

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Tuesday, 25th July, 1995

The House met at 2.30 p.m.

[*Mr. Speaker in the Chair*]

## PRAYERS

### COMMUNICATION FROM THE CHAIR

#### CONSIDERED RULING ON ABUSE OF PRIVILEGE

**Mr. Speaker:** Hon. Members, on the 12th of July, I made some observations relating to the misuse of or abuse of privilege by hon. Members while contributing on the Floor of the House. I was forced to make those observations as a result of certain allegations made by the Member for Kisauni, Prof. Rashid Mzee, in connection with a Question by Private Notice he asked the Minister for Lands and Settlement. The Question concerned the ownership of a plot described by him as Plot No.IR/Mainland North, situated at Mkomani.

While pursuing the said Question, the Member made certain allegations against the Minister for Energy, Mr. Darius Mbela. Prof. Mzee laid on the Table certain documents purporting to prove his allegations, in response to a point of order under Standing Order 76 by the Minister for Energy. On a further point of order, the Minister brought to the attention of the Chair the fact that the documents laid on the Table did not support Prof. Mzee's allegations. The Chair then called upon the Member for Kisauni to respond who then stated that the documents did not show that the plot was allocated to Mr. Mbela, but to a company "which belongs to a Minister in this Government."

It was as a result of this apparent shift of position that led the Chair to sound a general warning to hon. Members who use the Floor of the House to besmirch the names of other hon. Members or other Kenyans, knowing very well that their allegations are false. In doing so, the Chair recalled certain claims where the Member for Kiambaa, Mr. Kamau Icharia, in relation to Question 431, on the investment policy of the National Social Security Fund (NSSF), which gave the impression that a company, Sansora Investments Limited, which he said "I understand belongs to a Minister of this Government---" He attempted to table certain documents to prove his point, but he was not allowed to do so because he attempted to do so after the relevant Question had been dealt with. This was on the 4th of July. The following morning, *The East African Standard* carried banner headlines "MP says firm made Kshs224 million profit and names Nyachae in the NSSF deal." That same day Mr. Nyachae made a Personal Statement under Standing Order 69, denying:

- (a) Having been named in the House by Mr. Icharia; and
- (b) That he or any company associated with him had any plot or land deal with the NSSF.

He laid on the Table documents to prove that the land in question had been sold by M/S Sansora Investments Limited to M/S Sea View Investment. The deal was concluded in May, 1992 and M/S Sansora Investments Limited ceased to have any further interest. M/S Sansora Investments Limited sold the property to M/S Sea View Investment Limited for Kshs13 million.

It was a result of these serious allegations, hotly denied by the two concerned Ministers, that led to my observations of the 14th of July. I promised the House that I would study the HANSARD and the documents and would communicate to the House my findings and I wish to do so now.

I also wish to make a comment on the report by *The East African Standard*, which I have already referred to. I will first deal with the allegation by the Prof. Mzee. The hon. Member categorically stated that among the documents he tabled, one was "dated 11th July, 1990, allocating the same plot to Mr. Darius Mbela's Company." This was followed by cries of "Shame! Shame!" from hon. Members. He repeated this allegation three times. I have perused the documents laid on the Table by the hon. Member and I find that none of the documents indicate that the plot in question was allocated to Mr. Mbela or any company for that matter. All that the letter dated 11th July, 1990, from Mombasa Municipal Council says is that, "The plot reservations were cancelled and the plots have been allocated elsewhere by the Government." Nothing in the document refers to Mr. Mbela's Company or

any company for that matter, unless

Prof. Mzee wishes the House to understand "elsewhere" to mean Mr. Mbela or companies associated with him.

The whole allegation was without any basis and was, in my view, actuated by malice. This amounts to abuse of privilege of the House. I will and, I do hereby order Prof. Rashid Mzee to withdraw his allegations Mr. Darius Mbela and apologise both to the House and to the hon. Minister.

I now turn to the allegation made by Mr. Icharia which led to Mr. Nyachae's complaints both against Mr. Icharia and *The East African Standard*.

In pursuing Question No. 431 filed by him, Mr. Icharia said *inter alia* "I would like the Minister to explain to this House how the following properties bought by NSSF are going to benefit the workers who pay money to the NSSF; undeveloped plot LR No.MM/111089, measuring eight hectares in Mtwapa, Kilifi, which was sold by the Commissioner of Lands to a company called Sansora Investment Limited, which I understand belongs to an hon. Minister of this Government". To the amazement of hon. Members, he continued: "The plot was sold to the company for Kshs46,000, but recently the same undeveloped plot was sold to the NSSF for Kshs425 million".

Having perused the documents laid on the Table by Mr. Nyachae, it is evident that the plot in question was sold by Sansora Investment Ltd. to Sea View Investments Ltd. for Kshs13 million and transferred the same in May, 1992. The impression given by Mr. Icharia is that M/S Sansora Investments Ltd. sold the said plot to NSSF for Kshs425 million. This is untrue. Mr. Icharia must have made these remarks deliberately intending to mislead the House and, therefore, the public. This is another case, all in eight days, of abuse of privilege. Mr. Icharia must also withdraw his allegations and apologise to the House.

This now brings me to the second complaint by Mr. Nyachae that the banner headlines in the *East African Standard* to the effect that Mr. Icharia had alleged in the House that " a company belonging to the Minister for Agriculture Simeon Nyachae bought an empty bush plot for Kshs460,000 and later sold it to the NSSF for Kshs225 million; Parliament heard yesterday". Parliament did not hear anything of the sort. I have very carefully perused the HANSARD for the relevant day and I find as follows:-

(a) Mr. Icharia never mentioned Mr. Nyachae or that M/S Sansora Investment Ltd " belonged to Mr. Nyachae".

(b) Hon. Icharia talked of Kshs.46,000 and not Kshs.460,000.

(c) Hon. Icharia alleged that the plot was sold to the NSSF for Kshs.425 million and not 225 million.

The paper further alleges that Mr. Icharia had stated that the plot was "in the deep bushes of Kilifi Creek". Mr. Icharia did not say so. Either the *East African Standard* reporters were not in the House or, if they were, they could not comprehend what was said in the House. Neither way will compliment them for this deliberate departure from the norm of reporting as accurately and as fairly the proceedings of this House as possible. This report was grossly inaccurate. I see no fairness in it. It is the second time I have demanded accurate and fair reporting from the *East African Standard* this Session. They must do so if they expect to continue to cover the proceedings of this House. I hope their Editors are listening. I hope Kenyans are listening. I hope this House is listening.

Hon. Members, I have made this communication in great detail because I see a very dangerous precedent being set - that of abuse of privilege. I said on 12th July, that hon. Members must exercise the privileges of this House with utmost responsibility. This is a dignified House and each Member must conduct himself or herself with honour, dignity and respect to one another and to other Kenyans. Unless this is done, the public may as well demand the withdrawal of this privilege. That would be tragic but, nevertheless, a possibility. I will, on my part, guard jealously the integrity of this House and its rules. This House cherishes the privilege to discuss issues without threats of legal actions. This is as it should. The exercise of this privilege must be coupled with enormous responsibilities. Thank you. Yes! Prof. Mzee, would you like to apologise?

**Prof. Mzee:** Mr. Speaker, Sir, I have the highest respect for this House and I have the highest respect for the Chair, but the question of land grabbing in this country and in particular in Mombasa is a very serious question ---

**Mr. Speaker:** Order! Order, Prof. Mzee. I have already made the order. I have made my findings that whatever you stated in this House was not born out by the evident you tendered. You must now withdraw and apologise both to the House and to Mr. Mbela.

