he was further aware that the said patient was and is still being detained at the said Kijabe Medical Centre; and,
- (d) if the answers to "a" and "c" above were in the affirmative, what steps he has taken to rectify this anomaly.

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

- (a) Yes, I am aware.
- (b) The circumstances were as follows:

On the fifth of December, 1994, forest guards who were on routine patrol in Kiriita Forest spotted Mr. James Hamisi in possession of 12 pieces of Kemper timber, believed to have been stolen by him from the said forest. Mr. Hamisi was challenged to stop by the forest guards, but he defied their orders and started running away. A forest guard named Isaac Kariuki opened fire and injured Mr. Hamisi on his left hand. What I am aware of is that after Mr. Hamisi was admitted at Kijabe Hospital, he later on ran away from the hospital and his whereabouts are not known till now.

Appropriate steps will be taken after the investigations into this incident are finalised.

Mr. Obwocha: Mr Speaker, this man, James Hamisi was licensed to do timbering and he was on his normal business in Lari Forest when this happened. Now, the Minister is misleading this House by saying that Mr Hamisi ran away because I have a letter from Kijabe Medical Centre to the MP for the area requesting me to raise Kshs.36,190.00 for his medical bill. Can the Minister tell this House when this man who shot Mr James Hamisi is going to be arrested?

Mr Sunkuli: Mr Speaker, Sir, the hon. Member has actually shown me the letter and it is dated 16th February, 1995. The bill that Mr Hamisi incurred was Kshs.43,000.00 and I believe that he sneaked out of the

hospital because he realised that he could not raise the amount shown in the bill, but he is not in hospital now.

Mr. Obwocha: On a point of order, Mr Speaker, Sir. The Minister continues to mislead this House, I have even the letter here; one sentence says that "the patient was discharged on 30th December 1994, but he has been in hospital since then. But we

[Mr. Obwocha]

have decided to discharge him today." That is the hospital writing to me to inform me that they are discharging him; you cannot say that he ran away.

The Assistant Minister for Health (Mr Mutiso): On a point of order, Mr Speaker, Sir. Can the hon. Member lay the letter on the Table?

Mr. Obwocha: Mr Speaker, Sir, I wish to lay the letter on the Table.

(Mr Obwocha laid the letter on the Table)

Mr. Sunkuli: Mr Speaker, Sir, as I said, the bill that Mr Hamisi incurred was Kshs.43.000.00 and the hospital has informed us that he went away without their permission. If that particular information has been given to the hon. Member, I suppose now, it is the liability of the hospital to try and look for Mr Hamisi because he is their debtor. The Government is not the debtor of this particular man, and we are not blame for whatever injuries that were caused to him.

Mr. Gitonga: Mr Speaker, Sir, I wonder if the Minister is aware that this forester, a Mr Mwai, is a violent individual because sometimes last year, he assaulted two young ladies under the pretext that they were collecting firewood without authority. Would he make arrangement for this man to be removed from Lari?

Mr. Sunkuli: Mr Speaker, Sir, to which place? I am not aware of the fact that the hon. Member is alleging.

Mr. Gitonga: Mr Speaker, Sir, I have given the Minister the name and he is the same forester.

The Speaker: Order! Order Mr Gitonga! Order! Order! You are now out of order.

Mr. Obwocha: On a point of order, Mr Speaker, Sir. Can the Assistant Minister tell this House whether they have opened an inquest file in this case?

Mr. Sunkuli: Mr Speaker, Sir, the file we have opened is an inquiry file, which is Lari Inquiry File No.2/94. We it opened in order to ascertain the circumstances that led to the shooting.

Question No. 629

DIESEL FOR POLICE STATION

Mr. R. K. Mungai asked a Minister of State, Office of the President:-

- (a) when the Kituamba Police Station in Makuyu Constituency would be supplied with the diesel to run the station's two generators which supply the staff with power and domestic water; and
- (b) what long-term measures the Government is taking to ensure that the station is connected to permanent supplies of these essential utilities to enable its personnel to live in decent conditions.

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

- (a) Diesel for Kituamba Police Station was supplied at the beginning of the current financial year.
- (b) The Kenya Power and Lighting Company, has been approached with a view of supplying Kituamba Police Station with electricity and, so far, a response from them is being awaited.

Mr. R. K. Mungai: Thank you for that reply. Mr Speaker, Sir, I do agree that the diesel was actually supplied to Kituamba Police Station, but today, they do not have any. Just last Saturday, I met one of the officers with a wheelbarrow going to draw water from the river because they do not have the diesel to run the power engine to pump water to the Station. What is the Minister going to do, because it seems that the station is supplied with drips of diesel that is not enough to go even for two months?

Mr. Sunkuli: Mr. Speaker, Sir, I will ensure that enough diesel is supplied to Kituamba Police Station.

Dr. Lwali-Oyondi: Mr. Speaker, Sir, a Police Station is a very important for keeping law and order and the Assistant Minister has just stated that he has requested the Kenya Power and Lighting Company to supply permanent electricity to this particular station. Why can the Assistant Minister not order the Kenya Power and Lighting Company to supply the electricity since the police station will pay for the electricity?

Mr. Sunkuli: In a democratic country like Kenya, an institution like the Kenya Power and Lighting Company has its own staff who run it and the Assistant Minister who is not in charge of Kenya Power and Lighting can only request and I think that is how a fair Government should act.

Mr. R. K. Mungai: Is the Minister aware that Ithanga Water Treatment Works is only two kilometres from the Station? I do not see the reason why the Police Station cannot be supplied with water from that Water Works when it supplies water to areas several kilometres away from the Police Station.

Is the Assistant Minister aware that, that is the situation and if that is so, why can the Assistant Minister organize for the water to be supplied from the Ithanga Water Works which is adjacent to the police station?

Mr. Sunkuli: Mr. Speaker, Sir, I am not aware of the fact that the hon. Member has stated. But I think that is a very different question.

Question No.293

ESTABLISHMENT OF A POLICE POST

Rev. Omani: Asked the Minister of State, Office of the President:

(a) whether he is aware that Kakamega District Development Committee has approved a police post to be stationed at Matioli Market in South Butsotso Location; and

(b) when this police post will be constructed.

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

It has been communicated to me that the Kakamega DDC has never discussed the issue of a police post in Matioli Market. However, what I am aware of is that the District Commissioner in charge of the area, while addressing a public rally at Matioli Market, promised to look into the possibility of establishing an Administration Police (AP) post in the area to curb insecurity.

Arising from my answer in (a) above, this question therefore does not arise.

Rev. Omani: Mr. Speaker, Sir, arising from that answer from the Assistant Minister, he is misleading the House. The Kakamega DDC approved the establishment of a police post at Matioli Market due to stock theft in the area and because of some reasons known to them, they posted three APs to the area who are unable to contain the high stock theft in that area. Could the Assistant Minister consider establishing a police post in that area?

Mr. Sunkuli: Mr. Speaker, Sir, since the hon. Member is a member of the DDC, if he could be kind enough to supply me with Minutes or the dates of that particular meeting then I can be able to get the Minutes from the Kagamege DDC. Meanwhile, the hon. Member will appreciate that the District Commissioner has sent these particular APs there to contain the problems that he identified in that area, but I am prepared to look into the hon. Member's request if he can authenticate that there was such a meeting because the information I have is that there was no such a recommendation.

Mrs. Ndetei: On a point of order Mr. Speaker, Sir.

Mr. Speaker: What is it Mrs. Ndetei?

Mrs. Ndetei: Mr. Speaker, Sir, is the hon. Assistant Minister in order to mislead the House by saying that his source of information says that the DDC has never tackled this problem whereas the MP of the area says this problem has been tackled by the DDC? Who is mis-leading this House? Is it the Assistant Minister or the MP? Why should the Assistant Minister rely on information that cannot be counted upon in this House? Where is that information coming from?

Mr. Sunkuli: I was prepared to change my information if the hon. Member, showed me that, in fact, there was such an approval from the DDC.

Mr. Speaker: Order! Order! can we have question by Mrs. Ndetei, please.

Mrs. Ndetei: On a point of order, Mr. Speaker, Sir. He is saying I am sleeping when I am not sleeping!

Mr. Speaker: Did you say so?

Mr. Sunkuli: Mr. Speaker, I said, maybe, she was not awake when I said this particular thing.

(Laughter)

Mr. Speaker: Very well, next Question.

Question No. 642

PAYMENT TO COTTON FARMERS

Mr. Achieng'-Onoko, on behalf of **Dr. Otieno-Kopiyo,** asked the Minister for Agriculture,

Livestock Development and marketing:-

(a) whether he is aware that, on the 5th January, 1995 Nyanza Lint Processors Limited, P.O. Box 18766, Nairobi, collected cotton from farmers of Kilital Village, Kawuor Sub-Location of Central Karachuonyo Location, Homa Bay District, worth Kshs1 million and did not pay for it; and

(b) what measures he is taking to ensure that these farmers are paid promptly.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Mr. Speaker Sir, I beg to reply.

(a) No, I am not aware.

Mr. Speaker, Sir, with the liberalization of the cotton industry, the Cotton Board of Kenya which used to buy and, or appoint agents to buy cotton from farmers has since stopped carrying out these activities.

Consequently, the Board phased out its ginning activities and has already privatised some of its ginneries.

(b) In a free economy, middle men and consumers will be expected to co-operate depending on the prevailing market forces. However, in this case, the District Development Committee and the District Agricultural Committee, Homa Bay District, are encouraged to look into the plight of the cotton farmers, since, such co-operation appears to have been elusive. In addition, the extension personnel in my Ministry are expected to educate farmers throughout the country on the economic changes of a liberalised economy.

Mr. Achieng'-Oneko: On a point of order, Mr. Speaker. The Question has not been answered, because, we would like to know who the owners of this company that collected cotton from the farmers who are now suffering are. The Assistant Minister should not run away from the responsibility. He is supposed to know everything even if the whole system has been liberalised.

Dr. Misoi: Mr. Speaker, Sir, I have, indeed, answered the Question. The Nyanza Lint Processors Limited is a private company, and not a co-operative society. That is why I have said that the DDC and the District Agricultural Officer in the area should pursue the matter, so that, these farmers can be paid.

Mrs. Asiyo: Thank you, Mr. Speaker, Sir. Perhaps if hon. Otieno-Kopiyo had consulted me, he would have got all the details that he needed before bringing this Question to the House. However, I would like the Minister to tell this House, what his Ministry is doing to ensure that agro-based industries that were set up in Kendu Bay Township, one of which is the Nyanza Cotton Mills, are going to get electricity to encourage the local people to set up these agro-based industries? This is a project that has been shelved by the Ministry of Energy.

Dr. Misoi: Mr. Speaker Sir, my Ministry will assist wherever possible. But, it is important that the farmers in that area do approach the DDC to justify the need for electrification in that area. Because, it is on that basis that---

Mrs. Asiyo: On a point of order, Mr. Speaker, Sir. There is no question of the DDC here. This is a project that received priority from the DDC of Homa Bay District, and all the hardware as well as the needed equipment for rural electrification of this township were delivered, and were later collected and deposited elsewhere. Could the Minister now tell this House - because, the DDC itself does not have to go back to it - what his Ministry is doing to protect those local people who set up agro-based industries in that area, and why they are not getting the electrification that they were dully promised?

Dr. Misoi: Mr. Speaker, Sir, I have said that we will try to assist as much as possible, but it is also important that, the leaders in that area and interested parties approach the relevant Ministry responsible for rural electrification, in order to speed up the implementation of the programme.

Dr. Kituyi: Mr. Speaker, Sir, arising from the Minister's reply, he claims that because of liberalisation is not the business of his Ministry to know what happens between the private company and the farmers--- If this Assistant Minister is aware, that the reason why his Ministry is also called the Ministry for Marketing, is that because it is supposed to reduce the distortion of market forces and abuse of privileges, by private entrepreneurs, who exploit the farmers? Is he saying that he does not know his role as an Assistant Minister for Marketing or he does not know the meaning of liberalisation?

Dr. Misoi: Mr. Speaker, Sir, that is a different question. I have said that the extension officers in my Ministry would play their role in assisting the farmers. I hope you understood it.

Mr. Speaker: We would still follow this cotton issue with Mrs Ndetei's question. Do you have a question, Mrs Ndetei?

Mrs. Ndetei: Mr Speaker, I have a question to ask on this particular issue. This is a different one, but on the same issue we are following in Kendu Bay. This is in Kibwezi. Please, Mr. Speaker, I have one question. Arising from what hon. Mrs Asiyo has said that this equipment was supplied and taken away after sometime, can the Assistant Minister deny or confirm to this House that these taxpayers in this area, Kendu Bay, are being victimised because of their political convictions? Because I do not see any other reason why these facilities have been removed

immediately after the last general elections? Can he confirm that?

Dr. Misoi: Mr. Speaker, Sir. I have nothing to deny or confirm because the Kenya Government serves all the people of Kenya.

Question No. 617

PAYMENT TO MAKUENI FARMERS

Mrs Ndetei asked the Minister for Agriculture, Livestock Development and Marketing:-

(a) whether he is aware that cotton farmers in Makueni District are owed Kshs44 million by the Cotton Board of Kenya; and

(b) if the answer to "a" above is in the affirmative, when the farmers are going to be paid.

The Assitant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Mr Speaker, Sir I bg to reply.

(a) I am not aware that the farmers in Makueni are owed Kshs44 million by the Cotton Board of Kenya. On the contrary, I am aware that the Board owes individual farmers and transporters Kshs448,826.15.

(b) The Cotton Board of Kenya is in the process of divesting these operations, and Makueni will go public as soon as modalities are finalised. In the meantime, the Board is making immediate arrangements to pay all the money owed to both the farmers and transporters.

Mrs. Ndetei: Mr. Speaker, let me thank the Assistant Minister for this answer which he has given me although I totally differ with the figures that he has given. The difference is so great between Kshs45 million and Kshs448,826.15. In my constituency alone, the Kibwezi farmers are owed over Kshs400,000. I totally differ with the Assistant Minister on the figure he is giving me and I would kindly request him to lay on the Table the lists of the farmers and transporters who are owed this money because this is the figure we have been given by the DDC of Kshs44 million and if we get his list, then, perhaps, the DDC can cross-check down again on the ground. Could the Assistant Minister tell this House exactly when this money is going to be paid to the farmers?

Dr. Misoi: Mr. Speaker Sir, first of all I would like to assure the hon. Member that all the co-operative societies in Makueni have been paid their money. There are 11 co-operative societies in Makueni and I have the list. What is remaining is the payment to individual farmers and transporters and it is not Kshs44 million. It is Kshs44,826.15.

Mrs. Asiyu: Mr. Speaker, Sir, now that the Minister has admitted that the Cotton Board actually owes farmers and transporters in this country some monies, can he go ahead and tell us which farmers in which district including Karachuonyo are owed money by the Cotton Board and where will the Cotton Board get money to pay the farmers when it has taken about three to four years before paying the farmers? Will they also pay them with some interest?

Dr. Misoi: Mr. Speaker Sir, I will not be able to give a list of all the farmers owed by the Cotton Board throughout the country. The question was specific and is relevant to Makueni and I have given the answer.

Secondly, whatever commitment the Cotton Board has on behalf of the farmers, it will have to look at the needs of the people.

Mr. Mathenge: Mr. Speaker, is the Minister aware that delay in payments by parastatals to the producers who are farmers demoralises the farmers and kills their incentive to work harder?

Dr. Misoi: I am aware of the delayed payment by parastatal to farmers and I am also aware that it may demoralise the farmers, but the Government has been doing all it can to pay the farmers for the produce delivered. Thank you.

Mrs. Ndetei: I think the Assistant Minister is having difficulties in understanding the language because I was very specific in my question and he is completely avoiding to answer what I am asking. I am asking the Assistant Minister, whether he can lay on the Table the list of the individual farmers and transporters to whom he claims that the Cotton Board owes this money? Secondly, can he tell us exactly when this money is to be paid? He is avoiding these two questions.

Dr. Misoi: Mr. Speaker Sir. I am not avoiding. What I did say was that I would not be able to table the names of the transporters and the farmers, but if the hon. Member is keen to have the list, that will be provided and as for the payment, I have also said that the Board is making arrangements for immediate payment of outstanding arrears.

Mr. Mulusya: Mr. Speaker Sir, is the Assistant Minister aware that throughout the country, due to these delayed payments to cotton farmers in the cotton growing areas, farmers have ceased growing cotton leading to massive importation of cotton products from other countries while this country could be self-sufficient in cotton

production and products? Is he aware and what is he doing to encourage farmers to go back to growing this essential commodity in this country?

Dr. Misoi: Mr. Speaker, Sir, the Government has put in place programmes for rehabilitation and strengthening the production and marketing of cotton in this country, but due to the economic changes which have taken place, there have been problems which have caused not only late payment, but also some problems are related to management in the co-operative Societies and the farmers.

Mr. Speaker: Next Question, Mr. Sankori.

Question No.488

BUILDING OF SEWAGE PLANTS

Mr. Sankori asked the Minister for Local Government:-

- (a) what plans there are for the Ministry to build a sewerage in Kajiado and Loitokitok towns; and
- (b) how much money has been set aside for the two projects in the towns.

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

My Ministry has plans to carry out a feasibility study and design of a sewerage project in Kajiado Township. The Township has been visited and preliminary survey of the sites requiring sewerage services have been identified.

There are no immediate plans to start a sewerage project in Loitokitok.

Mr. Sankori: Mr. Speaker, Sir, part (b) of my Question have not been answered by the hon. Assistant Minister.

Dr. Wameyo: Mr. Speaker, Sir, I apologise to the hon. Member. Kajiado Sewerage Project has been allocated K£100,000 in the 1995/96 Financial Year under the Ministry's forward budget. Financial assistance from a donor has also been solicited to support this project. No finances have been allocated for a sewerage project in Loitokitok.

Mr. Sankori: Mr. Speaker, Sir, knowing that Loitokitok Town is rapidly expanding, it is really absurd to hear that the Ministry has not taken into consideration the sewerage problem in that town especially knowing that it is right at the border of our neighbouring country and we should actually make that town as clean as possible. Could the Assistant Minister undertake to consider setting aside an amount in this Financial Year for Loitokitok township?

Dr. Wameyo: Mr. Speaker, Sir, the status and level of development and population in a township like Loitokitok would be served by septic tanks for the time being. A sewage system will be considered when the township attains further development, but as of now, it is neither urban nor a town, nor a municipality. When that is done, the establishment of a sewage system will be considered.

Mr. Speaker: Next Question, Bishop Kimani.

Question No.291

PROVISION OF PHONE SERVICES

Bishop Kimani asked the Minister for Transport and Communications:-

- (a) whether he is aware that the Bogoini District Officer's office and the Police Station do not have telephone services; and
- (b) what steps he is taking to ensure that telephone services to these areas are provided.

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

(a) Yes, I am aware that Bogoini DO's office and Police Station do not have telephone services. This is so because the 20 kms line connecting the two areas and the Subukia Exchange from where they were served was repeatedly vandalised every time the line was reconnected.

(b) Bogoini Divisional headquarters is to be provided with a 70 line manual exchange which will be parented to Nakuru by radio during the year 1995/96. The use of the radio will solve the problem of vandalism and, therefore, ensure a more reliable service in the area.

Bishop Kimani: Mr. Speaker, Sir, arising from the answer given by the Assistant Minister, he is obviously totally misleading this House by implying that the lines have been vandalised by my people. In fact, the lines that have been there, were there even before Independence. They were installed by the colonial settlers and there have never been a new line. Could the Assistant Minister assure this House when this new radio-call going to be installed there, because it is very bad for a DO to have an office without a telephone line? Most of the times there are

emergencies that he has to attend to; livestock has been stolen, sometimes people have problems.

Only a month ago, a lady was shot with an arrow when her sheep were being stolen at night. When is this radio-call going to be installed?

Mr. Ahmed: Mr. Speaker, Sir, I am really not misleading this House. Maybe the hon. Member has been seeing the line which was running overhead up to that centre from the colonial times but the Kenya Posts and Telecommunications Corporation was maintaining that line. The 70-line manual exchange which is to be parented to Nakuru through the radio was programmed for installation during 1994/95. However, this has not been done due to non-availability of single channel radios. KP&TC has awarded a tender for radios and it is expected that they will be available in three months.

Dr. Lwali-Oyondi: Mr. Speaker, Sir, this being quite a distance from Nakuru Town and taking into account the costs that could be incurred by actually using wires, could the Assistant Minister consider introducing radio telephone as opposed to the VHF or introducing the Micro-wave system in this particular area because, as he says, a woman and a man have been murdered in that area a few days ago and I am sure communication is one of the reasons? Could he consider what I have just suggested?

Mr. Ahmed: Mr. Speaker, Sir, that is a very good proposal, but the KP&TC carried out a feasibility study to find out the best system that can serve the people living in that area and they found out that the single channel radio system which I just mentioned and which will be available in three months time, will serve the purpose.

Mr. Nthenge: Mr. Speaker, Sir, could the Minister agree with me that a police station without a telephone, is a mockery to the nation?

Mr. Ahmed: Mr. Speaker, Sir, usually police stations have their own radio calls. What we are talking about is the service given by KP&TC. Police will obviously have their own system of communication and if that is not there, we will ask the Office of the President to provide.

Mr. Mathenge: Mr. Speaker, Sir, the Assistant Minister has given a similar answer to what was given by another Assistant Minister a year ago. He has said here that within three months, the work will be done. Could he be specific that what he has said here will be done and not give us false promises?

Mr. Ahmed: Mr. Speaker, Sir, we will comment whether I am giving the House false information or not after three months. For now, I can assure the House that the Centre will get that service in three months time. Hon. Mathenge can ask me after the three months if I fail.

Question No.150

THEFT OF GOVERNMENT DRUGS

Mr. Shikuku asked the Minister for Health how many medical staff have been arrested with drugs from Government hospitals between January, 1990 and December, 1994.

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

84 members of staff of the Ministry of Health were arrested and charged with theft of drugs from Government Hospitals between 1990 and December, 1994. There is another list of names of people who were arrested and charged by the police which I have not got, but with regard to those who have been those who charged by the Ministry of Health I have got the names.

Mr. Shikuku: Mr. Speaker, Sir, arising from that reply, could the Minister tell the House out of these 84 medical staff who have been charged, how many have been convicted and sent to jail?

Mr. Angatia: Mr. Speaker, Sir, because the list is so long and I have asked my Ministry to the status of each case, I would like the hon. Member to give us more time because these cases take a long time. Some cases have been concluded and there are others that are still pending before courts. A few people have been discharged. Since I have asked for the status of each case, if hon. Member agrees, I can bring the details later on.

Mr. Speaker: Mr. Shikuku, what is your reaction?

Mr. Shikuku: Mr. Speaker, Sir, arising from that reply it appears that when the Minister got this reply, did he not naturally expect to get supplementary questions. It appears as if he did not do his homework. He should have told the House that so many were arrested, so many prosecuted, so many convicted and that there are so many cases pending before court? Is he in order just to tell us that he will provide this list later on? He is supposed to have these things in his fingertips. It is a serious matter!

Mr. Angatia: Mr. Speaker, Sir, the question, in fact, does not ask for that detail. However, I did anticipate that and I prepared details and that is why I have told him that the details are being prepared. I was just being generous because the Questioner did not ask for that, but I will bring the information.

Mr. Nthenge: Mr. Speaker, Sir, when the Minister says that he did not expect that or it is not part of the

Question, does he expect a Question to be answered and then we all keep quite? Related issues must be raised. The Questioner has asked: How many have been charged? The other things come automatically. Can he tell us when he will bring this information so that we can know how many have been charged, convicted and pending before court?

Mr. Angatia: Mr. Speaker, Sir, according to the wording of the Question, I have given a complete answer. I voluntarily offer to bring extra information. Therefore, I cannot answer things that have not asked. Strictly, I have answered the question.

Dr. Lwali-Oyondi: Mr. Speaker, Sir, the Minister should know that drugs are being stolen and he should have been taking steps to curtail this. Is he, therefore, in order to show that he has no idea of what is happening in his Ministry when we are missing drugs just because of these thefts? Is he not interested in arresting and prosecuting the thieves? He should know how many have been prosecuted and how many have not been prosecuted.

Mr. Angatia: Mr. Speaker, Sir, it is a false allegation to say that I am not interested. I am interested because people have been arrested and charged. So, it is a fact that to separate those who have been convicted from those whose are still pending before court. That is what was not included in the Question.

When the answer was prepared I had to ask for it because I wanted to know also those other details and the House should be thankful that I am voluntarily offering extra information which I will bring here later on.

Mr. Shikuku: Mr. Speaker, Sir, arising from that philosophical reply from the Minister, could he tell the House when he will bring this information to the House because stealing of drugs has resulted into people losing their lives. If these criminals are there, let us know how many have been convicted and how many have cases pending before courts, and how many have been charged, but not sent to court? Could he tell us when he will give us this information so that we can take it to our people back home?

Mr. Angatia: Mr. Speaker, Sir, I am sure if hon. Shikuku had included that information in the Question, it would have been given. Therefore, I suppose that in two weeks time, we should have the information because these people are scattered all over the country and the courts are also scattered all over the country and some of them do not have telephone like one hon. Member has just said. However, in two weeks time I expect the answer to be ready.

Mr. Speaker: Very well!

Mr. Nyanja: Mr. Speaker, Sir, since stealing of drugs in this Ministry is quite a menace in this country, can the Minister be honest with this House and nation at large and tell us how many big men, doctors and sons of KANU hawks appear in that list because we are very interested in getting that information? Some of us have got some different ideas. Could the Minister give this House that information even if there is one Minister affected? Can he give us even if we have names of prominent people or we have more Shimechero or people like that.

Mr. Angatia: Mr. Speaker, Sir, I am sure all these names will appear in the HANSARD and the hon. Member can decide who is a son of a big person or "a small person. All people in this list are big people.

Mr. Speaker: Very well, next Question.

Mr. Shikuku: Mr. Speaker, Sir, do you realise that he was just referred to the list and then has sat down?

Mr. Speaker: Order? I am unable to hear what hon. Member is saying. Proceed.

Mr. Shikuku: Mr. Speaker, Sir, you saw the Minister referring to the list, but he has just sat down without laying it on the Table. Could you ask him to do so so that we see names of these big men.

Mr. Angatia: Mr. Speaker, Sir, the list is part of the answer which is with the Clerk and is with him. The list is already part of the HANSARD and it will come out tomorrow.

Mr. Shikuku: On a point of order, Mr. Speaker, Sir. I do not have the list; he is misleading the House. Can he lay the list of those names on the Table? He has referred to it and so he should lay it on the Table.

Mr. Speaker: I understand that the copies supplied to the Clerk does not have list of those names.

Mr. Angatia: Mr. Speaker, Sir, when these answers were prepared and given to the Clerk I assumed that they included all attachments that I had given. Therefore, I will give this one to the Clerk.

Mr. Speaker: The names are in that list, is it so?

Mr. Angatia: Yes, the names are here.

Mr. Speaker: Next Question. Are you Mr. Muite, Mr. Achieng' Oneko?

Mr. Achieng' Oneko: Mr. Speaker, Sir, I think it would be fair to thank the Minister because he is the first Minister to admit that there is theft.

(Laughter)

Mr. Speaker: Very well, but next time, hon. Achieng' Oneko, if you want to address the House you should rise on a point of order.

Next Question.

Question No.738

DEATHS OF PRISONERS

Mr. Muite asked the Minister for Home Affairs and National Heritage:-

- (a) how many prisoners have died in Kenyan prisons since January this year; and,
- (b) what is the break-down of those who have died in remand and those serving sentences.

The Minister for Home Affairs and National Heritage (Mr. Lotondo): Mr. Speaker, Sir, I beg to reply.

- (a) 819 prisoners have died in Kenyan prisons since January, 1995.
- (b) The breakdown of those who died in remand and those serving sentences is as follows:-

- (i) Convicted prisoners - 528

- (ii) Remand - 291.

Mr. Speaker, Sir, common diseases which caused the death of prisoners were as follows; malaria, tuberculosis, HIV/AIDS, diarrhoea, pneumonia, typhoid, dysentery and meningitis.

Breakdown per province; Nairobi - convicted 61; remands 113; Central - 58; remand 7; Eastern - convicted 28; remand 20; North-Eastern - convicted 2; remand nil; Coast - convicted 51; remand 42; Nyanza convicted 209; remand 44; Western - convicted 58; remand 41; Rift Valley - convicted 58 and remand 24. The total 819.

We were able to buy 4,700 extra blankets on top of what we bought last year - 30,000.

The Ministry of Health have been doing its best to supply drugs just as it does with other district hospitals, dispensary and health centres.

Mr. Muite: Mr. Speaker, Sir, given that the year is not yet over and Kenya has already lost 819 Kenyans; what urgent steps is the Ministry taking to reduce these unnecessary deaths? Does the Minister accept the fact that, the majority of these people have died because of over-crowding and lack of drugs?

Mr. Lotodo: Mr. Speaker, Sir, the Minister is not going to sell his cows to expand the prisons. I need help from this House and if the hon. Member for Kikuyu has the powers here to give the money, let him give me and the following day, I will expand the prisons the way he wants.

(Applause)

Mr. Kibaki: Mr. Speaker, Sir, there is no point for the Minister to get angry over his own responsibility. The Government has enough money because already it has lost KShs.14 billion and it is still able to go on and lose more. KShs. 14 billion has already been stolen!

An hon. Member: Where?

Mr. Kibaki: Mr. Speaker, Sir, an hon. Member is asking where. He must be leaving in another world. Will the Minister promise us that he is going to take urgent measures to provide medicines? He cannot treat people as if they are not human beings. 819 prisoners are human beings and they could include his own brother.

Mr. Lotodo: Mr. Speaker, Sir, I have the ability to expand the prisons, if the cash is there. I am not asking you to give me the money which has been stolen. I need the money which has not been stolen!

(Laughter)

Mr. Orengo: Mr. Speaker, Sir, the hon. Minister, indeed, is lucky because like some of us, he served a prison sentence and was able to come out. But unfortunately, there are people who suffer a death sentence by default, like the 291 people who are merely remand prisoners. They are innocent Kenyans who have not been found guilty and they have died in prison because the Minister is not looking after the prisons properly. Can the Minister take urgent steps, including co-ordinating his efforts with the Attorney-General, to make sure that people are not unnecessarily denied bail like in the Koigi's case? There is no reason why he should not be given bail pending appeal.

(Applause)

Mr. Lotodo: Mr. Speaker, Sir, there are issues here which are beyond my powers. I am not going to sit in court and tell a magistrate or a judge that he should not sentence Mr. Gatabaki for three years because that is the prerogative of the Judiciary.

(Laughter)

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

Mr. Speaker: What is it Mr. Gatabaki?

(Loud consultation)

Mr. Speaker: Order! Order! What is it Mr. Gatabaki?

Mr. Gatabaki: Is it in order Mr. Speaker, Sir, for a former inmate who is a Minister to talk in terms which indicate that he does not know where he was before as a prisoner and he has no sympathies for his former colleagues in the prisons?

Mr. Speaker: That is not a point of order. You can ignore it! Last question on this, Mr. Wamalwa!

Mr. Wamalwa: Mr. Speaker, Sir, I wonder whether the Minister is aware that over a number of years what the Department of Prisons used to earn as Appropriations-in-Aid from prisons farms has dwindled to zero because the prisons farms have been allocated to individuals most of whom already have other land. Would the Minister consider advising the Government to revive the policy of allocating prisons to individuals, especially to those who already have other farms?

Mr. Lotodo: Mr. Speaker, sir, I am aware that some prisons farms have been allocated to individuals but those farms were not being used at the material time.

(Laughter)

Mr. Speaker: I am sorry time is up now!

(Loud consultation)

Order! Mr. Raila, very quickly, you got one minute to demand a Ministerial Statement.

POINT OF ORDER

SECURITY SITUATION IN KIBERA

Mr. Raila: Mr. Speaker, Sir, I stand on a matter of grave importance, namely the security situation in the slums of Kibera, in Langata Constituency. So far, seven people have lost their lives in a conflict that started last Sunday. A normal crime of murder has been politicised and turned into a conflict between two ethnic communities namely the Luos and the Nubians.

hon. Members: What did you say?

(Loud consultation)

Mr. Raila: Mr. Speaker, Sir, I said Nubians. The matter I am rising is of grave national importance and you should please urge the Government side to listen to me in silence.

Mr. Speaker, Sir, actions by the Provincial Administration and the Police have not helped matters because they have acted in a partisan manner.

(Loud consultations)

Mr. Speaker: Order! Order hon. Members including hon. Raila! Can we listen! I think we all have some form of heart on a matter like this, but I would like to point out to you, Mr. Raila, that you better come straight to the heart of the matter because it is time for me to call the next Order.

Mr. Raila: Mr. Speaker, Sir, all I am saying is that this morning a contingent of the General Service Unit (GSU) was deployed in the Kibera which has now been cordoned off. Today, one person was shot dead by the Police bringing the total number of casualties to seven. I would urge the Government to take immediate steps to stop this wanton killing of innocent Kenyans.

Mr. Speaker, Sir, I demand a Ministerial Statement and also I would ask the Minister concerned to tell us whether the long awaiting urban ethnic clashes have now finally arrived in this country.

(Applause)

Mr. Speaker: Order! Order! I do not think I have time for you Mr. Kalweo now. Can you just say very quickly what it is?

The Minister of State, Office of the President (Mr. Kalweo): Mr. Speaker, Sir, I will furnish the House with the details tomorrow morning.

Mr. Speaker: Very well! Next Order!

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

Mr. Speaker: Order! Is time for the next Order!

Mr. Nyagah: We demand here and now that he gives us that Ministerial Statement.

Mr. Speaker: Order! Next Order!

COMMITTEE OF SUPPLY

(Order for Committee read being Ninth Alloted Day)

MOTION

That Mr. Speaker Do Now Leave the Chair

Vote 01 - Office of the President

The Minister of State, Office of the President (Mr. Kalweo): Mr. Speaker, Sir, I bet go move that Mr. Speaker do now leave the Chair.

I would like to move the Vote of my Office Vote-R01 and Vote-D01, Office of the President on Provincial Administration and Internal Security.