**Prof. Mzee:** Mr. Speaker, Sir, I was building up to that and I am not giving a speech because if I stand here and say I apologise and withdraw, I will do a de-service to this country because land grabbing in this country is a very serious issue ---

**Mr. Speaker:** Order! Order, Prof. Mzee. It may very well be so, and if you want to proof that point, you have the opportunity, you had the opportunity at that time. What I have said in my ruling, and it is not subject to

negotiation, according to your utterances in this House, the evidence you tendered were untrue and, therefore, I am ordering you to withdraw those untrue allegations and apologise to the House. If you have anything more to that to say, get to the correct forum, not now.

**Prof. Mzee:** Mr. Speaker, Sir, I am finding it very difficult to withdraw and apologise because these people are land grabbers and they are grabbing the land! **Mr. Speaker:** Order! Order! Prof. Mzee, I find it extremely difficult that having regard to what you stated last time and the ruling of the Chair, you are still taking issue, and by your doing so, you are already aggravating your misconduct in the House and consequently, I will now order you to be excluded from the proceedings of this House for the balance of the day in accordance with Standing Order 88. You must now withdraw!

**Mr. Speaker:** Is Mr. Icharia in?

**Mr. Icharia:** Mr. Speaker, Sir---

**Mr. Speaker:** Order, Mr. Icharia! You have to wait until Prof. Mzee withdraws from the Chamber!

*(Prof. Mzee withdrew from the Chamber)*

**Mr. Speaker:** Yes Mr. Icharia, would you like to comply or not?

**Mr. Icharia:** Mr. Speaker, Sir, I have looked at the HANSARD. I have studied everything I said, and I find it odd that I am being asked to withdraw and apologise, because there is nothing really to withdraw and apologise for!

**Mr. Speaker:** Very well! Order! Order, Mr. Icharia! Very well, if you do not want to apologise, it means obviously you must be similarly excluded from the sitting of this House for the balance of the day in accordance with Standing Order 88. You must now leave!

**Mr. Icharia:** Mr. Speaker, Sir, but---

**Mr. Speaker:** Order! Order, Mr. Icharia! You are now a stranger!

*(Laughter)*

**Mr. Icharia:** It is not fair for me to be asked to withdraw what I did not say!

**Mr. Speaker:** Order! Order, Mr. Icharia! No stranger is ever allowed to address this House.

*(Mr. Icharia withdrew from the Chamber)*

Order! What is it Mr. Anyona?

**Mr. Anyona:** Mr. Speaker, Sir, I agree entirely that these statements are both dishonourable and they lower the dignity of the House. Before the House went on recess last time, there was a similar issue where documents were tabled here in connection with importation of sugar and cereals and I remember raising the matter and asking the Chair to look at the documents and confirm whether or not they were valid. I wanted to remind you whether you would like to make a comment on that as well.

**Mr. Speaker:** Order! Order! Indeed you are correct, Mr. Anyona. I remember that issue. I have not forgotten it, but this august House will understand that I do not have those specialities of examining the genuineness or otherwise of such documents. I have to ask the experts to do this and, immediately I get the findings, I will report to this House. Let us now proceed.

## ORAL ANSWERS TO QUESTIONS

### *Question No.403*

#### HARASSMENT OF RESIDENTS

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

(a) whether he is aware that the Chief of Kiabonyoru Sub-location in North Mugirango is harassing residents of the area;

(b) whether he is further aware that the said Chief arrested Mr. Thomas Arasa Achang'a and confiscated his cattle vide the District Commissioner's letter Ref. No.ST.1/8/VOL.II/41 of 18th October, 1994; and

(c) if the answers to "a" and "b" above are in the affirmative, what action he is intending to take against the chief and to compensate the said farmer.

**The Minister of State, Office of the President** (Mr. Kalweo): Mr. Speaker, Sir, something has transpired between me and him and I beg the hon. Member, and the House, to give me permission to answer this Question first thing tomorrow morning.

**Mr. Speaker:** What is your reaction Mr. Obwocha about tomorrow morning? Is it okay with you?

**Mr. Obwocha:** Mr. Speaker, Sir, we ask these Questions for the benefit of those who are aggrieved and since I have given him the information and I need this cow to be returned, I would request the Chair to accede to the request that he answers this Question tomorrow morning and truthfully.

**Mr. Speaker:** It is, therefore, agreed that the Question will be answered tomorrow morning.

**Mr. Obwocha:** Thank you Mr. Speaker, Sir.

*(Question deferred)*

**Mr. Speaker:** Next Question, Mr. Mwiraria!

*Question No.529*

#### DISAPPEARANCE OF MR. M'ITUAMWARI

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

(a) whether he is aware that Mr. David Kithure M'ituamwari, who was working with the Kenya National Assurance Company in Meru, left for Kakamega on 23rd December, 1994, to visit his wife Ms Margaret Nechesa, Identity Card No.9358189/71, and his two children;

(b) whether he is further aware that his wife claims that he left Kakamega for Meru on 3rd January, 1995, accompanied by one of his children and that the two have not yet reached their destination; and

(c) if the answers to "a" and "b" above are in the affirmative, what steps he is taking to establish the whereabouts of Mr. M'ituamwari and his child as the matter has already been reported to Meru Police Station and the District Officer, Miriga Mieru East.

**The Minister of State, Office of the President** (Mr. Kalweo): Mr. Speaker Sir, I beg to reply:-

(a) Yes, I am aware.

(b) Yes, I am aware.

(c) Following the missing persons' report made at Meru Police Station on 6th January, 1995, the particulars of the missing persons were circulated to all police stations in the country. So far---

**Prof. Ouma:** On a point of order Mr. Speaker Sir. We are not able to hear what the Minister is saying. Could he answer the Question audibly because it is a very important Question?

**Mr. Speaker:** Order! Order! Proceed!

**The Minister of State, Office of the President** (Mr. Kalweo): Mr. Speaker, Sir, I hope you will advise hon. Members to discuss their affairs quietly so that they can hear what I am saying.

Mr. Speaker, Sir, so far no information has been received on the missing persons but investigations are still going on.

**Mr. Mwiraria:** Thank you Mr. Speaker, Sir. Arising from the reply given by the Minister and given the fact that the couple had a history of violent disagreements and that the husband was, in fact, following his wife and children who had left him earlier and given the fact that it is now more than six months since this person disappeared, could the Minister intensify investigations bearing in mind the fact that three months after the alleged disappearance of the husband the wife went to Meru with the house keys, removed the furniture and all the household items and the keys had been taken when he went to visit her on the 23rd of December, 1994?

**Mr. Kalweo:** Mr. Speaker, Sir, I agree entirely with the hon. Member that the investigations should be intensified and the information he has added is very important to those investigations.

**Mr. Karege:** Mr. Speaker, Sir, this matter is very serious indeed. Now, is the Minister confirming that the Police Department is so incompetent, even with a lead that Mr. Mwiraria has given, six months later, the police cannot establish what was the cause of this disappearance?

**Mr. Kalweo:** Mr. Speaker, Sir this depends on various matters and investigations can even take years.

**Mr. Speaker:** Final question Mr. Mwiraria!

**Mr. Mwiraria:** Mr. Speaker, Sir, could the Minister undertake to collect information available on this disappearance from the family of the missing husband, so that he can get clues that we believe will help him to sort out this disappearance?