Mr. Speaker, Sir, I will start by introducing my Ministry's policy. If the House as a whole would allow me, I would like to commence my statement by expressing my sincere thanks to the Head of State, His Excellency, the President, Daniel arap Moi, for his wise leadership. It is his wise management skills that has held this nation together because it has been on the verge of going out of the rails since the introduction of multi-partyism.

The fruits of his Excellency the President's leadership are evidenced in the remarkable economic growth and political stability that we have continued to enjoy.

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

The Speaker: Order! Order! What is it?

Mr. Kiliku: Mr. Speaker, Sir, every Minister is supposed to have done his homework on his Ministry. So hon. Kalweo is out of order to read a speech when moving the Vote of his Ministry. He can refer to his notes, but he should not read his speech.

The Speaker: Order! Order! You are, in fact, out of order. I have ruled on that several times. Proceed!

The Minister of State, Office of the President (Mr. Kalweo): Mr. Speaker, Sir, I am only referring to my notes. We have to mention the name of His Excellency the President more than a million times because he brought stability to this nation whether you like it or not.

Mr. Speaker, Sir, after the stagnation of 1991/92, the country started picking up economically because of the stable leadership and in 1994, the economic growth was 3 per cent.

[The Speaker left the Chair]

[The Deputy Speaker took the Chair]

So, I take this opportunity to commend His Excellency the President for his good work.

Mr. Deputy Speaker, Sir, despite the budgetary constraints, the Office of the President has been trying to maintain, enhance and execute all the responsibilities and activities that it is charged with. In order to bring the administration closer to the people, the Office of the President thought it wise to increase the districts from the previous 53 to 58 in order to bring administration to the people. In 1995/96 Fiscal Year, the Office of the President will

continue to enhance the existing peace, stability and prosperity for the benefit of all Kenyans without discrimination.

My Ministry is charged with the following main responsibilities: organisation and co-ordination of Government businesses, provincial administration, internal security immigration, registration of persons, National Youth Service, Registration of Births and Deaths, Kenya Airport Authority, Government Chemists, Government Press, Research Authorisation, Nyayo Bus Corporation, Nyayo Tea Zones Development Corporation, Presidential Commission on Soil Conservation and Afforestation and Non-Governmental Organisation (NGOs) Co-ordination. The above functions are funded under Votes R1 and D1. I require gross allocation of K£737,772,029 for the Recurrent and Development expenditures as detailed herebelow:- Recurrent -£512,605,039 and - Development K£225,166,990. Out of the total sum allocated, for Recurrent Expenditure, K£236,891,699 will be utilised on Personal Emoluments and the balance of K£275,713,340 will go into provision of services.

The voted funds under the Recurrent Vote are accounted for under the following Sub-votes:- General Administration, Field Administration Services, Administration Police services, Government Press, National Youth Service, Kenya Airport Authority, Immigration, Police, Government Chemists, General Services Unit. The total amount required comes to K£275,713,340.

Mr. Deputy Speaker, Sir, as already stated, the gross development expenditure under Vote D1 amounts to K£225,166,990. The amount voted is, therefore, less by K£225,885,810. Last year's approved gross expenditure stood at K£451,052,800. The voted funds are accounted for under the following Sub-Votes:- General Administration, Field administration, Administration Police Services, Government Press, National Youth Service, Kenya Airport Authority, Immigration, Police, Government Chemists, General Services Unit and the total comes to the figure I had referred to above.

Mr. Deputy Speaker, Sir, I intend to slice the voted funds in settling carried bills from the previous Financial Years amounting to K£36,333,859 and construction works on the on-going development projects and programmes. In implementing the projects, emphasis will be put on completion of core and high priority projects. It is my intention to complete the following core projects in the current Financial Year:- Rehabilitation of Moi International Airport, Eldoret District Headquarters, Kepenguria Divisional Police Headquarters, Kapsabet District Headquarters, Kitale Divisional Headquarters, Mombasa CID Dog Section, Magadi-Mashuru Division Headquarters, Buti Police Station, District Commissioner's house, Wajir and acquisition of GSU estate.

Mr. Deputy Speaker, Sir, out of the voted funds my Ministry will receive K£132,321,824 and also K£18,950,000 in form of loans and grants from the donor community. At this juncture I, wish on behalf of my Ministry, to convey my sincere thanks to the international donor community, particularly Japan, France, Italy, African Development Bank, the International Development Association and the International Fund for Agricultural Development for their support for projects under my Ministry. Details of the loan-financed projects under my Ministry are as follows: Emergency drought recovery programmes requires K£12 million; Nyayo Tea Zones Conservation Projects will get K£7 million from African Development Bank (ADB); Matuga District Development Institute needs will get K£1,321,824 from IFFAD; Tana Basin Road Project needs K£44,750,000 from Japan; National Youth Service Advanced Engineering Institute is to get from Japan K£250,000; Jomo Kenyatta International Airport purchase of plant and equipment will get from France K£2 million and Moi International Airport, Mombasa, is to get K£65 million from Japan. These amounts total to the figure I have given above.

The Projects which will benefit from grants are as follows: Drought monitoring is to get from the Royal Netherlands Government K£15 million; purchase of vehicles from Italy for K£3,750,000; purchase of spare parts for Nyayo Bus Corporation from Italy for K£200,00. Once again, the total of these amounts to the figure I have given above.

In conclusion I wish to assure the House and the international donor community that the voted funds in both Recurrent and Development Votes will be utilised for the intended purposes, and the expenditure will also be properly accounted for. I urge the House to support this vote. The views of the hon. Members will also be taken into account.

This is because the Government is there to serve the citizens of this nation. My officers will be in the House to take note of whatever matters that will be raised by the hon. Members.

While mistakes arise here and there, for example with the police, we try to maintain the good name of the Government. Again, we should realise that just as all parts of a person's body are not perfect, the same is true of all the organs of the Government. So, some errors are human. We, therefore, require the co-operation of the Opposition hon. Members and every other Kenyan so that we can perform our duties properly.

With those few remarks, I beg to move.

(Hon. Masinde rose up, sat down and rose up again)

Mr. Shikuku: On a point of order, Mr. Deputy Speaker, Sir. I thought I saw the Minister for Labour and

Manpower Development stand and informally second the Motion and then sit down. Why is he standing up again?

Mr. Deputy Speaker: Order, Mr. Minister! I am satisfied that because I was consulting some papers the Minister did not want to take the Floor before I had signalled my consent to him. So, he did not intend to say that he had contributed to the Motion simply by nodding. Yes, Mr. Minister.

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

I would like to appeal to my fellow hon. Members that we approve the amount that is being requested by the Office of the President. It is very important that wananchi, wherever they are, live in peace and we must have stability. It is also very important that wananchi get served from close quarters. On this point, I want to congratulate his Excellency the President for creating a few more districts so that wananchi can be served better. By so doing we also expect that wananchi should live peacefully and also go about their businesses in a peaceful manner, knowing that they are safe all way round. This cannot happen when we have some elements who keep on inciting others to fight. Just this afternoon one hon. Member has raised the issue of the problems that are being experienced in Kibera. The very same hon. Member had problems in Kisumu being connected with him and now we have problems in Kibera whereby he is setting---

Dr. Kituyi: On a point of order, Mr. Deputy Speaker, Sir. We can understand the poverty of issues on which a Minister can second a Motion on the Vote of the Office of the President, but is it in order for a senior Minister of Government to cast aspersions on the integrity of an hon. Member and use that as a basis for questioning his right to stand on a point of order on a matter of national importance?

The Minister for Labour and Manpower Development (Mr. Masinde): Mr. Deputy Speaker, Sir---

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

Mr. Deputy Speaker: Order, Dr. Kituyi! The Minister has the Floor and I am also engaged in consultations!

The Minister for Labour and Manpower Development (Mr. Masinde): Mr. Deputy Speaker, Sir, it is important, therefore, that we get the money to establish---

Mr. Deputy Speaker: Order! Hon. Minister, I am sorry that I did not get the words. What were the words that you used?

The Minister for Labour and Manpower Development (Mr. Masinde): Well, Mr. Deputy Speaker, Sir, I think they will be in the HANSARD tomorrow.

An Hon. Member: No; reply to the point of order now!

The Minister for Labour and Manpower Development (Mr. Masinde): Well, I am replying to it!

Mr. Deputy Speaker: Mr. Minister, what words did you use?

The Minister for Labour and Manpower Development (Mr. Masinde): Mr. Deputy Speaker, Sir, I said that we need peace and stability in this country and that we cannot have it if there are some people who incite other people to cause problems like those which are being raised by one hon. Member. In fact, I did not name any hon. Member - concerning the issues we are having in Kibera and Kisumu. There are problems here and there. What is wrong with that?

Dr. Kituyi: Mr. Deputy Speaker, Sir, it is unfortunate that the Minister is misleading the House.

Mr. Deputy Speaker: Order! Are you satisfied that those are the words he used?

Dr. Kituyi: Mr. Deputy Speaker, Sir, those are not the words he used.

Mr. Deputy Speaker: Very well. I will have to consult the HANSARD and, I would like to state that no Member has a licence to cast aspersions on the character of another hon. Member. That is what the rules in the Standing Orders say, but for the moment, the debate will continue and, if there is anything to which hon. Raila will be entitled to respond under the rules, he will get the opportunity. I will consult the HANSARD tomorrow.

Mr. Raila: On a point of order, Mr. Deputy Speaker, Sir. Is the Minister in order to anticipate debate under Standing Order No.70? The Minister who answered earlier on had said that he was going to make a Ministerial Statement tomorrow on this issue. Now, here is another Minister talking about the same issue that is going to be replied to by the Minister tomorrow. Is he in order?

Mr. Deputy Speaker: No, he is not.

The Minister for Labour and Manpower Development (Mr. Masinde): Mr. Deputy Speaker, Sir, I think hon. Members just want to "eat" up my time. It is also important to have security in the country. The police have to be properly looked after and we need money to make sure that the police do their job properly. Their job is protecting the people and maintaining peace. It is, therefore, important that we get the money to make sure that the police are also enabled to be mobile because, at the moment, in quite a number of police stations, the police there are handicapped because their movements are curtailed due to lack of transport. Therefore, as willing as they may be to

serve wananchi when an incident has been reported to them, they cannot do so due to lack of quick means. It is important that the police are assisted.

Mr. Deputy Speaker, Sir, I would also like to request that the traffic police take stern action against people who break traffic rules in whatever way, whether by over-speeding or overtaking at wrong places. Quite often, we lament only after we have lost lives in this country. We have lost a lot of lives on our roads. We do not have to wait for the police to control what we ourselves can control on the road, like driving carefully, bearing in mind that we are dealing with human beings whose lives are very precious. It is also important that there should be more strict punishment for those who violate traffic rules. We, in this country have a lot of things to do. We need time, personnel and finances to organize our country and help our people to raise their standard of living and even create employment. However, if we treat life carelessly through dangerous driving and so on, besides the fact that we are losing human beings, we are also throwing away a lot of valuable foreign exchange. This is because, more often than not, the vehicles which get involved in accidents are very new and on which a lot of foreign exchange has been spent. These money could be saved to do other things if these vehicles were spared by avoiding many accidents.

Mr. Deputy Speaker, Sir, I want to take this opportunity to congratulate the National Youth Service people for the work they do for the nation. It is important that these youths are helped and also taught patriotism, regardless of whatever party they may be inclined to support. They are the leaders of tomorrow and they have to look at their country as Kenyans and as nationals of this country so that they become patriotic to their country. Whatever they do, they should do it for their country and serve the government of the day so that when they come out tomorrow, they begin where the government of the day has left off and not where it started.

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

(Question proposed)

Mr. Maore: Thank you, Mr. Deputy Speaker, Sir, for this opportunity to contribute a few words on this very important Ministry and on the management of public affairs in this country.

It seems that there is an over-burdening of a single Ministry, a situation that equals the Office of the Supreme Soviets in the former Communist countries, whereby, every imaginable department that came up in the government had to be tied to the Office of the President. There is no reason why departments like the Kenya Airports Authority should not go to the Ministry of Transport and Communications. If you look at the way the Rehabilitation Programme is arranged in the Development and Recurrent Expenditure, you will see so many things belonging to so many Ministries that you wonder if there is a duplication of allocation in the various Votes that are spread in that department of the Drought Recovery Programme. When we do pass a lot of these small Votes that are neatly arranged, there is a possibility of us overlooking very major Votes that appear. I specifically want to mention the example where we did allocate K£300,000 which is equivalent to about Kshs40 million, for Eldoret Airport in the last Financial Year. The Minister of Finance connived with the Office of the President, to which the Eldoret Airport belongs, and released over US\$20 million. That is the one the Minister admitted, but there is another portion he did not admit. This business of coming to Parliament to ask for K£10 when you know very well that you are going to spend K£1,000,000 is making a mockery of Parliament.

When we do organise and budget for some projects it is important that they pass through the normal Vote in the House and not through the Government because we are not above reproach. We are not above perfection. There has been allocation of money to big projects and a possibility of kick backs. If you look at the Department of Defence or the National Youth Service, you will see that there are allocations made and by the end of the year we are faced with a situation whereby when we vote for say K£10 already the arrears that the bureaucrats have accumulated in the previous year are above the Vote that we are passing here.

Mr. Deputy Speaker, Sir, I understand from some of my friends that if you have maybe five or ten million shillings worth of services or goods in the Department of Defence, chances of getting the payment are slim. Now, if you have a very strategic department like the Department of Defence and they are not paying their bills as they come and they keep on pilling them, we are facing a situation where a lot of Kenyans have been impoverished by the Government through such contracts. They have it that you are not paid your money unless you either give a nice kick back or you see the correct people in the political establishment. This nonsense has to be stopped. The Government must be able to live within its means.

Another issue is that of the rising crime rate. We are living in fear and fear is being accelerated by the state of insecurity. Maybe temporarily we would wish to appreciate the work of the security forces who have temporarily calmed the nerves on the side of crime rate but I not sure for how long this will last. Given what has been happening in Kibera and Githurai over the weekend, I do not know how long this exercise is going to last.

Mr. Deputy Speaker, Sir, in July, somebody set on fire the offices of the Anti-Corruption Unit. The

Government said that they were investigating the incident and I am sure that that should be the last time we ever heard as to what happened in that Department. The entire second floor of Bima House was set on fire. We do not know whether these were activities of some arsonists or it was accidental.

Dr. Kituyi: It was "the Nigerian solution!".

Mr. Maore: Some hon. Member says that it must be the "Nigerian Solution".

Mr. Deputy Speaker, another issue that we have had the Minister mention is about a craving desire for the Government to get services closer to the people. This may sound politically very much acceptable or prudent; the business of creating new districts in a public rally. We are getting into a situation whereby somebody breaks the law just to get cheered in a public rally. There is the District and Provinces Act of 1982 which clearly states which districts are to be created. I would wish to have every village made a district. We do not care as long as it goes through the normal process of planning. This business of creating districts and expanding the provincial administration has not been intended to take those services closer to the people. Imagine what would happen in a case where the district commissioner who happens to be the chairman of the District Security Committee, is also the chairman of Famine Relief Committee, Presidential Bursary Fund, District Development Committee, District Agricultural Board, District Executive Committee, District Retail Licensing Board and the Land Allocation Board. This is one way of having an avenue for corruption. We know of a District Commissioner actually who is right now sitting somewhere in the country who has built a shopping complex worth hundreds of millions of shillings. This is a civil servant. We are not sure that he inherited from his great grandfather a million shillings. We need to check the extent to which we create avenues for corruption for our civil servants. They are not angels.

Mr. Deputy Speaker, Sir, let me bring you closer home to my constituency. When we complain about a district officer we do not do so because of his ethnic background or anything. It is because we want competence. Now we have been having numerous cases of cattle rustling. Once your livestock are stolen and you go to the district officer and tell him to give you security to pursue the stolen cattle he just sits down and says, "We are going to pursue the matter". Two days later that is when he will respond. As a result we have had a historical rise in cattle rustling in my constituency. This has never happened before because the security forces have been there but the current District Officer has been very reluctant in pursuing the bandits. I remember that there was a KANU meeting that took place in December, last year, and the District Office chaired it. He told my constituents that since they were in the Opposition they should not worry because if they become poor next time they will be available for the KANU handouts.

Another issue that should be raised in this Ministry is that of the Government using KANU Youthwingers. The security forces should be able to handle matters of security without involving civilians. When you have a Government that degenerates into using the unofficial security network, you have alacrity for disaster. I understand the issue that always comes up is that of this Government being very sensitive about arrangements that should not be able to reflect any ethnic imbalance. I would specifically to speak about the Provincial Security Committee in Nakuru where you have four people speaking in a language other than English or Kiswahili constituting the Security Committee. This Committee consists of the Chairman, who is the Provincial Commissioner, the Provincial Police Officer (PPO), the Provincial Criminal Investigation Officer (PCIO) and the Provincial Intelligence Officer (PIO). When they do whatever they concoct they rush it to the court and also the same kind of ethnic imbalance happens. This has to be stopped.

Thank you.

The Assistant Minister for Agriculture, Livestock Development and Marketing (arap Saina): Mr. Deputy Speaker, Sir, I rise to support this Vote; the Office of the President, Vote 01.

Let me, first of all, congratulate the holder of this office, His Excellency, the President of the Republic of Kenya, hon. Daniel Toroitich arap Moi [**The Assistant Minister for Agriculture, Livestock Development and Marketing**]

on his attaining 40 years in this August House which was celebrated yesterday. History has been made right from the beginning of the time during the Greek leaders like Plato, Socrates all the way to the British Empire during the time of Sir Winston Churchill. So, in Kenya, history is being made and I think with due respect to all leaders in this House while supporting this Vote I call for proper coordination and understanding among Members of Parliament irrespective of their Parties.

We say the vision of a leader is a light of a nation and the vision of our President is the light of this Republic. So, in the Recurrent Estimates this Ministry calls for K£512 million and K£226 million in Development Estimates which should be approved without any objection at all. This Ministry is expanding. Indeed, it has expanded within a very short time from 42 districts in the Republic of Kenya to another additional 18 new districts which explains how the population of Kenya is expanding.

Mr. Speaker Sir, it calls, therefore, for more finances and more offices to be opened, more District

Commissioners, more District Officers and, therefore, more local chiefs in addition to other officers of the Government. I think, this expansion will require this amount of money. As population grows, we need more security. Indeed, we need even better security here in Parliament because of the events which are taking place around, so near to us that and so fresh in our memories. What is happening in Langata is a testimony of what this money should be voted for; to really support the security in this, not only in this City, but also in other areas. So, we need this money for security. And the Office of the President carries that portio-folio of the internal security, so they need money, they need more people who will be giving us security so that we live in peace and develop this country. But let me also re-examine one issue and remind Members of Parliament of the need for close ties between them and administrative officers in their constituencies. Members of Parliament sometimes are at loggerheads with District Commissioners or DOs and even worse, chiefs. Sometimes you have a chief who does not know that an hon. Member of Parliament really is the man of the day because he was elected by the people and the chief should really respect him.

I say that there should be closer relationship between officials of the administration and Members of Parliament. I am not inciting Members of Parliament. I want closer relationships and harmony so that good work and development can be realised.

Mr. Speaker Sir, an hon. member has talked about the Eldoret Airport. Although, at the beginning when this project was started, quite a few politicians opposed it, I think, now they are seeing sense and they are realising that this Airport is going to serve a very big area of our country. Not only Western Kenya, but even to Uganda, Zaire, Tanzania and Sudan. In fact, I was challenging during Moi Day my hon. colleague, Member for Kisumu Rural, Prof. Anyang-Nyong'o. I told hon. Member my colleague in this august House to start now thinking of harvesting fish from Lake Victoria, including tilapia and Nile perch so that he can bring it and airfreight it in a Jumbo Boeing from Eldoret Airport to European markets. This fish which is lying idle at Lake Victoria has the biggest market in Europe. It is only fresh water fish you find in Africa and it is there. Fish is lying there because you have no airport. You can only take either a net or fishing rods, harvest a shoal of fish and bring it to the Eldoret Airport. I think, nobody now opposes Eldoret Airport including the Member for Butere, my hon. colleague Joseph Martin Shikuku; he supports me.

Mr. Speaker Sir, I have talked about the role of the chiefs. Let me again mention something which has been happening between the Provincial Commissioners, District Commissioners and the Members of Parliament. I am asking the Office of the President to leave the District Commissioner in charge of the district and the Member of Parliament in that area to handle the affairs of that district and no other Member of Parliament from another district or another area far away to come and interfere with the District Commissioner in my district. I have said this because I have had certain experiences in the past. Leave my District Commissioner with me, if we have any problem, we can sort it out. I believe the District Commissioner is dedicated to his job. The District Commissioner is a good civil servant but let no politician interfere with him. He is the Chairman of District Development Committee and all elected Members of Parliament are in that Committee. And it is a very important Committee and no Member of Parliament from another district should come and interfere.

Mr. Speaker Sir, I support this Motion on the Vote of the Office of the President; Vote 01.

Thank you very much.

Mr. Obure: Thank you very much.

Mr. Speaker Sir, the Office of the President is a very important office on the land. The men and women who work in this Office are very important and we recognize them and we cherish their being in the Office of the President. Starting from the Permanent Secretary to the Provincial Commissioner, the District Commissioner to the chief, up to the sub-chief, it is not proper for people in this big office to despise and disregard the people who are elected on this land. I believe that the most important people in this nation today and the days to come is the common men. The mwananchi is the most important person. He is the master of all of us. Not the Ministers nor the President; we are all servants of the people who have employed us.

So, it is the obligation of the officers in the Office of the President, to respect the common man and the people who are elected. To add on that, the people who are in this Office are appointed, after being educated, fed with Kenyan food, taken care medically and given education with public funds so that they can come and serve the people of this land.

However, what perturbs me is that the moment we appoint these people to these offices, they think that they are the masters. Let it be understood that the elected people are the representatives of the people. My colleagues may ask why I am saying this. We went to a rally on Sunday where a young man of only 21 years of age who has been educated with public funds, and whom we should be proud of because he is a District Officer (DO) misbehaved. The DO after being told that he is young stood up and ordered the police to throw teargas to the elected leaders, not knowing that one Member of the Opposition including people like hon. Wamalwa or Mr. Kibaki is going to become the President of tomorrow.

Mr. Deputy Speaker, Sir, the bullets that were wasted could have been used somewhere else. The bullets that

were wasted to scare the people away including pregnant women should have been used elsewhere. Generally, we should ask ourselves thus: Is this happening because we have young Ministers in office like my colleague? I do not want to mention his name, but who is equally as young as that DO. Is that why we are suffering? Let this office know that we have to appoint people who are mature to occupy these big offices.

The Assistant Minister, Office of the President (Mr. Sunkuli): On a point of order, Mr. Deputy Speaker, Sir?

Mr. Deputy Speaker: What is it, Mr. Sunkuli?

The Assistant Minister, Office of the President (Mr. Sunkuli): Is it in order for the hon. Member from Bomachoge to say that the Minister of State, Office of the President is a young man when, in fact, he is over 60 years old?

Mr. Obure: Mr. Deputy Speaker, Sir, I deplore this situation where officers like Permanent Secretaries sit in their office, and send these young DOs to brutalise people including elected leaders. The DOs must be mature. When we were interviewing them we must ensure that they are people who can handle cases and manage political rallies properly. We are being ashamed by these young officers. I highly recommend that Gachagua's services should be terminated without being paid any benefits at all. What he did was a shame not only to Kenya, but to this Government. Secondly, we thank His Excellency the President for creating new districts. The people of Bomachoge, Bobasi and South Mugirango/Borabu Constituencies were overjoyed by the creation of these new districts. We really celebrated, but our celebrations were shortlived. Since the time that we were given the new district, the provincial administration and KANU politicians have taken charge, but the Permanent Secretary in charge of provincial administration cannot make a decision. The Provincial Commissioner cannot make a decision because they have been bribed and they cannot come to make a decision.

The Assistant Minister, Office of the President (Mr. Sunkuli): On a point of order, Mr. Deputy Speaker, Sir?

Mr. Deputy Speaker: What is it, Mr. Sunkuli?

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Deputy Speaker, Sir, the hon. Member is making a categorical statement that the Permanent Secretary in the Office of the President and the Provincial Commissioner, Nyanza have been bribed. We demand a substantiation or he withdraws. He is a very reckless hon. Member.

Mr. Obure: Mr. Deputy Speaker, Sir, if hon. Sunkuli has not been bribed, he is the only one. Why has a decision not been made? They have to speak out.

Mr. Deputy Speaker: Mr. Obure, I am sure you know the rules of the House very well, and your statement definitely lacked tact. If you are trying to say that hon. Sunkuli was not bribed, that was tactful. But the first one definitely had no tact. You either table on the Table before the House evidence of the two individuals who are very specific being bribed or you withdraw and apologise, and then we continue with the debate.

Mr. Obure: Mr. Deputy Speaker, Sir, I withdraw and apologise. Can the Ministers allow me to do what I was sent here to do. We have been asked to appropriate funds to these Ministries. The first duty of the Government is to protect public funds.

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

Mr. Deputy Speaker: What is it, Mr. Farah?

Mr. Farah: Mr. Deputy Speaker, Sir, I seek the guidance of the Chair on how one can prove that somebody has been bribed or not? How can one prove bribery?

Mr. Deputy Speaker: At this point, the hon. Member had already withdrawn and apologised. The question can arise if you want to consult the Speaker in the Chambers. You can do so.

Mr. Obure: Mr. Deputy Speaker, Sir, right from the beginning, I said that this is a very important office on the land. Without security on this land, and without taking care of our people, economic activities cannot prevail in this land. First and foremost, let the people who are working in the Office of the President come down from the ivory towers, go down to the people and check what the police, DO's and the chiefs are doing. Our people are being harassed, tortured, imprisoned and killed. We have been told that 819 people have died in prisons. These people have been arrested, but they have not been charged. Assuming that every family of the deceased persons has three children, then today we would have over 200 orphans in this country, and Government is supposed to take care of them. If we were to appropriate any money, then we should appropriate money taking care of the orphans who are languishing without their parents. When we take people to jail, let us not treat them as individuals, but as people with families that need to be taken care of.

With those few remarks, I support the Vote.

The Assistant Minister for Information and Broadcasting (Mr Nassir): Bw. Naibu wa Spika,

ninakushukuru kwa kunipa nafasi niseme machache.

Bw. Naibu wa Spika, pesa hizi ambazo wanataka ziongezwe katika Afisi ya Rais, nafikiri hazitoshi na zinahitaji kuongezwa zaidi kwa sababu ya kazi yake na amani aliyoiweka katika nchi hii na katika kusaidia mambo mengi ya maendeleo, Afisi ya Rais yapaswa kupewa pesa nyingi. Binadamu hana shukurani, ukifanya mema, binadamu hawajui. Lakini ukifanya uovu, watu hufahamu haraka sana, hata ukitukana au kutoa ufidhuli.

Bw. Naibu wa Spika, ikiwa Wakenya, tunaweza kumshukuru Mwenyezi Mungu kuwa leo katika Kenya, tuna makabila mengi na dini nyingi na tunaweza kuishi kama hivi tulivyo sasa. Ukifikiria nchi nyingine ambazo zina kabila moja, dini moja, rangi moja na lugha moja, wanauana kama manyani.

Bw. Naibu wa Spika, mengi tuyaseme na mengine tuyabakishe kwa sababu tukifikiria tu, mimi nikitaka kutembea kutoka hapa kwa miguu mpaka Mombasa, ninaweza kwenda kwa usalama. Maana sisi wenyewe, viongozi tukichunga midomo yetu na tusiwafanye watu wakasirizana. Tusiwafanye watu wawe na ukabila kwa sababu hivi tulivyo ni baraka ya Mungu Wakenya kupendana. Tuna kazi ya kusaidia Mtukufu Rais, si kwa pesa tu lakini hata kwa kuweka amani na kumsaidia katika Harambee kwa sababu tulipopata Uhuru, ile idadi ya watu iliyokuwa Kenya wakati huo na ukiifikiria leo, amejitwika mzigo mkubwa.

Bw. Naibu wa Spika, ninaomba baadhi ya hayo walionayo Wabunge kuhusu Mtukufu Rais katika kazi zake, aunde tena kamati, si ya viongozi wa utawala, polisi wala CID lakini watu wa kumpa habari katika kila wilaya kuhusu shida zao. Kwa mfano, taabu ya kazi au elimu ama mashamba na kila mwezi sharti wilaya impelekee ripoti moja maana viongozi wa utawala wanafanya kazi yao. Lakini kazi yao sikwenda kuchungulia nani alia au nani ana taabu. Watu wengine wana taabu, lakini kama hakuna kamati ya kuchungulia kila binadamu ama kila Mkenya ana taabu gani, watakuja watu wengine ambao wana taabu lakini Mtukufu Rais hawezi kujua. Special Branch ataandika ripoti kuwa Nassir anasema kuna zana pahali fulani, mtu fulani amchukia Nassir, Nassir hafai tena kufanya kazi, Nassir ni mzee, Nassir ni hivi. Lakini ule ukweli, ile taabu alionayo binadamu, Mwanakenya leo kwa mambo ya kazi kwa sababu watu wengi hawana kazi, ndiyo maana hata ulitua sisi wanasiasa, ni rahisi maskini kuwachochea Wakenya wafanye fujo, watuandame huko, tuwapeleke huko kwa sababu hawana kazi wala biashara. Ni rahisi kuchukuliwa moyo wao kupelekwa kila pahali kwa sababu ya pesa.

Bw. Naibu wa Spika, kuna watu wa starehe katika Kenya hii na wengine wana taabu. Lakini utakuta ndugu yangu kutoka Kisumu, enda zake Uganda hana taabu yoyote kabisa na arejea kutoka Uganda aje zake Kisumu hana taabu. Lakini umsomee Shariff Nassir, amezaliwa Lamu na hana ruhusa ya kwenda Kismayu na Kismayu wale asilia yao watoka Lamu. Umwone ndugu yangu Mmasai, enda zake rahisi Tanga ama Moshi, hana taabu lakini "Wee!" Idara ya Uhamiaji ije imwone Shariff Nassir amekwenda Kismayu, "ulikwenda vipi, ulikuja vipi? Alaa! Ndio maana huu ni ujanja uliofanywa na mwingereza, lakini Kismayu ilikuwa Lamu na Lamu ilikuwa ni Kismayu. Kwa haya tunataka ikiwa kuna mambo ya elimu, watu wengine wasipate taabu. Kama kuna skuli Mombasa ya kibinafsi ambayo imefunguliwa, tusiseme hapana! Usizoe kusema hapana tu, keti na wale watu wanaohusika waliojenga skuli ile kwa Harambee na uwaambie Serikali ya Kenya yataka hivi. Nao wasema haya magumu, hatuwezi kufanya lakini tunaweza kufanya hivi. Kwa hivyo, tuna taabu nyingi Wakenya ambazo zinahitaji kusuluhishwa. Ndio maana nikasema Afisi ya Rais ina mambo mengi ya kufanywa hasa kuhusu taabu ndogo ndogo tulizonazo.

Bw. Naibu wa Spika, shida tulizonazo katika Kenya leo, watu waziita siasa. Lakini Kenya hakuna siasa, siasa zilimalizwa na hayati Kenyatta, Odinga, Tom Mboya na kina marehemu Ngala. Imebakia sisi na ninataka kuwaambia Wakenya pamoja na Bunge tukufu kuwa tuna tamaa ya viti au bendera. Basi, ukimwona mwanamke njiani, "njoo nikuambie siasa." Siasa gani? Unataka kumwondosha adui gani? Lakini kwa sababu hatutaki kuwaambia ukweli, waunde vyama vya ushirika, tuende mimi Nassir nina uhusiano China, niwaletee mashini, trakta, mlime au mtafute mkopo. Watu wana taabu na wengine huwa hodari katika Kenya, huwashindilia wenzi wao katika siasa, ngwaa! Na kila mtu asubuhi hata anaweza kufanya biashara. Barabara za Moi zote Mombasa zanunuliwa, River Road ishanunuliwa na hata huko Nairobi ishanunuliwa. Leo asubuhi ukiamka nitampata yule. Uwangelie wenzio wafanya biashara na wewe wafanyabiashara. Basi katika siasa wewe uingia mpaka kooni mwako. Asubuhi huna chakula na mwenzio atembea na Mercedes Benz yake, shamba ekari 100 na matrakta 10 na bado hamjatosheka. Kwa nini hatumfunzi kila mtu katika mahala pake namna ya kumfanya naye apate chakula au atafute kazi? Namna ya kumfanya naye apate mkopo katika benki? Kwa nini tunadanganya mpaka leo? Wakenya tumekwenda katika siasa wakati wa kupigania Uhuru, tumefanya kila kitu. Lakini leo wakati wa kumtazama, kila mtoto ana taabu. Watoto chungu nzima Mombasa maskini, hawawezi kwenda katika vyuo vikuu nami nasema waje niwafanyie Harambee na mtaomba kama maskini barabarani ili niwafanyie Harambee. Lakini maneno ya kuwatia uchungu na ukali katika vyuo vikuu wapige makelele barabarani! Lakini yamkinika kila mwanafunzi ataka Kshs.48,000.00 hakuna njia ya kumtafutia hizo pesa.

Bw. Naibu wa Spika, mimi ninasema kuwa wahe. Wabunge Mombasa wawe katika upande wa upinzani au katika chama kinachotawala cha KANU, waje tuungane. Watu wetu ni maskini Mombasa na hawana mashamba tuwafanyie Harambee ile waweze kujisaidia nao waenda wakasome. Kwa hayo, wakati umefika na kama mtu hataki

kujua hatajua. Iliyoko hivi sasa, simwoni mwingine ambaye anastahili kuwa Rais kuliko Rais Moi. Basi mtu akikasirika, aende akatafute vigae, ale afe haraka sana.

Mr. Shikuku: Asante sana Bw. Naibu wa Spika. Jambo la kwanza ningependa kuungana na wale waliosema kumpa pongezi Mbunge katika Bunge hili ambaye ni Bw. Moi kwa kumaliza miaka 40 katika Bunge hili, nampongeza. Pia napongeza yale maneno aliyoyasema katika ile karamu ya kusheherekea miaka 40 katika Bunge hili kwamba ni lazima ukweli usemwe. Kwa hivyo, jambo muhimu ni kuwa ukweli usemwe na hakuna mtu atadhuriwa akisema ukweli na kazi yangu ni kusema ukweli.