**Mr. Kalweo:** Mr. Speaker, Sir, we are doing that.

**Mr. Speaker:** Next Question Mr. Anyona!

*Question No.261*

ASSAULT ON MRS. NYAMBOGA

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

(a) whether he is aware that on 24th June, 1994, Mrs. Yobentina Bochaberi Nyamboga (65 years) was assaulted by Administration Policemen and youthwingers from Kioge Chief's Camp in Bomwagamo Location in Nyamira District;

(b) whether he is further aware that the policemen and youthwingers took Kshs300 from the complainant (Mrs. Nyamboga) as well as bananas and groundnuts she was selling at Gekendo

Secondary School; and

(c) whether he will investigate the incident and take appropriate disciplinary action against the policemen and youth-wingers concerned.

**The Minister of State, Office of the President (Mr. Kalweo):** Mr. Speaker, Sir, I beg to reply:-

(a) I am not aware.

(b) I am not aware.

(c) The matter will be investigated and appropriate action taken as soon as the complainant makes a police report.

**Mr. Wamalwa:** On a point of order, Mr. Speaker, Sir. Is it really in order for a Minister to stand up here and say he is not aware, when he has been seized of the Question for at least two weeks and maybe more weeks? Did he not have ample time to try and make himself aware? Is it sufficient for him to just stand up here and say that he is not aware?

**Mr. Kalweo:** Yes!

*(Laughter)*

**Mr. Shikuku:** Mr. Speaker, Sir, arising from---

**Mr. Speaker:** Order! Order! We cannot hear the hon. Member for Butere!

**Mr. Shikuku:** Mr. Speaker, Sir, arising from that reply by the Minister, which he has confirmed that he does not have to look for the truth, the short-cut is, "I am not aware" and he sits on his bumps---

**An hon. Member:** What did you want him to sit on?

**Mr. Shikuku:** Mr. Speaker Sir, he should sit on his ears! Arising from that, is it not time the hon. Minister respected other elected representatives like himself and took upon himself to give the truth to this House rather than come and say, "I am not aware?"

*(Applause)*

**Mr. Kalweo:** Mr. Speaker, Sir, to help the House, let the culprits report the matter to the police.

**Mr. Anyona:** Mr. Speaker, Sir, this Minister does not even understand what a culprit is? This is a victim not a culprit! This is a very serious matter because it is not just the case of general harassment. This is a case of violation of gender rights of this old woman who is trying to earn an honest living. She was assaulted and her properties stolen by the policemen. This matter was filed last year and so he had more than two weeks to find out the truth. Could this Minister tell us whether it is possible for the victim to go and report to the same people who assaulted her?

**Mr. Kalweo:** Mr. Speaker, Sir, it is general knowledge, whenever somebody is assaulted that he must report to the nearest police station.

**Dr. Kituyi:** On a point of order, Mr. Speaker, Sir. It is a well-known fact in this House that the hon. Minister replying now is among the most notorious Ministers who always do not do their homework properly. This Minister has just said before this House that the culprit should go and report the matter to the police. Does

he know the meaning of the word "culprit?" The culprit is the one whom we want the Government to apprehend. How can he go and report to the police?

**Mr. Kalweo:** Mr. Speaker, Sir, the Questioner, despite building up his question, does not really make me change the answer. So, whenever one is assaulted, one must report to a police station. That is the only way that I can take action.

**Prof. Ouma:** On a point of order, Mr. Speaker, Sir. Until someone has been convicted, he is not the culprit! Could the Minister tell us how he knows that this lady was the culprit, otherwise he revises his English?

**Mr. Kalweo:** Because you have brought it here!

**Mr. Speaker:** Next Question!

*Question No.583*

ADMISSION TO UNIVERSITIES

**Mr. Mcharo** asked the Minister for Education in view of the fact that students in some specific districts, such as those districts in Coast Province, have for many years scored low grades at the national examinations because of being disadvantaged, whether he could consider introducing a quota system of intake into the public universities in order to remedy the educational imbalance in this country.

**The Assistant Minister for Education** (Mr. Komora): Mr. Speaker, Sir, I beg to reply.

It is not true that students in some districts in the Coast Province score low grades at the national examinations because of being disadvantaged. There are many factors which determine the quality of examination results of any school and those factors have nothing to do with the district or province in which a school is situated.

Allow me to stress that leaders and parents do influence examination results in one way or the other through their co-operation and liaison with teachers, particularly over provision of various facilities needed by students.

The quota system is currently applicable to secondary schools and teachers colleges admissions. My Ministry does not intend to introduce it in the university admissions as that would lower our academic standards.

It is my Ministry's policy that our universities should maintain the highest academic standards so that Kenyans can compete effectively at international level for jobs and for opportunities for further education, and in order to encourage academic excellence and research which are pre-requisites for national development.

Consequently, admission into our public universities will continue to be based strictly on merit and overall capacities of public universities and constituent colleges.

**Mr. Mcharo:** Mr. Speaker, Sir, I pity the Assistant Minister for giving this answer, because his own district is one of the most disadvantaged district and very few students are admitted to the universities because of obvious disadvantages in Tana River. What I am saying about is that since the Ministry knows very well that the parents of Tana River---

**Mr. Gitau:** On a point of order, Mr. Speaker, Sir. Since the hon. Member is insisting on the disadvantages, could he enlighten this House on what disadvantages he is talking about?

**Mr. Speaker:** Order! That is a very frivolous point of order! Proceed!

**Mr. Mcharo:** Mr. Speaker, Sir, that comment is uncalled for. What I am saying is that some districts in this country are obviously disadvantaged in the sense that parents and leaders cannot find sufficient money to cater for the development of schools and provision of facilities necessary to make students excel in examinations and join universities. This is why I am asking the Ministry of Education to do like other countries to establish a quota system intake into the universities so that we can have an equitable manpower throughout the country.

**Mr. Komora:** Mr. Speaker, Sir, I do sympathise with the hon. Member of Parliament. He has also mentioned my district and I am aware of the difficulties in my own district. However, at the same time, this Government has made provision for assistance to raise these disadvantaged districts. I have made provision to provide finances for those students who are unable to raise fees in these districts. We urge hon. Members, leaders and parents to get together with teachers and commit themselves for better standards.

**Mr. Farah:** Mr. Speaker, Sir, I would be very embarrassed if I come from Tana River District and the hon. Assistant Minister is talking that way. His own district has less than ten students who are qualifying to national universities. Let him tell this House whether Pokomos are dumps and fools who cannot compete with other students from Central or Nyanza provinces and that is where he is likely to smile? This Parliament passed a

Motion, establishing quotas for disadvantaged districts. It is the supreme institution and we have heard this House being told that the DDC will have to rectify what has been passed by this House. Could the Assistant Minister tell us why the Joint Admissions Board is superior to this House?

**Mr. Komora:** Mr. Speaker, Sir, this House is definitely supreme as far as legislation is concerned. This Government, on other the hand, is responsible for maintaining high standards nationally and internationally.

As far as my district is concerned, I would like to assure the hon. Member that the Pokomos have some of the best brains. At my own time, when I went to school, Tana River was even worse than it is today. It is on the record that I have made it nationally and internationally and, therefore, given the right support, the Pokomo can go up to any level in education as I have done. I am a Pokomo and I am very proud of being a Pokomo!

**Mr. Farah:** On a point of order, Mr. Speaker, Sir. I asked a very simple question. My question was why is the Motion on setting of quota a system for marginalised and disadvantaged areas which was passed by this House is not being implemented? Why do you think there are quota systems in America and generally in the West? Why is academic excellence in the United States and Europe being compromised? There are quotas for disadvantages---

**Mr. Speaker:** Order, Mr. Farah! That is enough!

**Mr. Komora:** Mr. Speaker, Sir, I have already answered the hon. Member. The answer is that, that Motion will be considered in the normal way and it will be implemented as and when it is practicable. However, today, it is not practicable to introduce the quota system.