Bw. Naibu wa Spika, ukweli ni kwamba, Idara ya Polisi iko katika Ofisi ya Rais. Ukitaka polisi aje, isimwambie watu wanapigana. Mwambie kuna chang'aa hapa au bangi. Watakuja wakibeba bunduki na kila kitu. Waziri ambaye yuko hapa yafaa ajue kwamba wananchi wamechoka. Siku hizi kama kuna ghasia polisi hawaji lakini ukiwaambia kuna pombe wanakuja haraka kama umeme. Tukihalalisha chang'aa, kama kule Uganda, watu watengeneze chang'aa na inunuliwe na Serikali, hawa polisi watakuwa na kazi gani? Kazi ya polisi itakwisha kwa sababu kazi wanayojua ni kutafuta chang'aa. Mtindo huo ni ni lazima ukome.

Kuna jambo ambalo tunataka kusema kwa sababu Wizara hii imeajiri watu kazi. Tunataka watu wote washirikishwe katika kuajiriwa katika polisi na katika jeshi kwa sababu mishahara ambayo polisi wanapata inatoka kwa kodi ya kila mtu; sio kabila moja au mbili. Tunataka watu wapewe kazi katika polisi na jeshi kwa sababu hakuna haja ya kujaza kabila moja katika jeshi kwa sababu tumeshajua wengine waliyofanya mchezo huo hata kule Ethiopia na haukuwasaidia. Kwa hivyo, tunataka kila mtu apewe kazi katika polisi, jeshi na idara ya upelelezi.

Bw. Naibu wa Spika, tungependa wananchi wawe wakilala wakiwa na tumaini kwamba wataona asubuhi. Siku hizi hawana hakika. Hakuna ulinzi wa kutosha kwa wananchi. Wananchi wanauawa hata na polisi hasa polisi wa Utawala wanaopenda kutumia bunduki kwa njia isiyofaa. Kuuu mtu kwao ni kama kuuu kuku. Hawajali, tena wanatumia zile risasi ambazo zimenunuliwa na kodi ya wananchi. Wakati umefika kwa polisi kujua kwamba hawawezi kufanya mchezo kama huo kwa sababu wanalipwa na umma. Ajabu ni kwamba, mtu mmoja alichapwa kule Nakuru. Wale waliomchapa tunawafahamu. Sasa hata kesi hiyo sijui imefika wapi.

Bw. Naibu wa Spika, polisi wanatumia hizi risasi ambazo ni za umma. Kwa mfano vile Mhe. Obure amesema hapa, hawana hata adabu. "Wewe unamtupia gesi mtu aliyekuletea Uhuru na unamtukana?" Mtu kama mimi mzee nimeleta Uhuru. Hawa maofisaa wengine pengine hawangepata kazi hiyo, pengeni wangukuwa wanachunga mbuzi za baba zao. Leo wamekuwa DO, Inspector, lakini adabu hawana kwa mtu aliyeleza Uhuru. Mchezo huo ukome. Lazima tuwe na heshima katika nchi hii. Sisi Waluyah tunasema, yeyote ambaye ni mzee kama Oyondi nikimwona lazima nimpe heshima yake na pia niliampiwa huyo ambaye ni kama Oyondi akinitemea mate mabaya, nitadhurika. Lakini siku hizi watoto wadogo wanasimama mbele ya Wabunge waliochaguliwa na watu na Wabunge waliochaguliwa miaka mengi na kuwachezea. Tulikuwa na mchezo kama huo kule Mwea. Jana tulikuwa nao kule Kamirithu na kila mahali tunafukuzwa kama swara na hali vyama vimeaadikishwa kufuatana na sheria za inchi hii. Je, wapinzani wataeleza maneno yao namna gani kama wanakatazwa mikutano? Hata ukitaka kufanya arusi ya mtoto wako mpaka chifu angie ndani. Hata hile Serikali ya mbeberu ilikuwa mpaya lakini hakuna Serikali mbaya kushinda hii tunayoambiwa ni tukufu.

Kuna wale maofisa wa Utawala wa Mikoa. Hawa wamekuwa wakubwa. PC, DC, DO na chifu hawajali Mbunge ni nani. Na shukuru Mhe. Saina alisema hapa. Hawajali kama wewe umechaguliwa. Wanakuona wewe kama wewe si mtu. Mchezo huo yafaa uishe kwa sababu tumechaguliwa na wakitaka kujua kama tumechaguliwa, tukitaka kuchochea watu dhidi yao, maisha yao yatakuwa magumu sana. Hatutaki mambo hayo. Lakini yafaa wawe na heshima kwa watu waliochaguliwa na wananchi. Nashukuru kwamba Katibu wa Kudumu katika Wizara hiyo yuko hapa na awajulisha wale PCs, DCs, DOs na wote kule chini kwamba hii ni Serikali ya kisiasa na siyo Serikali ya watumishi wa Serikali! Wakati wa Jamhuri Day au Kenyatta Day wakizungumza, wana fikiri wao ndio wakubwa. Huo mchezo ukome. Wanasiasa yafaa waseme Jomo Kenyatta hakukuwa PC! Wao wanasimama na kuhutubu siku ya Jomo Kenyatta. Hawa ni nani? Nani aliwachagua? Watoke huko; wanasiasa wanasiasa wahutubu wakati wa Jamhuri Day au wakati wa Jomo Kenyatta Day.

Jambo lingine. Ukitaka mkutano, wanakwambia, "Kwenda onana na Bw. OCPD, DO, DCIO na hata chifu ndio upata leseni." Ni sheria gani inayosema hivyo? Sheria inasema ni DC atakeyetoa leseni kwa mtu anayetaka kufanya mkutano na hiyo imetungwa wakati wa ubeberu. Mimi nazungumza na ninajua ninasema nini. Hii ni sheria ya kibeberu na ilikuwa hivyo. Hukuambiwa uonane na DO, Idara ya upelelezi au OCPD ilikuwa ni DC kukupatia leseni. Lakini sasa wanatuwekea vikwazo kila mahali; hutuwezi kupata leseni mpaka tuonane na hawa watu wa Utawala wa Mikoa.

Bw. Naibu wa Spika, jambo lingine ni hili; kwamba hata ukienda kwa matanga, polisi wanaacha kazi yote. Juzi nilikwenda kwa matanga ya binamu wangu ambaye alikufa wiki moja iliyopita. Nilipokwenda huko, wakapata habari kwamba Shikuku atakuja na mkutano wa KANU ulikuwa umeidhinishwa kule Butere. Watu hawakwenda; wakasikia Shikuku anaenda matanga na wakaja huko. Nikaletewa GSU huko kwa matanga wakasema singeweza

kuingia hata kwa nyumba ya yule aliyekufa na kufuatana na mila lazima usimame kwa kaburi, ukishamaliza maombi yako, unaiingia katika nyumba ya yule aliyekufa. Polisi walinikataza kuingia na tukafanya fujo mbaka tukaiingia. Kuna kiwango kwa kila jambo na ukiwa wanatafuta matata kwa wananchi, watapata zaidi. Mimi nilizuia kwa sababu wananchi walikuwa tayari kuwamaliza na nikasema la. Wengine tuko tayari kuzuia matata. Matata yalipotokea, DO alitoa amri watu watupiwe gesi na hawakufanya lolote, wakaanza kutupa mawe na nikaenda kuwasimamisha. Lakini, hili gazeti la *East African Standard*, sijui aliyenununa amewalipa kitu gani. Linasema ati mimi nilikuwa nimekimbia. Sikukimbia. Nilienda kuzuia matata na tena leo wamesema ati Mhe. Raila amesema ugomvi huu wa Kibera ni kati ya Waluya na Wanubi. Waluya hawakutajwa tena nimemuliza hapa na ametoa taarifa na ninajua *East African Standard* haitaandika hayo maneno.

Jambo lingine ni hili. Hatutaki habari ya hongo. Na hongo ni kawaida sasa katika Ofisi ya Rais. Ukienda kutafuta msaada wowote unaambiwa toa Harambee. Jambo lolote alifanywi mpaka chifu apate Kshs200! Hata DC na DO hivyo hivyo. Tumechoka na pia, inaonekana watu katika Ofisi ya Rais wana dhani hawako chini ya sheria kwa sababu wana sikia Mtukufu Rais hayuko chini ya sheria na wao pia wanafikiri hawako chini ya sheria. Kwa mfano, kule Bubala Sublocation katika Butere, Naibu wa chifu alimtandika mama moja viboko vibaya sana na wakamnyima P3 form. Mimi nilishughuluka, nikapata P3 form nikajaza, na nikapeleka kule hospitali lakini--- Huyo naibu wa chifu wa Bubala Sub-location mpaka leo bado hajakamatwa. Wewe ukipiga mtu unakamatwa.

Jambo lingine ni kwamba, huko Butere utapata chifu moja ananyang'anya watu mashamba yao. Anatoka katika Marama East. Haya maneno nilipopeleka DC na mpaka leo sijasikia amesimamishwa kazi. Inaonekana kama ukiwa Utawala wa Mikoa hauko chini ya sheria. Kuhusu Wilaya mpya, watu wa Kakamega bado wanangojea ile District ya Butere, Kwisero, Mumias na Matumu Divisions.

Kwa haya machache naunga mkono.

[Mr. Deputy Speaker left the Chair]

[The Temporary Deputy Speaker

(Mr. Wetangula) took the Chair]

Mr. Sankori: Mr. Temporary Deputy Speaker, while supporting this Vote, I would like to concur with my hon. friends, Mr. Shikuku and Saina, for congratulating His Excellency the President for being in this House for 40 years. It is history, he has been in this House for 40 years uninterrupted and unopposed!

(Loud consultations)

Mr. Nthenge: Mr. Temporary Deputy Speaker, on a point of order ---

The Temporary Deputy Speaker (Mr. Wetangula): Order! Mr. Nthenge, who has given you the Floor? Carry on, Mr. Sankori.

Mr. Sankori: Mr. Temporary Deputy Speaker, Sir, I think---

An hon Member: Address the Motion.

Mr. Sankori: Well, we are talking of the Office of the President and I am talking of---

An hon. Member: Carry on.

Mr. Sankori: May I also take this opportunity to congratulate Mrs. Nyamato for having been nominated as a Member of this House.

The Provincial Administration in this country is the backbone of our Government, it is very vital that we should actually respect the Provincial Administration. It is very African that the administration is there with or without them. We have been having chiefs ever time immemorial, either traditional or civic, as they are now. What probably I would say there is that, we should have a limit of powers on this Provincial Administration. That is to say, the Deputy Commissioner, the DO the Chief and the Assistant Chief, should actually co-ordinate. As it is right now, sometimes the DO does some things without the DC knowing what he is doing.

Under the same office of the President, we have a lot of parastatals. Some of these parastatal heads are an embarrassment to the Government. It is a high time that the Government moves in and gets rid of such heads of parastatals. Some have been in the same parastatal for just too long in the sense that without them that parastatal cannot move. We should have a rotation of these heads. If need be, they are civil servants and can as well be transferred like any body else. At the same time, we request the Office of the President, to think of the small tribes when doing these appointments. With their small education, at least, they can also have one or two people that also head these parastatals. It is unfortunate sometimes, that, they are ignored.

On security matters, the Police are supposed to serve all. I am not blaming the entire Police force, but, some of the police officers are not better than the ordinary watchman. I think, they learnt nothing for the six months they had been in Kiganjo. It is a high time that, the Commissioner of Police should get rid of the Police officers that are not delivering the goods.

I can make specific examples, but let me reserve it and I will forward it to the relevant authorities. When we talk of security, it is not the Government's duty to keep the security always. The Opposition is also supposed to play some role, but, unfortunately, the Opposition has become a security risk.

Mr. Raila: On a point of order. Mr. Temporary Deputy Speaker, I do not intend to interrupt the hon. Member, but, can he be made to substantiate his allegation that the Opposition has become a security risk?

Mr. Sankori: I do not need to substantiate that, especially after being made to do so by that hon. Member, when he has been quoted severally as an "engineer of riots".

Mr. Muite: On a point of order, Mr. Temporary Deputy Speaker, this is a very, very serious issue. Members of the Opposition are elected by Kenyans, just like Members on that side of the House. Is it in order for the hon. Member to state categorically that all Members of the Opposition have become a security risk? Should he not be made to substantiate, elaborate and state who, and in what manner any Member of the Opposition has become a security risk?

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Sankori, your reference to hon. Raila as "an engineer of riots" violates Standing Order 73 (4), I order you to withdraw and apologise.

Mr. Sankori: Mr. Temporary Deputy Speaker, as we are anticipating the Minister to give his Ministerial Statement, I withdraw and apologise, but I will pursue it tomorrow.

Mr. Mulusya: On a point of order, Mr. Temporary Deputy Speaker Sir. Is the hon. Member---
(*Mr. Ojode rose on his feet*)

The Temporary Deputy Speaker (Mr. Wetangula): Order, Order Mr. Ojode. Mr. Ojode, you have to leave the Chamber. The Standing Orders are very clear, you have to leave the Chamber.

(*Mr. Ojode left the Chamber*)

Mr. Nyanja: Point of order, Mr. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Mr. Wetangula): Order, Mr. Nyanja. Order! Mr. Sankori, carry on.

Mr. Mulusya: Mr. Temporary Deputy Speaker, point of order.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Mulusya you are out of order. If you are soliciting an expulsion, you will have it. Carry on, Mr. Sankori.

Mr. Sankori: Mr. Temporary Deputy Speaker, on the drought recovery programme, I think Kajiado falls under that category. I would probably request the Office of the President to consider dams, boreholes and health centres in that district. Otherwise, in some areas, there is a lot of hardship, as far as water is concerned.

As I said earlier about the Civil Service, within the Civil Service we have got a lot of dissidents and I would request the Office of the President, as the one who "hires and fires" civil servants to get into the roots, otherwise, within our Government we have got people who are trying to put the Government down. It is a high time that we should act. Let those who want to "weigh their Government" go and weigh their Government elsewhere, but, not in the offices of the Government. They are tarnishing the good name of the Government, they are arming the opposition to fight the Government, and it would be very unfair for us to continue having people staying within the Government and not ready to work for this Government.

Mr. Shikuku: I know I am standing on a point of order. I think I heard the hon. Member right, when he talked of some civil servants who support the Opposition. Could he tell this House who these civil servants are who are hunting this Government? Could he substantiate that because that is a very sweeping statement, and the Minister should defend the civil servants?

Mr. Sankori: When I said "some", I did not say hon. Shikuku! Mr. Temporary Deputy Speaker, Sir, I am saying, I said "some of the civil servants" and I continue to say a hundred times that some of the civil servants in the Government are fighting the Government from within, and we should get rid of them.

Mr. Shikuku: My point of order, Mr. Temporary Deputy Speaker, Sir, is this, he said "some"; in English "some" means "more than one". Could he tell us who they are?

Mr. Sankori: It is a very general statement and is as general as that. Thank you, Mr. Temporary Deputy Speaker, Sir.

Ms Karua: Thank you, Mr Temporary Deputy Speaker, Sir, for granting me this opportunity and thank for

those who have now become aware of "Beijing" and the issues discussed therein which I would like to say are serious issues.

I rise in support of this Motion. Many speakers before me, have decried the behaviour of the Police Force. I would like to join them by saying that it is a pity that the public is being forced to fund thuggery within the Police Force. Majority of police officers may be doing a honesty day's work, but the few who engage in acts of lawlessness, of taking the law into their own hands, are tarnishing the good name of the police force. We expect better of our police because we expect them to protect us, not to oppress and to harass us. We also expect better of the Provincial Administration.

Now, Mr. Temporary Deputy Speaker, Sir, the Police Commissioner is on record as having said that a lot of money is being spent on paying compensation to victims of police brutality and malpractice. I would like to suggest that the police be retrained through use of seminars and also through better syllabi for the police trainees so that they approach their job with a human face so that they can live up to their motto of being "*utumishi kwa wote*" and not "*adui kwa wote*".

The police in this country have the wrong approach, majority of them approach the citizens as though they are their masters. They do not listen to the complaints properly, but they sometimes assault those who go to complain without even listening to their complaints. We have had occasions of Members of Parliament being locked in when they went to enquire about people arrested. This has also occurred to some of the citizens, if the police acted as defenders of the rights of the citizens, the money that is currently being used to pay compensation for claims, could be used very well to better the salaries and housing conditions of the Police Force.

Mr. Temporary Deputy Speaker, Sir, I want to call upon the Government to look into the issue of housing for police officers. If we are going to demand better services, as we are doing, from the police, we need to see them housed in a better manner. We do not want to see police officers living in a one-roomed house which is being shared by more than one family. Those are dehumanizing conditions for any human being, and if that police officer walks out a frustrated person and refuses to obey the oath of his office, then we need to give him a better environment from which he can work. So, while calling on the retraining and better training facilities, and the syllabi for the police, I would also call upon bettering their terms of service and especially housing.

Mr. Temporary Deputy Speaker, Sir, with regard to uniforms, I would like to suggest that special attention be paid to women police officers. They should not be asked to wear short socks like school girls, they should be left to select to wear stockings like other ladies going to work. They should also have the option of wearing trousers because their duties demand in some circumstances, that they have alternative clothing. When we talk of the training of police, we saw recently in the papers, a police woman searching a man at the Nakuru law courts, in a manner that was obviously, bordering on indecency. It maybe that this particular officer was ignorant or the officer who sent her to search everybody, including men, was ignorant of the Police Act. We suggest that there be proper education of the police officers so that they realise only a female police officer can search a female and likewise, only a male police officer should be in a position to search a male. It is embarrassing, not just to the police but to the nation, to see a female police officer or vice versa, searching a member of the opposite sex in an indecent manner.

Mr. Temporary Deputy Speaker, Sir, having said that of the police, I would like to turn to the Provincial Administration. The previous speaker before me, did talk of civil servants who are sabotaging the Government. I would like to agree with him, but go further than that and say, that I can identify certain civil servants who are definitely sabotaging the Government. I would say the culprits are the Provincial Administration. When the DCs, the DOs and the chiefs interfere with the duties of the elected leaders, they are undermining the Government. Those wananchi who elected Opposition Members, are being told that your elected representatives cannot be allowed by this Government to work for you. Therefore, the Provincial Administration is the major culprit in undermining the Government. But I would also like to call upon the Members of the Opposition, when the Provincial Administration, obstructs you from performance of your duties in an unlawful manner, let us not just end up with statements, let us use the existing provisions of the law, let us sue them by name, so that at the end of the day, it becomes an expensive exercise for the Government. If the Government will not listen to the Opposition cries that we want to do our work without harassment or hindrance, let the Treasury advice them that there is no more money to pay claims. They may find it necessary to then hold a meeting to discuss on the future policy or how to advise the Provincial Administration to go on. I have been doing exactly just that, I do sue any civil servant who unlawfully obstructs me from duty.

Mr. Temporary Deputy Speaker, Sir, we should not have double standards. We in the Opposition should obey the law and those in the Government, including their agents, the Provincial Administration and the police, must be made by the citizens to respect the law. In many districts, the District Commissioners have usurped the roles of almost everybody.

In Kirinyaga the D.C. acknowledged the problem and removed all the land Boards from the D.O's office to his office. This has not cured the problem since the demands are still there. So could we curb the excessive powers of

the DC's and stop this corruption. When it comes to the chiefs, to even issue a permit for holding vigil at a deceased's person's home, they demand token contributions. Unfortunately, not everybody knows that you can resist this and refuse completely to donate. So people are forced to donate.

Mr. Temporary Deputy Speaker, Sir, we also want enlightened people in the provincial administration. When a DC or a DO disrupts a rally claiming that the Government has been criticised as corrupt, clearly he is an ignorant civil servant. The opposition is there to challenge the Government on issues that relate to management of public affairs and it is not for the DO, the DC or the PC to defend the Government. It is upon members of the Government and politicians in the Government to defend the Government. So clearly we are having educated people in the civil service who are acting like ignorant people who do not know where their duties end. Currently in this country, the provincial administration have been serving not the Government, but KANU and it will be interesting to see in the next Government when KANU will be in the Opposition, how they will fare on without the support of the provincial administration.

Mr. Speaker, Sir, with those few words, I beg to support.

The Minister for Co-operative Development (Mr. Munyi): Thank you very much Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to say something on this very important Motion of the Office of the President and I would like to appeal to all Members to show respect towards the Office of the President because it is protecting and defending them and with the close administration, every province has got new districts and that is close administration. We should be thankful to the Government for the action taken to create more locations and more districts in Kenya. Now we have got more than 60 districts. That is what has been the request for a very long time and that has been done. We should say "Thank you very much for the good work done". And this should be continued because I would like to give an example of Eastern Province which used to have only six districts. Now we have eleven districts and we are very happy for the action taken because this is a very vast province and we want more districts. We have got requests coming from sub DDC, DDC and I would like to say this. Close administration is very important and there is no country in Africa which has done more in administration than Kenya and we should say "Thank you very much for what has been achieved in Kenya". The Opposition does not help. What helps is peace and even when the Pope came to Kenya. He said "I want every body to preach peace in Kenya" and we said "Yes. peace in Kenya". Since that time you can see the peaceful atmosphere in Kenya. There were so many interferences which were taking place but ever since---

An Hon. Member: What about the Kibera clashes?

The Minister for Co-operative Development (Mr. Munyi): That has been incited by the man who was moving this Motion. That is a fact.

Mr. Obwocha: On a point of order. Mr. Temporary Deputy Speaker, Sir, with due respect to the Minister, is he in order to imply that the Member of Parliament who raised the matter which the Minister is going to respond to tomorrow incited people? Is he not anticipating this debate?

The Minister for Co-operative Development (Mr. Munyi): He is aware. He was the one who was there inciting the people. That is a fact and that is the truth.

Mr. Shikuku: On a point of order Mr. Temporary Deputy Speaker, Sir. I have been quite tolerant with my hon. friend. This is the third time he is repeating this that the hon. Member who raised the matter this afternoon pending the statement from the Ministry, is the one who incited the people. That is a definite statement. Could he substantiate?

The Temporary Deputy Speaker (Mr. Wetangula): Order Shikuku. You are the master of the rules. He cannot. He has violated the standing orders of the House. We can only tell him to withdraw and apologise. Can you do that?

The Minister for Co-operative Development (Mr. Munyi): Okay Mr. Temporary Deputy Speaker, Sir. I withdraw and I also apologise.

Now I want to come to another issue. We have been talking about Nyayo Tea Zones Corporation. Nyayo Tea Zones Corporation is a very important Corporation and as far as the soil conservation is concerned, Nyayo Tea Zone Corporation has done a lot. All that Members should talk about is the management of Nyayo Tea Zones. If there were mistakes taking place things are now being done in a good way but Nyayo Tea Zones Corporation have given protection to forest areas, in areas where we get water. It has been done through Nyayo Tea Zones Corporation. Therefore, there is no use of opposing Nyayo Tea Zone Corporation for the sake of opposing because tea has helped the economy of our country and the economy of the area where that Nyayo Tea Zones are.

Mr. P.N. Ndwiga: On a point of information!

The Minister for Co-operative Development (Mr. Munyi): I do not want information.

Mr. Ndwiga: On a point of information.

The Temporary Deputy Speaker (Mr. Wetangula): Order! You cannot give your colleague information by force!

Mr. Mbui: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Minister who comes very near from the tea zone to mislead this House that we have very good tea? Does he know that buffaloes and elephants are grazing inside what they call Nyayo Tea Zones?

The Minister for Co-operative Development (Mr. Munyi): Mr. Temporary Deputy Speaker, Sir. Tea is grown and it has been grown there and even the African Development Bank is satisfied with the good work which has been done by Nyayo Tea Zones Corporation. You can talk about the administration, but the fact stands that it has been done in an excellent way.

As far as the security is concerned, there is no country in Africa which cares for the welfare of the people more than the Kenya Government. We should be thankful for what has been done.

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

The Temporary Deputy Speaker (Mr. Wetangula): Overruled. Carry on hon. Munyi.

The Minister for Co-operative Development (Mr. Munyi): The other day that Member tried to distribute papers in this chamber and therefore he is out of order!

Mr. Shikuku: On a point of order. I am glad you called for order. He says the hon. Member was distributing something in this House. Could we be told what thing the hon. Member was distributing.

The Minister for Co-operative Development (Mr. Munyi): Mr. Temporary Deputy Speaker, Sir, he was out of order when he was distributing---

Mr. Temporary Deputy Speaker (Mr. Wetangula): Order, Mr. Munyi.

(Mr. Munyi continued standing)

An hon. Member: You must sit down when the Speaker is talking to you!

Mr. Temporary Deputy Speaker (Mr. Wetangula): If you want to discuss the conduct of any Member, including hon. Gatabaki, bring a substantive Motion.

The Minister for Co-operative Development (Mr. Munyi): Any way, Mr. Temporary Deputy Speaker, Sir, I do not care about anybody shouting at me. He should shout at himself. What I am up to is to---

Mr. Shikuku: On a point of order. We must be fair to each other in this House. The reaction by the hon. Minister to the statement which, I think you must have heard, by my hon. friend on this side---

Mr. Temporary Deputy Speaker (Mr. Wetangula): Who was it?

Mr. Shikuku: It was hon. Ndwiga.

The Temporary Deputy Speaker (Mr. Wetangula): Thank you Mr. Shikuku, I was looking around for who said it for I did not quite notice who it was. If it was you Mr. Ndwiga, that is gross misconduct and courtesy demands that you must be respected if you respect your colleagues. You must stand up and apologise to hon. Munyi.

Mr. P.N. Ndwiga: I want to withdraw, but I want him to instruct my constituents---

Mr. Temporary Deputy Speaker (Mr. Wetangula): Order! Order! Either you withdraw or you do not, you know the consequences. Withdraw and apologise to hon. Munyi.

Mr. P.N. Ndwiga: I withdraw and apologise to my constituent.

The Minister for Co-operative Development (Mr. Munyi): Anyway, Mr. Temporary Deputy Speaker, Sir, what is important for now is that this is a very important Ministry and I would like to tell the Member that as far as the recruitment in the Kenya Army, Police or NYS is concerned, people who have been recruited come from all parts of Kenya, not among your relatives. It is advertised even in newspapers and over the radio; that on such and such day, we shall do the recruitment for Kenya Army or for NYS. With those few remarks, I beg to support very strongly.

Dr. Kituyi: Thank you Mr. Temporary Deputy Speaker, Sir. After the humorous contributions by the nominated Member for Manyatta, I am not going to be able to be as eloquent. I will split my contribution into two parts---

Mr. Shikuku: Point of order, Mr. Temporary Deputy Speaker, Sir. Did I hear him say "a hon. Member for Manyatta"? Is there any Member for Manyatta here?

Dr. Kituyi: The hon. Munyi is not a Member for any place. I will now continue with my contributions.

Mr. Temporary Deputy Speaker (Mr. Wetangula): Order, Dr. Kituyi.

Dr. Kituyi: I withdraw any reference to a nominated Member for Manyatta. Hon. Munyi is a Minister of the Government and at after his eloquent contribution, I will make my modesty contribution. Having said that, I want to make two distinct components of my contribution. The first one is to deal with programmes under the Office of the President which have no business in being under the Office of the President. The second part is the misfortune of

programmes that rightfully belong to the Office of the President. In the current Estimates before the House, there is extensive consideration on matters to do with drought recovery programme. There is even a separate matter called Maize Safety Net. There are the Presidential Commission on Soil Conservation, Nyayo Bus Service and Nyayo Tea Zones. First of all, it is very dangerous for institutional development of the country to institutionalise a practice that is supposed to be a short term measure at a time of crises. There is no justification whatsoever why we should have a recurring item under the Office of the President to deal with drought recoveries programme and Maize Safety Net.

First, if you look at how this was last year--- The hon. Kones would go to the appropriate places or places where it was appropriate that the Minister in charge of distribution of maize would go at critical political times and then pretend that this magnanimous Government which so loves the starving that it will give some maize. A good example was when the hon. Kibaki had a very successful rally in Kitui. As way of countering this emerging significance of an Opposition leader in a KANU zone, the draught relief arrives. It would be incumbent upon this House to make a separation between programmes that are urgent for a country and institutionalising certain programmes that are at the discretion of correct persons politically. Like the continued disbursement of resources in the drought, the discovery programmes even in years when there is no drought.

Mr. Temporary Deputy Speaker, Sir, turning to the Presidential Commission of Soil Conservation, this country needs to institutionalise the capacity to deal with environmental problems---

The Assistant Minister, Office of the President (Mr. Kones): Mr. Temporary Deputy Speaker, Sir, is it in order for the Member to stand and mislead the Nation that the drought recovery programme should only be done in a situation where there is drought on the same year? The Drought Recovery Programme is programme that covers the long term effects of a drought.

Dr. Kituyi: Mr. Temporary Deputy Speaker, Sir, there is a problem of persons who do not know the difference between an argument and a point of order. Be that as it may, the fundamental point I am trying to raise on all these functions that have nothing to deal with the governance of the Office of the President is that you cannot institutionalise long term measures if you re-locate them outside the sectoral Ministries where they belong. The personnel who are supposed to do with long term monitoring and contingency planning on droughts, the geographical information system management, the persons who are supposed to know long term degradation of the environments, the need to conserve by a diversity for long term fight against drought do not belong to the Office of the President. They are supposed to belong to the relevant sectoral departments which are not in the Office of the President. Similarly, the creation of a permanent Commission on soil conservation in the Office of the President is a ridiculous entity if you are thinking about institutionalising capacity for environmental protection and conservation. It should be in the Ministry that deals with environment. One of the weakest things about this country's environmental management is our inability to consolidate environmental departments in one office. You have things like these in the Office of the President and you weaken the capacity of the institutions which are supposed to monitor and conserve environment.

Mr. Temporary Deputy Speaker, Sir, turning to Nyayo Bus Services, there is a problem with this. How can a Government be privatising the procurement of inputs for agriculture, the management of agricultural expansion in the country, the marketing of agricultural produce in the name of liberalisation and this same Government allows the Office of the President to compete with matatu operators? What business does the Office of the President has to do with the running of buses? Surely, if they wanted to talk about liberalisation, this is where they should have started. You should move the production and management of tea from the Office of the President and also the management of buses competing with matatus before they start dealing with the decentralisation and privatisation of functions in the agricultural sector. I think this is what rational governance is all about. There is a question about Nyayo Bus Corporation; why have grants been asked for, in these Estimates for a Corporation when it is supposed to be a self-supporting co-operation?

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

Mr. Temporary Deputy Speaker (Mr. Wetangula): Do you want information, Dr. Kituyi?

Dr. Kituyi: If I wanted it, I would have said so.

Mr. Temporary Deputy Speaker (Mr. Wetangula): He does not need your information, Mr. Ndicho.

Dr. Kituyi: Mr. Temporary Deputy Speaker, Sir, about Agricultural Development Corporation, it is very unfortunate because this is one area where the concentration of organizations and functions which have nothing to do with Office of President has led to the abuse, unjustifiable and very irrational sub-division of agricultural development particularly in Trans Nzoia District is a disgrace to this country. Recently, a Minister was in this House explaining that the Government had degazetted part of Mount Elgon Forest, cut down trees that are more 200 years old in order to create space for growing of seed maize. The justification for was that the original space for growing seed maize had been sub-divided and given out to political notables. It is a disgrace, and any person associated with the Government that does that kind of thing should be ashamed of it.

Mr. Temporary Deputy Speaker, Sir, at time when there is no political gift to distribute, we have come to a situation where somebody just decide let there be a district and there is a district; let there be another district and there is a district. How can a Government explain and justify that at the time when it is talking about retrenchment in the public service reducing the salaries burden or the recurrent expenditure of keeping a large Civil Service in the same breadth that same Government is manufacturing new entities; tribal districts which have implications of having an expanded civil service particularly the provincial administration. This is a drain on the Government finance for being made to construct districts Headquarters at a time it does not ability to complete even single district headquarters. Yet it multiplying others and telling people do Harambee to build district headquarters. This is no way to run a kiosk!

On Eldoret Airport, Mr. Temporary Deputy Speaker, Sir, we have been told whether donors gives us money or not we are going to build it. Now, we are seeing this Government is asking us as the Parliament, to give them the money to build the Eldoret Airport. Why did you announce you are going to build the Airport without getting our approval in the first place? In this budget you are asking us to give you Kshs.413 million for Eldoret Airport. The reasons why donors withdrew from funding Eldoret Airport still remain valid for Kenyan tax-payers not to finance that Airport. These are people who think that you can build an international airport to transport fish. One hon. Member at a KANU Parliamentary Group meeting said that because Eldoret is nearer to London than Nairobi it is good to have an airport in Eldoret. These people do not live in the generation that discusses national priorities on air transport. Eldoret has an air-strip that can feed transit from that region to Nairobi that is use the runaway at Moi Airbase near Eldoret for passengers on regular flights, that will solve the problem instead of this draining public money to build an irrelevant airport!

Mr. Temporary Deputy Speaker, Sir, there has been a problem of with resettlement of victims of ethnic clashes in this country. Recently, we had a Kamatusa-Gema talk, and all of sudden Government was acknowledging that people have not been resettled. Now, that Kamutusa-Gema talks have collapsed, Government is not telling us that these people have not been resettled. Are we waiting until we manufacture Kamatusa-Kamahuti-Kamatusa talks before we acknowledge again that we have ethnic clash victims who are leaving like refugees in their countries? Some of us come from areas where people feel really that they have been left behind by this nation. They are not considered Kenyan citizens? Nobody is articulate in their concern? We are pretending that we are not aware they are leaving as refugees in their own country. A fact that they are victims of this Government is a crime that one day must be corrected even if it does not seem to be finding ways with continuing in the programme which was abandon because of the poor relations with UNDP.

Mr. Temporary Deputy Speaker, Sir, we expect that the Office of the President to co-ordinate good conduct on part of Ministers. When we start hearing that that Ministers in the Office of the President are leading the ways in bad behaviour, it is very embarrassing for us as leaders because it is a collective irresponsible to this nation. I am referring to a matter where you see a hon. Minister from the Office of President joining the queue in saying this a certain areas are KANU zones and that people may not come in. What will happen if the rest of us also say our areas are Opposition zones and no KANU Minister like hon. Kones will come there? I can make sure that hon. Kones does not enter Kimilil constituency for example.