**Mr. Rotino:** Mr. Speaker, Sir, the Assistant Minister should be ashamed!

**Mr. Speaker:** Order! I do not think that is the right thing to say in the House! Will you withdraw that remark?

**Mr. Rotino:** Mr. Speaker, Sir, I withdraw that comment. It is an obvious fact that there are districts that are disadvantaged in this country. Could the Assistant Minister assure this House that those districts that have shortage of teachers especially West Pokot and Taita-Taveta are going to get teachers?

**Mr. Komora:** Mr. Speaker, Sir, indeed we have emphasised the posting of teachers in all our secondary institutions and if there is any hon. Member who has a particular problem about staffing in any school in any area, our offices are open.

**Mr. Speaker:** Very well, I think I am also getting disadvantaged by time and I have to take care of Questions by Private Notice. The remaining Questions will be deferred up to tomorrow.

*Question No.358*

ISSUANCE OF TITLE DEEDS

*(Question deferred)*

*Question No.194*

MAINTENANCE OF ROADS

*(Question deferred)*

*Question No.236*

FUNDING OF TASK FORCES

*(Question deferred)*

**QUESTIONS BY PRIVATE NOTICE**

ISSUANCE OF IDENTITY CARDS

**Mr. Karan:** Mr. Speaker, Sir, I beg to ask the Minister of State, Office of the President the following Question by Private Notice:-

(a) Is the Minister aware that over four million Kenyan youths, who have attained 18 years and over,

have not been issued with National Identity Cards?

(b) Is he further aware that these young people cannot be employed or recruited into any training college (Education or Armed Forces) without these cards?

(c) In view of the proposed National Registration of Persons due to commence later this month, could the Minister specify the guidelines for this exercise and also confirm to the House that every eligible Kenyan will obtain the identity card without hinderance?

**Mr. Speaker:** Is there any Minister from the Office of the President?

We will check later. Let us move on to the next Question.

**Hon. Members:** No! No! Mr. Kalweo was here just a minute ago!

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

**Mr. Shikuku:** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** What is it? Order, Mr. Awori!

**Mr. Shikuku:** Mr. Speaker, Sir, is it not time for the hon. Assistant Minister to apologise for not being on his feet immediately you called out the Question?

**An hon. Member:** He is sorting out the answer.

**Mr. Speaker:** You are out of order now!

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

I apologise for the two minutes delay in answering the Question.

(a) I am certainly not aware.

(b) No, I am not aware.

(c) The registration of persons and the issuance of National Identity Cards is a continuous exercise where all Kenyans meeting the stipulated requirements as provided in Cap. 107 of the Laws of Kenya are free to apply for registration and issuance of National Identify Cards at any of the existing registration centres in the country.

**Mr. Nthenge:** On a point of order, Mr. Speaker, Sir. The Questioner says there are no identity cards issued and now the Assistant Minister stands here and says that the issuance of identity cards is a continuous process. Could we know which of the two parties is telling the truth? He says that once you apply for an identity card you get it but we are saying that no identity cards are issued.

**Mr. Awori:** Mr. Speaker, Sir, I wish my friend on the other side looks at part "a" of the Question. The Questioner is giving the figure of over four million Kenyan youths who have not been issued with national identity cards. Will he please substantiate as to how he has got the number of four million?

**Mr. Wamalwa:** Mr. Speaker, Sir, will the Assistant Minister give an assurance to this House that as they continue to register Kenyans no change in the format of the existing identity card will be made without debate in this House as to that change?

**Mr. Awori:** Mr. Speaker, Sir, I give that assurance.

**Mr. Karan:** Mr. Speaker, Sir, today you have heard an opportunity to listen to one of the untruths in this House by an hon. Assistant Minister of this Government. It is public knowledge, and even people sitting at the Galleries are my witnesses that---

**Mr. Speaker:** Order!

**Mr. Karan:** I beg to withdraw that statement.

**Mr. Speaker:** Order! Order! The rule why you should address Mr. Speaker is to avoid a situation like that where hon. Members will cause theatrics in this House. Shall we not be theatrical. Can we address the Chair.

**Mr. Karan:** Thank you, Mr. Speaker, Sir, I beg to withdraw that statement.

The Assistant Minister knows very well that without these identity cards the young Kenyans cannot be recruited into the training colleges or even get employment and he goes on to say that he is not aware of this fact. Could the Assistant Minister be serious with this Question and confirm to this House that arrangements will be made to ensure that the majority of Kenyans who do not have identity cards are issued with them without further delay?

**Mr. Awori:** Mr. Speaker, Sir, in the first place I simply must insist in telling the Questioner that the number of Kenyans who meet the requirements but have not been issued with identity cards are not over four million. In fact, they are 1.8 million and we are in the process of giving them identity cards. Perhaps by tomorrow they could very well be reduced to 1.6 million.

**Dr. Otieno-Kopiyo:** Mr. Speaker, Sir, in view of the fact that the Assistant Minister said that he needed to know the authenticity of the information of the hon. Member as to the source of information about the four million Kenyans, could he now tell us where he derived the figure of 1.8 million from given the fact that the last

census was thoroughly discredited?

**Mr. Awori:** Mr. Speaker, Sir, this is because the department that deals with statistics so far as births and deaths are concerned is in my Ministry and for that reason, I am able to tell you the number of citizens who need identity cards.

**Mr. Wamae:** Mr. Speaker, Sir, now that the hon. Assistant Minister has admitted that 1.8 million Kenyan youths who are supposed to have identification cards do not have them and therefore disadvantaged in getting jobs and also realising that Mr. Wanyange was arrested in Nakuru for demonstrating against lack of issuing of identity cards in Rift Valley, what is the hon. Assistant Minister going to do to ensure that this identity cards are issued without any further delay?

**Mr. Awori:** Mr. Speaker, Sir, there is not a single country in the world that can do that in one day. As I have said, the process of issuing identity cards is a continuous one.

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

**Mr. Speaker:** Order! I do not have time for all these questions. We will now move on to the Question of Robert Mungai.

#### LIQUIDATION OF PARASTATAL

**Mr. R.K. Mungai:** Mr. Speaker, Sir, I beg to ask the Minister for Finance the following Question by Private Notice:-

(a) Is the Minister aware that Kenyan Film Corporation Limited in Nairobi, is being liquidated instead of being privatised in accordance with the Government's financial regulations and the parastatal privatization and divestiture procedures?

(b) Is the Minister satisfied that adequate measures have been taken with regard to safety net provisions in connection with the entire staff of the company?

(c) If the answers to "a" and "b" above are in the negative, what urgent measures is the Minister taking to stop the on-going liquidation process?

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

(a) Yes, I am aware that the Kenya Film Corporation is being liquidated due to its being insolvent, and as such it cannot be sold as a going concern since it has no valuable tangible assets.

(b) No safety-net provisions are provided in the liquidation process. However, the liquidator will take into account claims under the Collective Bargaining Agreement between the Kenya Film Corporation and the Kenya Entertainment and Music Industry Employees.

(c) There are no plans to stop the on-going liquidation process as this is part of the current divestiture programme.

**Mr. R.K. Mungai:** Thank you, Mr. Speaker, Sir, for that rather absurd reply. However, is the Assistant Minister in order to mislead this House by saying that this Company has no valuable assets when according to the latest audited accounts signed by the Auditor-General (Corporations) show that as at the end of 1992, there were fixed assets to the tune of Kshs7.5 million, and there were reserves of Kshs10.8 million? What has happened to those assets? Could the Assistant Minister table in this House, a Project Appraisal Report and an Asset Valuation Report to show that this Company is insolvent?

**An hon. Member:** He is not aware!

*(Laughter)*

**Mr. Koech:** Mr. Speaker, Sir, the Kenya Film Corporation has been renting premises and it is difficult to talk about tangible assets when they have been relying mainly on rented premises.

**Mr. Raila:** Mr. Speaker, Sir, the question of solvency or insolvency can be used very subjectively. We know that recently the plant Molasses in Kisumu was supposed to be disposed of because it was insolvent, when in fact there were [Mr. Raila]

buyers who were ready to buy it. Could the Assistant Minister tell the House whether the Kenya Film Corporation has been offered for sale and that they were unable to get a buyer? If not, what is the criteria being used to dispose of Kenya Film Corporation.

**Mr. Koech:** Mr. Speaker, Sir, there is nothing to sell in the Kenya Film Corporation.

**Mr. Wamae:** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** Who is on a point of order? Is it Mr. Wamae?

**Mr. Wamae:** Mr. Speaker, Sir, is the hon. Assistant Minister in order to say that the Kenya Film Corporation has no assets when we know they have the films, furniture, projectors in the Nairobi Cinema and vehicles? Where are they?

**Mr. Koech:** Mr. Speaker, Sir, as I said before, the company is insolvent. The movable assets are going to be disposed of in the usual procedure which is done with the liquidation of any company.

**Mr. Obwocha:** Thank you, Mr. Speaker, Sir. As we know, when a company is insolvent, it means the liabilities are more than the assets. Could the Assistant Minister now tell this House how much, in terms of liabilities, is owed by this Kenya Film Corporation and the amount of assets, so that we know that the company is really insolvent?

**Mr. Koech:** Mr. Speaker, Sir, I did not bring the figures here, but I had looked at the figures and I established that the company is insolvent.

**Mr. Shikuku:** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** What is it, Mr. Shikuku?

**Mr. Shikuku:** Mr. Speaker, Sir, my point of order is in connection with the hon. Member now replying to this Question. I think he is taking the House for a ride. A specific Question has been asked by Mr. Obwocha, but he has said that he does not have the figures, yet he is prepared to say the company is insolvent. How do we treat such an Assistant Minister? Is it not time we named him and threw him out of this House under Standing Order No. 82?

*(Loud consultations)*

**Mr. Koech:** Mr. Speaker, Sir, I do not think Mr. Shikuku has asked me any Question, except only to insult me, and he deserves a rebuttal.

**Mr. Obwocha:** On a point of order, Mr. Speaker, Sir. This is a follow-up of Mr. Shikuku's Question. If he does not have the figures, could he tell this House when he can bring the figures for the assets and the liabilities of this company so that the House knows whether this company is insolvent? When can you bring them?

**Mr. Raila:** On a point of order, Mr. Speaker, Sir.

**Mr. Obwocha:** No, let him answer my question!

**Mr. Raila:** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** What is your point of order?

**Mr. Raila:** Mr. Speaker, Sir, I have here at my disposal the audited accounts which show that, in fact, the assets actually exceed the liabilities. Could the Assistant Minister, therefore, now that he is made aware, tell the House why this company is being disposed of as insolvent when, in fact, the audited figures show that it is solvent?

**An hon Member:** Right! Right! That is a point. Lay the document on the table.

**Mr. Koech:** Mr. Speaker, Sir, although I did not come with the audited figure, I have verified the audited report and I have known that this company is solvent after going through the report. I do not think it is justifying---

**Mr. Michuki:** On a point of order, Mr. Speaker, Sir.

**Mr. Koech:** I am on a point of order.

**Mr. Speaker:** Order, Mr. Michuki! Whether you have a point of order or not, he is responding to a point of order. You must sit down, Mr. Michuki!

**Mr. Michuki:** On a point of order---

**Mr. Speaker:** Order! Order, Mr. Michuki! Order!

**Mr. Koech:** Mr. Speaker, Sir, I do not think it is good for an hon. Member to bring into this House some outdated accounts to justify what is not justifiable because that is tantamount to misleading the House. When you bring the accounts for 1992, you should realise that, before liberalisation, the company was making some money. After liberalisation the audited report does not look like this one, and this is very misleading.

**Mr. Speaker:** Order! Order! Let us go to Question No.3 by Private Notice.

#### USE OF UNTREATED WATER

**Mr. Farah:** Mr. Speaker, Sir, I beg to ask the Minister for Land Reclamation, Regional and Water Development the following Question by Private Notice.

(a) Is the Minister aware that majority of the residents of Garissa use untreated water from Tana River?  
(b) Is he further aware that water-borne diseases like bilharzia and typhoid are prevalent in Garissa?  
(c) In view of the aforementioned, what is the Minister doing to avail clean water to all the residents of Garissa Town?

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

(a) I am aware that the majority of Garissa Town residents who live in the suburbs where Garissa Water Supply does not cover, use raw water from Tana River.

(b) Although I am able to confirm prevalence of typhoid in the areas where untreated water is used, I am unable to do the same for bilharzia.

It is a well-known fact that snails that are the cause of bilharzia cannot get a breeding place in fast moving waters of big rivers such as Tana River. The Provincial Hospital at Garissa does also serve the areas of the Bura Irrigation Scheme, and it is possible that some of the patients who have bilharzia come from Bura.

(c) Since the water demand from Garissa Town is higher than the supply, my Ministry has been and is developing additional sources of water to meet the demand through both short-term as well as long-term measures.

In terms of short-term, the Ministry did increase slightly the output of the old Garissa Water Supply from 170 cubic metres per day to 650 cubic metres per day through rehabilitation works on the project last year. It is also expected to increase this output by approximately 1,296 cubic metres of water per day when my Ministry drills three new boreholes along the river bank this year. In terms of the short-term measures so that we can eradicate the water shortage in Garissa once and for all, we hope to implement a major water supply project which will add an additional 19 cubic metres and this will wipe out the problem once and for all.

**Mr. Farah:** Mr. Speaker, Sir, I am actually surprised that somebody like the Minister in charge of this Ministry, who comes from Garissa, would allow his Ministry to be coming up with misleading reports! I can only attribute this to the KANU culture. Will the Assistant Minister tell the House what he calls "suburbs of Garissa"?

Even the Minister's House does not have water. Let him stand up here and bear me witness. Mr. Hussein Mohammed is a Muslim and I know that he is not going to lie. Could the Assistant Minister tell us what a suburb is?

**Mr. Ligale:** Mr. Speaker, Sir, I have admitted that Garissa water supply does not cover the whole town.

I have also said that the Ministry is undertaking remedial works and also long-term works to ensure that the town gets adequate water.

**Mr. Shidiye:** Mr. Speaker, Sir, is the Assistant Minister aware that Kshs260 million allocated to Garissa Water Project has been misused by a company known as M/S Adler?

**Mr. Ligale:** Mr. Speaker, Sir, that was an unfortunate circumstance. In fact, the money was not embezzled as such. Some of it was spent on administrative matters and other facilities. But, unfortunately, the contractor passed away before he had completed the work. However, we are in the process of re-tendering that project.

**Mr. Farah:** Mr. Speaker, Sir, we have had this Question deferred three times and yet we are not getting sufficient time to exhaust it! Could the Assistant Minister confirm to this House that actually M/S Adler is a limited liability company? If it is, he cannot say that somebody died. This particular project has stalled for three years and today there is no allocation in the Development Estimates for Garissa Water Project, except for Kshs20 million which is hardly more than the consultancy fees. Yet still we are going around saying that we have solved all the problems in Garissa and Garissa has developed. How has it developed?