Mr. Achuka: Bw. Naibu Spika wa Muda, asante sana kwa kunipa nafasi hii ili niseme maneno machache kuhusu Hoja hii.

Hoja hii ni muhimu sana kwa sababu inaongea juu ya pesa ambazo tunataka kutumia ili tuendeleze maendeleo mbali mbali katika taifa letu. Tunataka Hoja hii ipitishwe kwa sababu tuna mambo mbali mbali ambayo tunataka kutekeleza. Jambo la kwanza ni kuwa maofisi za maofisa wa utawala katika tarafa hasa katika wilaya ya Turkana yanahitaji marekebisho. Wakuu wa tarafa katika wilaya ya Turkana hawana magari ya kufaa kuendesha shughuli za utawala.

Pia askari tawala wanahitaji nyumba ambazo zinafaa kwa malazi yao. Kuna sehemu nyingi katika wilaya za Turkana ambako nyumba za askari tawala ni za hali ya chini sana. Tunataka kuzipanua na kuzistawisha ili askari tawala wapate kuishi sawa sawa na kutekeleza kazi zao za kuhifadhi kwa njia ya amani.

Uhalifu nchini uko katika hali ya juu sana. Kikosi cha polisi chahitajika kujengwa sawa sawa wa kupewa vyombo vya mawasiliano vya kisasa ilikiweze kuwasiliana na kukabiliana na uhalifu ambao unaendelea nchini.

Mimi ni ikiwa Mbunge wa Turkana Kusini, katika wilaya ya Turkana ningetaka kusema kwamba mazingira ya watu yamesorota. Mbuzi, kondoo na ng'ombe wanakufa kwa sababu ya ukame na wana kabiliana na njaa. Tunataka watu wa Turkana wapate chakula kwa sababu kama hatuwezi kuwalisha hawawezi kuishi. Tunahitaji pesa ili tuweze kuwalisha watu wa Turkana ambao wana njaa. Hii njaa imetokana na ukame ulioikabili wilaya yao.

Bw. Naibu Spika wa Muda, Wabunge wa Upinzani ni Wanapinga maendeleo. Kulingana na matamshi ya Waheshimiwa kutoka upande wa Upinzani kuhusu uwanja wa ndege wa Eldoret, wanataka nchi hii iwe nchi ya aina gani? Tunajua upande ule wa Bonde la Ufa kule Eldoret ni sehemu ambayo unaendesha ukulima wa hali ya juu. Tunataka huo uwanja utumikie upande wa Nyanza, Magaribi mwa Kenya na Bonde la Ufa, ili mazao yote

tunayoyapata kutoka sehemu hizo yawe ni rahisi kutoka pale bila kupita Nairobi kwenda nchi nyingine ambako kuna soko. Wabunge wa Upinzani wanaendelea kupinga mapendekezo yote ambayo inaweza kulijenga taifa letu la Kenya.

Wao ndio wamezuia na kufanya fujo na fitina tusipate misaada. Hawa ndio wanaofanya kampeini ya kufanya tunyimwe misaada ya kuendesha maendeleo. Lakini wananchi wa Kenya si wajinga na wanajua vizuri sana hila hizi. Kwa hivyo nataka kusema kwamba Wananchi wote wa Kenya pahali popote walipo, wajue kwamba Upinzani ndio umesorotesha maendeleo ya nchi hii.

Bw. Naibu Spika wa muda, nikigusia upande wa Utawala, Provincial Administration, Waheshimiwa wezangu wa pande zote mbili wamegusia vitendo ambavyo wakuu wa utawala kama vile wakuu wa tarafa na machifu wanavyowatendea wanasiyasa. Vitendo vya maofisa wa Administration ndivyo vitakuja kuhalifu sifa ya Serikali na ile heshima ambayo Serikali yetu ya Kenya imepatiwa na wananchi wa Kenya. Ninasema hivyo ninavyosimama hapa ningependa kusema kwamba siku hizi siwezi kutumikia Constitutency yangu ya Turkana South kwa sababu kuna Mhe. Mbunge huko, pamoja kutoka upande ule mwingine ambaye ameshirikiana na maofisa wa Serikali na Mkuu ya Wilaya ili waniharibie kazi yangu kama mwanasiasa wamenikatazaa hata kuongea na watu wangu, napia kutekeleza mipango ya maendeleo ya watu wangu. Mimi nataka kujua maana ya Mbunge kuchaguliwa kuwakilisha Wananchi ni nini?

(Applause from the Opposition)

Mimi nimechukiwa, kwa sababu ya 'transparency', ya kutaka kuweka ile mbinu ya kugawa chakula cha maskini sawasawa. Ukitaka kujua chakula hicho kinagawa unaambiwa, "wewe kaa kando".

Hon. Members: Unafanya nini huko? Kuja upande huu wa Upinzani!

Mr. Achuka: Bw. Naibu wa Spika wa muda, wanadharau hata watu wa KANU wenyewe. Wana sema "KANU, nini?" Mkuu wa wilaya mwenyewe ndiye anasema: "KANU, nini?" KANU haina kilauni!"

Hon. Members: Kuja upande huu! Pole! Pole!

Mr. Achuka: Bw. Naibu Spika wa muda, mimi nasema Serikali iko sawa sawa, lakini, watu binafsi ndio wanaoiharibia jina na heshima. Nimedharauliwa na ninachukiwa kwa sababu ninataka kuwe na transparency katika ugawaji wa chakula.

Hon. Members: Sema kweli kweli! Toboa!

Mr. Achuka: Bw. Naibu Spika wa Muda, ninapotaka kuwe na transparency na mambo hayo yafanyiwe hadharani mbele ya watu ninapigwa na kuambiwa kwamba mimi sina kilauni na kazi yangu ni ya siasa. Mwanasiasa maana yake ni nini? Katika Serikali hii wakati wa Ukoloni ni nani alipigana, mpaka tukapata Uhuru?

An hon. Member: Wanasiasa! Ni Wanasiasa!

Mr. Achuka: Ikiwa wanansiasa ndio walipigana mpaka tukapata Uhuru, kwa nini maofisa wa utawala wanadharau wanasiasa?

Hon. Members: Toboa! Toboa!

Mr. Achuka: Bw. Naibu Spika wa Muda, mimi siongei juu ya Serikali, lakini naongea juu ya mtu binafsi ambaye ameacha laini yake. Amepotea njia na sasa anakanyaga kando! Mkuu wa wilaya ambaye yuko Turkana sasa, yeye si mtumishi wa Serikali ya KANU; anatumikia Opposition!

(Applause from the Opposition)

Anaharibu jina nzuri la Serikali ya KANU kwa kupinga mipango ya maendeleo katika Wilaya ya Turkana.

The Temporary Deputy Speaker (Mr. Wetangula): Time up!

Mr. Achuka: Bw. Naibu Spika wa Muda, anaangamiza Serikali ya KANU, ili iyonekane ni mbaya katika Wilaya ya Turkana.

The Temporary Deputy Speaker (Mr. Wetangula): Wakati wako umekwisha!

Mr. Achuka: Bw. Naibu spika wa Muda, na yeye amewekwa hapo---

(Laughter)

The Temporary Deputy Speaker (Mr. Wetangula): Order! Order hon Members! hon Achuka, your time is up!

(Laughter)

Order hon. Members! Order Achuka, your time is up! Mr. Mwai Kibaki.

Mr. Kibaki: Mr. Temporary Deputy Speaker, Sir, I thank you for giving me this opportunity to say a few words on this Vote. The reason why we have taken---

(Loud consultation)

The Temporary Deputy Speaker (Mr. Wetangula): Order! Can we hear the hon. Member in silence?

Mr. Kibaki: Mr. Temporary Deputy Speaker, Sir, the reason why we take this Vote very seriously is because of the fact, that we recognise its central role in the Government structure. Therefore, the points we are making are serious and they affect our lives as a nation.

First and foremost, I want to join those of my colleagues who have spoken before and who have reminded us that, we fought for Independence in this nation in order that we may enjoy that Independence. However, right now there is not a single Kenyan who can say that we are enjoying that Independence. There is too much restriction on the activities of ordinary citizens of Kenya. The licensing system is definitely being abused. We in the Opposition Parties have a history of applying for meetings, six, seven or eight times before we are given licences and when we are given, the meeting is then cancelled either the night before or in the middle of your meeting. This is behavior of a Government which seriously want to restrict the Opposition operations, out of fear.

Mr. Temporary Deputy Speaker, Sir, it is time that the Government grew-up. After all, they have now been there three years and they should grow-up and allow free operation of the Parties. The Administration has changed and this point has already been made but I want to emphasize it. We now are being required to ask permission from Chiefs, Assistant Chiefs, DOs and everybody before we get a licence. This is a manner of delaying us. It is a manner of avoiding giving us licences. Let the District Administration, the DC, take the responsibility, so that he can make a decision and he can give a reason, so that one knows quickly. Because, now we have to apply for a licence and you wait two, three, four months and you do not get a reply.

Mr. Temporary Deputy Speaker, Sir, a Government which is treating citizens of this nation that way is clearly losing its credibility, moral authority, is becoming an institution clearly wanting to be dictatorial. Then there is pretence always, "we are not dictatorial". It is very dictatorial. Above all, when an elected Member of this Parliament finally gets a licence, a Chief or a DO, comes to take the microphone from you in a public meeting to chastise you as an elected Member of Parliament. Honestly this Government is destroying the institution of the Constitution, Parliament. An elected Member representing people should not be subjected to treatment of that nature by an Administration official.

Mr. Temporary Deputy Speaker, Sir, if as an elected Member, I commit an offence when I am speaking, I should be arrested and taken to court but to have an administrator a Chief, a DO, come and stand up on a platform to take the microphone from you and to abuse you, before the people who elected you, we are destroying the institutions which will be the basis of this nation. Although this Government may think temporarily that you are getting the better of the situation, I honestly want to warn you, you are destroying a vital institution; the institution of elected representatives of the people. They should be respected and in fact they are respected all over the world. That is why the world looks at Kenya and says, "there is the sign and the behaviour of a dictatorial Government which want to use Administration to supersede the elected people", and that is the point I am making.

(Applause)

We respect DOs and, that is why we go to them. We respect DCs and we go to their offices when we want anything. But once they have issued a licence. They should respect the elected Member. In this Government, and this excuse should not be taken seriously - the President is both Head of Government and Head of State. If you are complaining about the behaviour of Government and you say the President should do A,B,C, is the way you would say, the Head of Government, because Government is the one which collects taxes, should spend the taxes to repair this road, to repair that other item, to buy medicine for our hospitals, to do something. There is no abuse or disrespect for the President because merely a man mentioned what a Government should do. This distinction should be made. That merely happens because a man has mentioned the President's name. Now, we have DOs who have been indoctrinated. At the moment one mentions Government, they go wild. Why? They have to learn. In this country, you cannot say that the Government is run by Mr. Kones, it is run by the President, who is the Head of the State. What we are saying is that the elected people must be respected.

Mr. Temporary Deputy Speaker, Sir, let me say this other point which has come out now. The Government in Kenya has been creating districts in a very rapid and speedy manner. Every morning they think of creating a new district. They will soon now, from what we hear, call upon the Electoral Commission to recognise this mischief and reward it in allocation of constituencies. This will be

daylight robbery because the Electoral Commission should be guided by Section 42 of the constitution of Kenya which says that the Constituencies shall be as nearly equal as possible in population.

(Applause)

This is the main guide. Any other mischief and diversion, clearly, is dictatorship in action and everybody will see exactly what it is.

Mr. Temporary Deputy Speaker, Sir, we are coming to Kenyatta Day. We want to celebrate the fight for Independence, the struggle where people died so that we could achieve Independence. It is time that the Government recognised that multi-partyism is here to stay and that at the various rallies where we are discussing the Kenyatta Day, the representatives of various political parties should be allowed to speak. It is despicable in some parts of this country that a KANU man, who may be representing only ten people, is asked to come to the platform to speak whereas a DP, Ford(A) or Ford(K), who may be representing 90,000, is not allowed to speak! What are we trying to show to the public? It is true that KANU runs the Government, but on national days, those who should speak, should be all representatives of the people, particularly of the people who fought for Independence.

Mr. Temporary Deputy Speaker, Sir, on the matter of security, I do not want to repeat what has already been said. I do want to say that we are tired of the Head of Government of Kenya because every time he stands up to speak, he is expressing fear that we have some lousy fellows somewhere in Uganda about to attack us; we have some funny character in Malindi about to topple the Government; that we have some fellow called FERRA about to take over; and somebody called *Odongowho* is about to take over Government. The nations of the world ask us "what kind of Government do you have which is so weak or which is teetering, on the verge of collapsing? It requires only to be touched by one Italian in Malindi to collapse. When they are asked to substantiate, they do not say who this person in Malindi is.

This sense of insecurity is affecting investment and tourism and the whole country. So, to restore what we want, let us begin from above; let there be a show of confidence not fear. Let us show confidence in the nation because after all, we have strong forces and they cannot just be threatened by anybody. As far as you and I and any sensible person in Kenya knows we are not threatened by anybody around Kenya. There is none of our neighbours who is a security risk to us. So, there is no fear as much as is being expressed now. This is spoiling the economy and we want to be the people who generate confidence. This affects mostly those in Government. But let me say this, this is not happening up till this moment.

Finally, Mr. Temporary Deputy Speaker, Sir, let us not have these statements which amount to showing that we do not want to work with the International Tribunal dealing with Rwanda, Burundi and any other place. We must learn to respect International Law, otherwise, we shall not be respected.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, I am not going to attempt to reply to the matters that have been stated by the hon. Members because that will be done by my colleagues from the Office of the President. Mine is to contribute from my own position. I want just to address myself to the question about relationship between the Opposition and the Office of the President.

Mr. Temporary Deputy Speaker, Sir, the holder of the Office of the President, being the President himself, has as his duty, first and foremost, to ensure that we protect the citizens. I want to state here that the Government here, contrary to what some hon. Member are alleging, we are not allergic to criticism. We, in fact, welcome criticism from the hon. Members and we accept to be criticised and that is why in the first instance, we in the ruling party, accepted that there be multi-partyism in Kenya and we were supported.

I want to emphasise that we want to maintain a free country. The only problem is because we in Government have been here long and because the Opposition is, perhaps, recent phenomenon, it Opposition has not learnt to behave like an Opposition.

(Applause)

It is time we started lecturing to our Opposition what it actually means to be an Opposition. I agree with hon. Kibaki, and every other hon. Member who have said that an hon. Member demands to be honoured and respected wherever he goes in this country. But this is reciprocal. There are hon. Members in the Opposition, whom I know were elected popularly, but that does not say anything about their real qualities of character. An hon. Member knows that he is a Member of Parliament, but he does not know how to compose himself, *vis-a-vi* the civil servant. A civil servant is not an Angel from Heaven; he is a man like him, who demands to be respected too. But when you carry yourself because you know that you are elected, you should realise that other man also wants you to take him like a responsible member of society and who is responsible for the lives of people.

Mr. Temporary Deputy Speaker, Sir, I know of a hon. Member, who says that whenever he wants to go abroad, he must attend an unlicensed meeting so that the police can stop him and the Newspapers can report the incident so that his masters abroad will sympathise with him.

(Applause)

This is a very bad---

An hon. Member: He knows himself!

Mr. Karenge: On a point of order, Mr. Temporary Deputy Speaker, Sir. You have just heard the comment that the hon. Member has made. Could he name the hon. Member, who does that? Can he substantiate and tell us who he is?

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Speaker, Sir, it is not hon. Karenge and I do not want to breach the Standing Orders, by mentioning the name. But one day I hope that the Standing Orders will be changed so that I can mention the hon. Member without moving a substantive Motion.

Mr. Shikuku: On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member has been asked a fair question according to the Standing Order No.76, to substantiate. As we are all hon. Members, he must name that hon. Member.

Hon. Members: No!

The Temporary Deputy Speaker (Mr. Wetangula): Order! Any substantiation will end up violating Standing Order No. 73(4).

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, further to that I want to say that another matter the Opposition needs to address itself to is that every time they say they are going to be the alternative Government---

Mr. Shikuku: On a point of order, Mr. Temporary Deputy Speaker, Sir. My point of order is a very genuine one. I think the hon. Member is getting away with a very serious matter here! If it is going to be my habit to stand up and say "those in the Government are this and that and when I am asked to substantiate I say "I do not have to substantiate because that will violate Standing Order No. 73(4)" is is very serious. If he knows that he cannot substantiate then tell him to withdraw what he said!

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Shikuku, are you disputing my ruling?

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, there is a philosopher who said that you can disagree with the law---

Mr. J.N. Mungai: On a point of order, Mr. Temporary Deputy Speaker, Sir. Although I really do not want to go against your ruling---

The Temporary Deputy Speaker (Mr. Wetangula): Even if you wanted to you could not do it!

Mr. J.N. Mungai: I do not want to do it, Mr. Temporary Deputy Speaker, Sir. Now, the hon. Member has imputed improper motive generally on hon. Members of this House. Is that not infringing the Standing Order which says that an hon. Member must not impute improper motives on other hon. Members? Is it not in order for him to withdraw that kind of motive?

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Speaker, Sir, as I was saying there is a philosopher who said you can disagree with the law but you can never disobey it. The hon. Members have powers to amend any of the laws of this country that they do not agree with.