**Mr. Ligale:** Mr. Speaker, Sir, I have not said that we have solved all the problems of Garissa. I have said that we have re-tendered the project and we have sufficient money to ensure that it is completed.

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

**Mr. Speaker:** Order, Mr. Gatabaki! Every hon. Member has serious business; I, too, have serious business to go to the next Order.

#### COMMITTEE OF SUPPLY

*(Order for Committee read being  
Third Allotted Day)*

#### MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

Vote 20 - Ministry of Land Reclamation, Regional  
and Water Development

**The Minister for Land Reclamation, Regional and Water Development** (Mr. Mohammed): Mr. Speaker, Sir, I beg to move that Mr. Speaker do now leave the Chair. This is so as to enable me initiate debate on Vote 20 - Ministry of Land Reclamation, Regional and Water Development.

I wish to start by thanking His Excellency the President--

*(Loud consultations)*

**Mr. Nthenge:** On a point of order, Mr. Speaker, Sir. Consultations in the House are so loud that we are not hearing the Minister!

**Mr. Speaker:** Order! I think hon. Members are entitled to free consultations so long as their voices are low. If their voices go high that will be another issue.

Proceed, Mr. Mohammed!

**The Minister for Land Reclamation, Regional and Water Development** (Mr. Mohammed): Mr. Speaker, Sir, I was just saying that I wish to take this opportunity to thank His Excellency the President for appointing me to be the Minister in charge of water development. In my view, my Ministry is the nerve centre of our national development.

The Ministry is composed of three departments which used to be full-fledged Ministries with divergent but identical roles of improving the standards of living of our people. On the one hand my Ministry is charged with the complex responsibility of providing water in sufficient quantity and quality to all parts of the country. On the other hand it is expected to implement the regional development and irrigation policies and also reclaim and develop the arid and semi-arid areas of this country.

Firstly, this is a big challenge and honour that the President has placed on my shoulders. I take this opportunity to reaffirm my total commitment, dedication and loyalty to the President and the country.

Secondly, the larger parts of Kenya which constitute 80 per cent of our land mass are big tracts, which can only sustain life during the wet season because of lack of surface water. More than anybody else I understand too well the role of my Ministry in stating the plight of arid and semi-arid areas. My Ministry, therefore, will have a lot to do with irrigated agriculture in this country. With this new mandate the Ministry, through the National Irrigation Board (NIB) and in conjunction with other Government agencies, is in the process of looking at the relevant irrigation Acts with a view to initiating moves to harmonise the Acts with other national policies, which are under review, particularly the Water Act, Cap 372 of the laws of Kenya. For example, a draft on water policy has already been prepared and is currently under active study by my Ministry in consultation with other actors who have interests in the water sector. In line with this, internal discussions on regional development policy have also commenced within my Ministry in collaboration with other interested parties.

Mr. Speaker, Sir, corporations of the three departments in the Ministry are being looked into afresh with the intention of ensuring that all policies implemented by the agencies of the Ministry are properly harmonized and coordinated to ensure full exploitation of the enormous natural resources at our country's disposal for the benefit of all Kenyans. In view of this, time is now ripe for this House to address itself seriously to the financial requirements of my Ministry, to bring the ASAL areas into the mainstream of the economy, particularly, in food production---

**Mr. Nthenge:** On a point of order, Mr. Speaker, Sir. Since the hon. Minister started, have you noted that he has not done anything else other than to read notes? That is why, sometimes, it is difficult to follow what he wants to say. He is supposed to refer to the notes, alright, but he should make a speech.

**Mr. Speaker:** Order! He is expounding the Ministry's policy. Mr. Minister, you are in order.  
Proceed!

**The Minister for Land Reclamation, Regional and Water Development** (Mr. Mohammed): Thank you, Mr. Speaker, Sir.

Beside, these areas are considered potential for many natural resources and most disadvantaged members of our society live in them. In this connection, my Ministry is going to come up with plans of uplifting the living conditions of the communities in the ASAL areas through increased productivity and industrialisation. By doing so, we shall create employment and generate wealth for our country and, at the same time, minimise rural-urban

migration. However, in the recent past, the problem of degradation of the environment and the negative consequences of the harsh natural conditions of these areas have turned the clock backward and frustrated all our efforts to make the lives of this community brighter. As a result, my Ministry intends to intensify the multi-sectoral integration approach whose objective is mainly to sensitize the concerned communities on the need to manage their projects. The strategy which is in line with Sessional Paper No. 1 of 1986 seeks to:

1. Develop national capacity to exploit the resources of ASAL, thereby, contributing handsomely to the national goal of attainment of food security, creation of employment and income generation.
2. Restore damaged parts of the environment and develop the diverse, but fragile ecologies of the ASAL areas.
3. Create an enabling environment for development activities to improve the quality of life for the present and future generations of the ASAL inhabitants.

Mr. Speaker, Sir, the foregoing strategies for ASAL programmes prioritize environmental rehabilitation and seek to protect areas where remedies for the degraded sections of the environment have been put into place. For these programmes and many others that I have touched upon to be realised, my Ministry, in all fairness, is to spend a reasonable share of financial resources from internal and external sources. I am sure that every constituent represented in this House has been affected in one or another by these programmes. I, therefore, implore each of the hon. Members to fully support me in all my efforts to raise funds to implement the programmes.

Mr. Speaker, Sir, as hon. Members have seen from their copies of Volume Two of the 1995/96 Development Estimates of expenditure, pages 655 to 761, the gross expenditure during the current financial year will be K£214,421,332. The amount of Appropriations-in-Aid is K£113,968,492, which leaves a net expenditure of K£100,452,840. The estimates of the Recurrent Expenditure, volume two, pages 1032 to 1061, reflect a gross Recurrent Expenditure of K£87,333,211. The Appropriations-in-Aid amount is K£5,848,441, which leaves a net figure of K£81,484,570. The combined gross expenditure for the Ministry will, therefore, be K£301,754,543.

Mr. Speaker, Sir, it is evident from the above estimates that my Ministry accounts for only 11.97 per cent of the total Government development budget and only 1.16 per cent of the recurrent budget. However, I am grateful that water is being recognised as one of the most essential basic needs and for that reason, it is ranked third in the Development budget and 12th in the Recurrent budget, out of more than 30 Votes. As it is reflected in the estimates of the Development Expenditure, pages 655 to 761, I require a total of K£23,599,297 for servicing the existing ASAL programmes. As I have mentioned a while ago, my Ministry is the custodian of the regional development policies as well as the administration and implementation of irrigation schemes. At various times in the past, Parliament has created several regional development Authorities in recognition of the country's diverse geographical, climatic, ecological and cultural regimes whose positive attributes need to be harnessed for the national good. Four of these Authorities which are under my Ministry include; the Lake Basin Development Authority, Ewaso Ng'iro North River Basin Development Authority, Ewaso Ng'iro South River Basin Development Authority and the Coast Development Authority. These authorities require substantial funding to fulfil considerate mandate of planning and initiating projects in collaboration with several Ministries' activities in their areas of jurisdiction, co-ordinating the various social and economic activities within those areas such that human water, financial and other resources are utilised to the best of advantage. Besides this, the National Irrigation Board, the Turkana Rehabilitation Project and the Bura Irrigation and Settlement Schemes also under my Ministry, will continue to depend on the Exchequer to carry out their specific roles towards that need. My Ministry intends to spend K£2,663,800-00-00 on Development Expenditure and K£12,127,552-00-00 on Recurrent Expenditure.