Mr. Raila: On a point of order, Mr. Temporary Deputy Speaker, Sir. Your ruling is very correct, that it shall be improper for an hon. Member to impute improper motive on another hon. Member. By saying that there is an hon. Member who is in the habit of going to unlicensed rallies before he goes out of the country the hon. Member is imputing improper motives and, therefore, violating Standing Order 73(4).

The Assistant Minister, Office of the President (Mr. Sunkuli): Therefore, Mr. Temporary Deputy Speaker, Sir, if hon. Members are not in agreement with any of the laws of the country, they should know that the Government has only sworn to maintain the laws. So, if there is a particular law that the hon. Members do not agree with we would be more than pleased to have that particular law amended.

Mr. Mulusya: On a point of order, Mr. Temporary Deputy Speaker, Sir. With due respect to the Chair this House would have expected a further ruling on the request made by the hon. Members. But the Chair has chosen to remain mum! Are we going to expect to have a remedy for what the hon. Member has said. He claims to know what he is saying. So, let him withdraw or name the hon. Member he has in mind!

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Members! I do not know whether it is a question of semantics or of misunderstanding the Standing Orders. As far I understood hon. Sunkuli, he talked in

general terms; he did not---

Mr. Mulusya: He said there is one hon. Member!

The Temporary Deputy Speaker (Mr. Wetangula): Order! He talked in general terms. If he specified any hon. Member, then I would have ordered him to withdraw and apologise. Hon. Shikuku demanded that he names the hon. Member he purported to refer to, which would have violated Standing Order 73(4). I have made a ruling and it stands.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, I want to address myself to this issue, that the Opposition constantly reminds us that they are, in fact, an alternative Government. Today we have presented our policies here and I can assure you that my particular view is that there are no alternative views from the other side of the House about how this country should be governed. It is very bad to have an Opposition that is reactionary; that only exists because the Government makes mistakes. There must be an Opposition that generates its own positive ideas. I think the---

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

Mr. Mulusya: You Maasai, shame on you!

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Ndicho! Hon. Mulusya, everybody in this House is an hon. Member. There are no Maasais here. So, I order you to leave the House.

Hon. Members: Get out now! Get out!

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Members! You are aggravating the situation by heckling!

(Hon. Mulusya left the Chamber)

Mr. Ndicho: Mr. Temporary Deputy Speaker, Sir, when I was on the Floor raising a point of order hon. Misoi came and told me "Shut up". Is that in order? However, my point of order on what hon. Sunkuli was saying is this: What is before the House is Vote 01 - Office of the President and not a vote on the Opposition! Can he concentrate on this Vote and leave the Opposition alone?

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, I wanted to address myself to this issue of some people sitting under a Mugumo tree and saying that they can come up with one presidential candidate. What we want is not one presidential candidate, but what ideas you will have to improve this country.

With those remarks, I wish to support.

Mr. Ndicho: Mr. Temporary Deputy Speaker, Sir, I want to thank you most sincerely for giving me the Opportunity to contribute on the Vote of the Office of the President, which is before the House. There is something which is baffling Kenyans today. My people in Juja are asking this question: Is the Government now so broke that National Youth Service (NYS) lorries are being used to hawk sand? They are being used to harvest sand from Machakos, Matuu and Kitui and then being driven to the Githurai Round About where people who are putting up buildings are being asked whether they want to buy sand. I had the opportunity to stop and ask one of the drivers whether what they were doing was official or personal. That driver told me "Sisi tuliamrishwa asubuhi kwenda kuchota mchanga halafu tuje tutafute watu wa kuununia na kisha pesa tutakazopata tumpelekee Mkurugenzi wa National Youth Service". Is the Government of Kenya so broke that now it is harvesting sand and hawking it?

Mr. Temporary Deputy Speaker, Sir, misuse of Government vehicles all over the country is normal practice. You will find top Government officers misusing Government vehicles which have been fuelled with money from the poor Kenyans.

The Minister of State, Office of the President (Mr. Kalweo): On point of order, Mr. Temporary Deputy Speaker, Sir. I do not want to cut short my hon. friend's contribution, for it is very important. But did he take the details of this driver? I do not want him to tell me now but I would like to have the details!

(Mr. Kalweo remained on his feet as the Temporary Deputy Speaker (Mr. Wetangula) rose up)

The Temporary Deputy Speaker (Mr. Wetangula): Order, Mr. Kalweo! By any stretch of imagination that is not a point of order!

Mr. Shikuku: On point of order, Temporary Deputy Speaker, Sir. Is it not time you ordered the hon. Minister out? When you stood up he remained standing! Is it not time he was also sent out so that he also learns something?

The Temporary Deputy Speaker (Mr. Wetangula): He stands warned. Carry on, Mr. Ndicho.

Mr. Ndicho: Mr. Temporary Deputy Speaker, Sir, even this afternoon as I was coming to Parliament three dark green lorries were parked at the Githurai round about. Anybody who is plying the Nairobi/Thika route can see green Government vehicles parked at that place. Since the Department concerned is under the Office of the President we demand an explanation from the Minister in the Office of the President, hon. Kalweo. Let him explain to this House what these lorries are doing at the Githurai round about!

The Minister of Office, Office of the President (Mr. Kalweo): On a point of order, Mr. Temporary Deputy Speaker, Sir. With all due respect, that was a very serious allegation, and there is nobody in this House, either in the Opposition or in the Government, who supports corruption and that is a---

The Temporary Deputy Speaker (Mr. Wetangula): Order, Minister, order! You will have ample time to respond to all these statements that hon. Members are making. I do not see why you should engage hon. Ndicho in an argument.

Mr. Ndicho: Mr. Temporary Deputy Speaker, Sir, let the Minister note the points that we are contributing and then he will get his chance to reply to them. The other point that I would like to raise is about---

Mr. J.N. Mungai: On a point of information, Mr. Temporary Deputy Speaker, Sir. While I support hon. Ndicho on what he has just said, the misuse of Government vehicles is not confined to the National Youth Service. If you go to Rift Valley Province, you will see police vehicles working on people's farms and being used to transport milk and carry cattle food to farms. You will also see GSU lorries and Military lorries being used for the same purposes. I am supporting what hon. Ndicho is saying; that we are no longer running this Government as a government. We are running the government machinery as personal machinery.

Mr. Ndicho: Thank you very much. Mr. Temporary Deputy Speaker, Sir---

An hon. Member: On a point of order!

Mr. Ndicho: Mr. Temporary Deputy Speaker, Sir, protect me from these points of orders. They are out to "destroy" my time!

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Ndicho! Yes, Minister?

The Minister of State, Office of the President (Mr. Kalweo): Mr. Temporary Deputy Speaker, Sir, these allegations are serious. It is theft. Could the hon. Member substantiate and state the registration numbers of the lorries he saw? We would like to know so that we can take the necessary action.

The Temporary Deputy Speaker (Mr. Wetangula): Now you are on the right tract. Mr. Ndicho, will you substantiate your allegations?

Mr. Ndicho: Mr. Temporary Deputy Speaker, Sir, hon. Kalweo commutes from Meru to Nairobi and he passes through Githurai. He sees these vehicles.

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Ndicho! You have alleged in your contribution that you have seen tractors hawking sand. What the Minister is demanding of you is that you substantiate to the House by giving the details of the tractors.

Mr. Ndicho: Mr. Temporary Deputy Speaker, Sir, I undertake to bring the registration numbers of the GK vehicles to this House tomorrow. So, that is over, let me continue.

The Temporary Deputy Speaker (Mr. Wetangula): Order! I do not find that unreasonable. You will bring the numbers tomorrow.

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

(Hon. Kones stood up)

Mr. Ndicho: Aah! Kones! This is very serious!

(Laughter)

The Temporary Deputy Speaker (Mr. Wetangula): Yes, hon. Kones?

The Minister of State, Office of the President (Mr. Kones): Mr. Temporary Deputy Speaker, Sir, I would like to seek guidance from the Chair. Hon. Ndicho has just said that he saw lorries this afternoon, packed at the Githurai Roundabout, hawking sand. He tells us that he will go and bring us the numbers tomorrow. I am asking whether he has made any arrangements with those drivers to have the lorries packed there until such time as he goes back there to get the numbers? Chances are that he will just look for any numbers.

The Temporary Deputy Speaker (Mr. Wetangula): Order! I have ruled that hon. Ndicho's request is not unreasonable and he will substantiate tomorrow.

Mr. Ndicho: Mr. Temporary Deputy Speaker, Sir, I am begging that the Chair gives me two more minutes because you have seen how the two Ministers have taken away my time. However, the other point I want to raise is about the respect of the institution of the Presidency. Today, the Head of State, President Moi, gives a directive, and who defies the directive? KANU and the civil servants. One time, I had the opportunity to stand here and declare that President Moi is not a chief to give directives and orders which are defied with impunity. As we stand here today, we have a lot of cases where chiefs have stolen famine relief food. In Juja Constituency, one of them stole 12 bags of famine relief food. He was caught red-handed by the people and they took him to Thika Police Station. He was interdicted and the case went to court. There were 12 bags of maize as evidence in Thika Court. What happened is that the court ruled that there was no evidence and the Chief was released and he is now back in office, working.

The Assistant Minister of State, Office of the President (Mr. ole Sunkuli): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member for Juja in order to blame the civil servants for actions of the Judiciary when he knows that our country is governed under the principle of separation of powers?

Mr. Ndicho: Mr. Temporary Deputy Speaker, Sir, we are dealing with human issues. It does not matter whether it is the Executive or the Judiciary. It does not matter who says what or does what. At the end of the day, the wananchi see and understand what has happened, and they wonder about what is going on. A chief steals maize and then he is taken to court. He is now back in office. The people of Munyu Sub-location are wondering what is going on. This chief called Kimondo Thungu, a brother of the former ADC of the late President Jomo Kenyatta is the one who has done that. It is high time this government and, especially, KANU respected the institution of the Presidency. When we take over the government, we want to find the institution of the Presidency a respected institution, not the way it is today. Who defies it more? It is not the Opposition. Even the President had the opportunity to say, on 1st June, 1995, that it is the civil servants who are undermining his government, not the Opposition. It is high time this institution of the Presidency was respected. The late President Kenyatta used to give directives. Akisema pasua barabara hapa, ni kupaswa kwanza, hata kama kuna nyumba au miti, halafu maswali yataulizwa baadaye.

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Ndicho, which language do you want to use?

(Laughter)

Mr. Rotino: Thank you very much, Mr. Temporary Deputy Speaker, for giving me this opportunity to contribute to this Motion. On the onset, I want to support the Motion because it is important that the Office of the President be given money to run the Ministry. I want to begin by saying that economic growth for any developing country has to go hand in hand with peace and stability. Peace and stability are paramount for any developing country to be able to develop.

(Consultations)

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Members! Can we listen to hon. Rotino in silence?

Mr. Rotino: Mr. Temporary Deputy Speaker, Sir, I want to begin by talking about the corporations that fall within the Office of the President. I will start with the National Registration of Persons. We need Identity Cards (IDs) almost everywhere in this Republic. We have people who have grown up since the last elections. They need IDs. I know the process of acquiring or changing IDs, and this should be taken very seriously. As I speak, there was recruitment of young graduates from schools to be trained in issuing out IDs. There were people picked from every district to be represented in this training. However, West Pokot was not represented. There was nobody who was picked from West Pokot to go and be in charge of issuing IDs in this process of changing of IDs. It is very important that this one is taken care of because we need people who will go to the rural areas and carry out this issuing of IDs to the people who are concerned. I followed it up myself up to the office of the department in charge and there was nobody who was recruited from West Pokot among the 40 people who were recruited from every district. This should be taken very seriously.

Mr. Temporary Deputy Speaker, Sir, I want to talk about the Drought Recovery Programme. There is Kshs600 million which has been allocated to programmes to assist drought recovery.

Mr. Temporary Deputy Speaker, Sir, we want to talk about the aftermath of drought because drought has been seen to be something that is recurrent. It comes after five or ten years. We should be able to prepare our communities to fight drought. We should be able to prepare those nomads in those dry areas to be ready for the drought. By this I mean that the Kshs 600 million allocated should be used for projects relevant to droughts through maybe building dams, irrigation projects and so on. In the Valley we have a lot of water which is running untapped and

this water should be used for irrigation. We should be able to use it to fight drought in the next years to come. We should not just be able to give food because there is a saying which goes, "You better teach somebody how to fish instead of giving fish every now and then on a plate". So, it is very important that the Department of Drought Recovery focuses on the aftermath of the drought and uses this money which we are going to vote in this House to train people and the communities to learn how they can take care of cattle dips. We should train communities on how to maintain their dams because there are dams which were built by Colonial Government and now they are silted. We need the Government to use that money to be able to train communities. They should give that money to the Ministry of Culture and Social Services or to Non-Government organizations (NGOs) that work within those drought recovery areas. Such NGOs are the Catholic Relief Services, World Vision and many others. While working in those areas they should be able to train communities on how to prepare to fight droughts.

I want to talk about the Immigration Department. It is ashaming that when you go to the streets you will find citizenship papers being sold. I have witnessed some of them being sold. If we are selling our citizenship then it is very serious. Our citizenship is a vital document and when you go to the streets and see these documents being sold around you get annoyed. They are being sold at Kshs 50,000. This is a shame. We are selling our country and I want to plead very very honestly with the Department of Immigration to control this practice because---

Mr. Obwocha: On a point of order, Mr. Temporary Deputy Speaker, Sir, I do not know whether you heard the hon. Member say, categorically, that the Immigration Department is selling the citizenship papers for Kshs 50,000. Can he substantiate that statement.

Mr. Rotino: Mr. Temporary Deputy Speaker, Sir, I did not say that the Department of Immigration is doing that. I said that those papers are being sold in the streets. Whether they are coming from the Immigration Department or from wherever else I do not know. I am saying that it is important that the Department of Immigration tightens up the loopholes which exist.

I want to talk about Police Department. I do not want to repeat what my colleagues have said but it is evident that there are a lot of bribes being solicited by police officers in the streets everywhere. For example, lorries that go to Mombasa are stopped at the weigh bridge by police officers who demand for bribes. It is important that the Department of Police eradicates this practice. We should look at the circumstances that make the police officers succumb to these bribes. As our colleagues have said the conditions in which the police officers live are pathetic. Money should be allocated to be able to build good houses and provide good shelter for the police officers because it is important that we allow the police officers to live in good conditions. We should give them the environment which enables them to work properly because they are people who should be respected in the society and deserve to be given the right facilities for them to work. This is very very important so that they do not engage in activities that are not very good.

I want to talk about transport within the Provincial Administration. As I speak, many divisional headquarters have no means of transport. The District Officers(DOs) cannot move. Specific amounts of money should be allocated to divisional headquarters so that, at least, we have money to repair those vehicles so that DOs can travel to their various locations to be able to monitor security and development projects in those location. It is very important that all the vehicles within the District Officers offices - we call them the mortuaries or graveyards of Government vehicles - are repaired. They should take them for rehabilitation in Thika so that these vehicles are used by the Provincial Administration and the Police because they do not have vehicles to use. As much as we tell them to work they cannot do that without facilities.

I will talk about stationery within Provincial Administration offices. It is ashaming to go to a DO's office and find that he does not have a paper to write on. As I speak, even in my own division, Sigor, the DOs have no papers to write on. They have to write on every space on the paper available. We should avail stationery to our Administration Police and other Government officers. Even when you go to divisional police station to report a case they ask you for paper to write a statement on. This is does not augur very well for our system. We should be able to provide facilities to enable our Provincial Administration work efficiently because they are the backbone for any system. They are the backbone of any government and we require them to work efficiently. The Government, through the Office of the President should be able to provide the money we are voting today so as to enable the Provincial Administration work efficiently.

I want to commend the Government for building Eldoret Airport and allocating it Kshs 400 million. We should allocate more money to Eldoret Airport because it is a vital infrastructure to that part of this Republic. We need the airport to facilitate easy travel for people who come from the area. To be able to encourage agricultural and horticulture development, we need the airport facility in Eldoret because Eldoret is a strategic point for people coming from Western Kenya, Uganda, Sudan and so on. They need the facility to be able to travel out of the country.

I do not need to travel from West Pokot to Nairobi to be able to fly out. I can fly from Eldoret. This is a facility that is going to help our people and even Members of Parliament, to be able to board flights from there. I can leave my car in Eldoret Town to avoid wear and tear and fly to Nairobi attend Bunge Sessions and fly back. The

Eldoret Airport is a necessity that all of us in this House need to support. All of us in this House need to support the building of Eldoret Airport. I want to talk about National Youth Service (NYS). This is a vital and very important Department in the Office of the President. It is very important because it is a ground for training our young men. It is a ground for preparing our young men for tasks outside in the field but unfortunately, NYS has now lost direction. It needs to be clear in its policy. What is NYS supposed to do? The policy of NYS is supposed to be followed.

Mr. Temporary Deputy Speaker, Sir, I plead with the Office of the President, and the Director of NYS, to look back to the policies of NYS and try to institute them as amicably as possible because that will go a long way in assisting our young men into becoming good citizens; good men and women in this society.

With those few remarks, I beg to support.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until tomorrow the 18th October, 1995, at 9.00 a.m.

The House rose at 6.30 p.m.