Mr. Speaker, Sir, let me now turn to the Department of Water, which is the largest in the Ministry. The provision of good quality and sufficient quantity to the people and safe disposal of unclean water are some of the long term objectives of the Government. My Ministry, through the Water Development Department, the National Water Conservation and the Pipeline Corporation and other players involved in water sector activities endeavour to provide adequate water to meet the needs of human beings, agriculture, livestock and industries. My Ministry is currently working on the national water policy with the aim of harmonising the activities in the water sector. Already a Task Force has come with a draft document which the Ministry will pursue before coming up with a final draft policy to be forwarded to the Government for approval. The policy intends to give clear guidelines on how to implement the national water masterplan which was released about three years ago and which recommends that the district water development plans be prepared in detail to meet the aspiration of the regional activities. The policies, is also expected to cover aspect of planning. The national water policy, will also address all water related issues which will include clear role for all the water sector actors. The policy under formulation will also give a lot of emphasis on water resources management, which includes the protection of the water catchment areas

and the environment. We have witnessed the dwindling of our water resources due to inappropriate land use practised within water catchment areas.

Mr. Speaker, Sir, the national water policy will also deal with the management and guidelines and involvement of the private sector, both in the development and the management of the water resources. This is quite important considering that the number of players in the water sector has increased drastically during the last two decades after the creation of the former Ministry of Water Development, 21 years ago. This is despite the limited fresh water resources that we enjoy. For this reason, my Ministry wishes to retain the central role to ensure that whatever is going on in the sector is in the interest of wananchi for equitable distribution of water because as we all know, this is strongly influenced by the availability of water. This commodity plays a key role in opening up drought prone regions for development activities.

We also realise that water is not readily available in some parts of this country and in ASAL areas in particular. In these areas, people, especially women and children, travel long distances in search of water in some areas where rivers and streams appear between valleys, and the hilly terrain makes the drawing of water a difficult task elsewhere. In some areas communities depend on storm water, which is collected in homes, while in some cases available water is inadequate or of poor quality. In urban areas, rapidly increasing water demands have tended to outstrip the supply of water by far.

Mr. Speaker, Sir, tourism also ranks highly as a sustainer of our economy, especially at the Coast region where maritime climate and unspoiled beaches have big attraction despite this region experiencing a water deficit, which at times draw a general public outcry. In these circumstances, the National Water Conservation and Pipeline Corporation is in the process of increasing the output of the four sources of water leading to the entire Coast region. The capacities of the sources including Marere, Mizima, Sabaki Pipeline and Tiwi boreholes will be enlarged and my Ministry has earmarked US\$48.8 million for the plan expansion work at the pipeline. Some of the constraints we have experienced while implementing the project have been lack of adequate funds, lack of consumer discipline in terms of loan repayment for water use, wastage and pollution of water and general environmental degradation and escalation of cost of materials used in construction of water supplies such as pipes, steel and cement and also escalation of water production costs including diesel and electricity for water pumping sets and high prices of chemical for treating water and spare parts for maintenance of plants and piped net work.

Mr. Speaker, Sir, we all know that resources raised by our economy are limited. Therefore, my Ministry would like to encourage wananchi to start their own water schemes on self-help basis. In such cases, my Ministry will readily avail technical advice where it will be required. My advice to promoters of such projects, hon. Members included, is to maintain the co-operative spirit in order to realise the rapid development in their respective areas.

Mr. Speaker, Sir, this will also strengthen the spirit of cost-sharing as already spelt out by the Government. As the hon. Members will notice from 1995/96 Printed Estimates, my Ministry is expected to collect K£5,842,641 as Appropriation-in-Aid from the beneficiaries of our services, including individuals, Government Ministries, Local Governments, parastatals and private companies. My Ministry has also developed a system where the AiA collected is issued with the District Water Engineers for operation in maintenance as AIE based authority to incur expenditure.

Revenue collection is consistent with our Government cost-sharing policy. If the cost-sharing spirit takes root among our people, then we shall be able to sustain the existing water supply. I therefore request the hon. Members to assist my Ministry by impressing upon their constituents for the need to pay their water bills on time.

Mr. Speaker, Sir, the public and the Government Ministries are also to blame for non-payment for water consumed and I would like to urge our institutions to be role models in this respect. I further urge the consumers to use water sparingly and avoid wastage.

Mr. Speaker, Sir, some of our water sources have disappeared as a result of man's development activities.

In this connection, water quality control monitoring activities are undertaken on a routine basis on all raw water sources. While kitchen water in the distribution system is also regularly checked to conform to both national and international standards, this is done to ensure that the health of consumers is also safeguarded against water borne diseases. In this regard, Sir, those in charge of factories and sewerage systems are hereby requested to adhere strictly to guidelines to comply with anti-pollution measures, if we are to avoid health and environmental problems as stated with contaminated water.

With the advent of district focus for rural development strategy, most decisions are now made at the district level. Therefore, ask a regional irrigation and water development committee on the advice of relevant grassroots DDC, including district water boards. I would like the DDCs to seriously discuss the recommendations and proposals made by the district water boards and then submit them to my Ministry Headquarters for the necessary action.

Mr. Speaker, Sir, for this reason, I beg to move and ask for the support of all hon. Members so that we can supply water.

**The Minister for Labour and Manpower Development** (Mr. Masinde): Mr. Speaker, Sir, I rise to second this very important Motion since we all living things need water; human beings, animals, trees, vegetables and so on. It is important, therefore, that this august House approves and gives the money required to the Minister for Water Development so as to develop and supply water to wananchi.

Mr. Speaker, Sir, I know that the Minister has talked of locational and district development committees for water. I am not sure how active these people or committees are, but they are very useful if they were active.

Mr. Speaker, Sir, when one flies over the western or eastern part of the country, he sees a lot of houses with corrugated iron sheet roofs or tiles. If these committees took interest and advised the local people on how to conserve water, each family would go a long way to getting its own water and maintaining it while the other big projects are being used to supply water to the towns and other arid areas and so on.

Mr. Speaker, Sir, we are grateful that we have had some NGOs which have been very keen in helping wananchi to get water and we want to thank them for that. However, those which have wound up, we would request that they come up and team up with the Ministry concerned and help wananchi to get water since we use water as we need it during every bit of our life. For areas with water, we still need water conservation, especially areas with a lot of rain. This could be done to relief the Ministry in spending more time trying to provide water for arid and semi-arid areas. Even the semi-arid areas also get occasional rain in the course of the year or even if it means after two years.

Provision should be made to make ponds in certain areas so that when there is rain, at least, water can be harvested and this will help the pastoralists who have to move from one place to another looking for water for their animals. It would help them to settle down and do more important things in their lives rather than chasing for water in the arid and semi-arid areas.

This would also help to irrigate the arid and semi-arid areas so that more food could be produced to feed the nation. When I talk of irrigation, I am not just thinking of arid and semi-arid areas only. But I feel that even in areas which get constant rain during the year should also have some skeleton irrigation. For instance, Rift Valley. If a season fails or if rains do not come, then it means that whatever they may have planted will also fail while if we had some kind of irrigation, the crops could be saved regardless of whether there is drought or not.

Mr. Speaker, Sir, we in Kenya happen to be fairly lucky despite the fact that the greater part of the country is either arid or semi-arid. But the little part of the country that has water has rivers flowing right up to Lake Victoria, Indian Ocean or elsewhere. This water is not being fully utilised and I hope that the Ministry will seriously look into that so that whatever little money they get, they plan how to use it properly on how to use water they can harvest in many ways from school and private houses' roofs and even from fields.

While on this matter, Mr. Speaker, Sir, I would like to touch on the Lake Basin Development Authority (LBDA). As we have heard from the Minister, the LBDA is looking after a fairly important area. I think the Authority has got the necessary facilities and with a bit of determination it will be able to help the people of the western part Kenya, where it is based, to develop in many ways. The Authority should be able to establish irrigation schemes; help in animal and fish production. It should also help farmers to grow cotton, rice and other crops. However, I think this Authority has not been helpful to the people it is supposed to serve. In fact many of the projects that were started by this Authority have stalled. I do not believe that that is due to lack of finances; probably it has been due to other causes which I am sure the Minister concerned will look into. A new Board to manage that Authority has now been constituted. Some of the members of that Board are former Members of Parliament. They have complained about various issues affecting the Authority and now that they are there, we want to see some improvement in that area. We hope that they will improve the performance of the Authority to make sure that it serves the people it is intended to serve. At the same time they should encourage the people in those areas to be self-reliant. I am sure that if a bit of this money was given to some individuals to construct their own fish ponds on collective basis as a community, it would minimise expenditure because the Ministry will not have to construct things like cattle dips and fish ponds. A lot of materials and labour could be easily available in those areas. Afforestation in those areas should be encouraged in order to improve the water catchment areas; to make this country a better place to live than it is now.

With those remarks, I beg to second the Motion.

*(Question proposed)*

**Mr. Omino:** Thank you very much, Mr. Speaker, Sir, for giving me an opportunity to contribute to this Motion.

Some time ago, the national Development Plan identified the provision of basic needs as one of the things that the Government of Kenya needed to do. One of those basic needs was identified as water. It is the one need that ramifies on other needs; it affects health, agriculture and industry. But if you look at the Budget, you will see that over the years, the Ministry has been provided with less and less funds. This means that the importance of providing water as a basic need seems to have been devalued.

Mr. Speaker, Sir, if look at the programmes in the Ministry as identified in the Estimates, you will find that the Rural Water Programme is getting less money than it should if in fact that basic need [Mr. Omino] is going to be met. But more importantly, this means that if the Programme continues to get less funds the Government is not going to meet its commitment of providing clean and portable water to within reasonable distances to all Kenyans by the year 2000. That is a national commitment that was entered into by the Government as part of its international treaties.

Mr. Speaker, Sir, all the rural water projects have collapsed. What is the Ministry doing? Urban centres are crying for water. There are water shortages in Nairobi, Mombasa and Kisumu. If you look at the water supply projects, you will find that almost all of them have collapsed. Those which are working are giving wananchi raw and untreated water. So, the Ministry is itself the biggest peddler of waterborne diseases and this is a shame. If the Ministry cannot afford treated water it should stop supplying raw and untreated water to wananchi.

Mr. Speaker, Sir, in our quest for industrialization as a nation, we must undertake to provide certain infrastructure. One of the most important ingredients in industry is water. How can we build industries in the rural areas if there is no water? Also in the urban centres there is no water. But what is worse in the urban centres is that even the sewage systems are inadequate because what goes in must go out. When it goes out where is it taken and treated? So, the Ministry must take its responsibilities seriously if it is going to contribute to the industrialization of this nation.

Mr. Speaker, Sir, I feel sorry for the Ministry because while we have six development Authorities two have been taken away from the Ministry and the Ministry does not have the guts to stand up and say "No. We want Kerio Valley Development Authority and Tana and Athi Rivers Development Authority to be brought back to the Ministry so that we can take charge of all our portfolio together." Let me leave that aside because I am sure that the Minister does not give himself his job.

Mr. Speaker, Sir, the Lake Basin Development Authority is the "Cinderella" of the Development Authorities. They have a programme which everybody lauded as a programme that was going to alleviate food shortage in this country; namely the Highland Rain-fed Rice Scheme. The mill has stalled over the last five years. But what is worse, even if that mill is ready which I understand it is, there is no rice because the money that was supposed to be used to promote the cultivation of rain-fed rice has been squandered.

**An hon. Member:** It has been "eaten."

**Mr. Omino:** It has been "eaten." Thank you for that word.

Mr. Speaker, Sir, we must take this thing seriously. If we want to be sufficient in grain production and be able to export, why then are we not taking this programme seriously? Lake Victoria, admittedly, is a shared major resource. But why are we shy of using it when downstream of it, it is the lifeline for Sudan and Egypt? Why are we spending large sums of money conserving our forests so that we may maintain steady rainfall, so that our rivers can continue to feed the Lake with a continuous supply of water when we are not making use of that water?

Mr. Speaker Sir, this Ministry must take the bull by the horns and demand to re-negotiate the convention that governs the use of Lake Victoria waters. I am sure if they come to this House with an imaginative proposal they will get the support of the entire House.

Mr. Speaker, Sir, the Arid and Semi-Arid Lands Programme (ASAL) programme was supposed to be a programme that extended the frontiers of agriculture that made it possible for us to use lands that were hitherto regarded as marginal. But if you look at the Budget, indeed in the entire Ministry's Budget, the biggest consumer of money is salaries. So, this is a Ministry which is supposed to be technical but its biggest consumer of resources is its staff. Now, if in fact the Ministry or the Government is convinced that the District Focus for Rural Development is such a viable policy instrument then most of these personnel should be transferred to the Districts to work with farmers on the ground and with the county councils because that is where the action is as national programmes are not longer being undertaken.

Mr. Speaker, Sir, the National Water Conservation and Pipeline Corporation is one corporation that ought to be wound up now because it is doing nothing which either the private sector cannot do or the personnel in the Ministry cannot do. So, it is upon to it for paying people's salaries, for appointing non-qualified people to the Board, politicians who do not know their elbows from their knees. If we want to take agriculture seriously as we

should as a nation, this Ministry ought to make sure that in every district we have a dam construction unit that is available to farmers on call; that we have a borehole drilling unit in every district that is available to farmers on call because at the end of the day if you have farmers and individuals who are capable of drilling their own boreholes or constructing their own dams, you have people who are in fact doing your work. Those are the people that should be encouraged.

Mr. Speaker, Sir, water is a very important commodity and when Ford-Kenya forms the next Government--

**An hon. Member:** When will that be?

**An hon. Member:** 1997!

**Mr. Omino:** This is one sector of activity that will receive priority. Is it not a crying shame that even the Minister responsible for water has no water.

**An hon. Member:** What is he doing in that Ministry?

**Mr. Omino:** So, you ask, everybody loves themselves but if the Minister cannot supply water to himself how can he supply water to me? I feel very sorry for this Minister, but he knows "sorry" does not supply good water in the pipes. Ask for more money and we shall give it to you. We would much rather you had that money--

**Mr. Speaker:** Mr. Omino, I think you had better be sorry to me. All addresses to me! Proceed!

**Mr. Omino:** Mr. Speaker, Sir, I would rather we gave him the money than give it to Mr. Lotodo for prisons.

With those few remarks, I wish to support.

**Mr. Galgalo:** Mr. Speaker, Sir, thank you very much for giving me this opportunity. First and foremost, I would like to congratulate the hon. Minister for Land Reclamation, Regional and Water Development, who have expressed a lot of concern for the dry areas, the areas which are experiencing a lot of difficulties in this country. But I would like to sympathise with him because when I was going through this Printed Estimates I had looked at the districts of Isiolo, Marsabit, Mandera, Wajir and Garissa - the Minister's own district - and seen that the amount of money that has been allocated or estimated for these purposes is just too little. In fact, this perhaps would make the Minister who is normally liked by the people of North Eastern Province to know that, the biggest enemy of the people in that region is shortage of water. This is because the people he represents, being the only Minister from North Eastern, are the people who are suffering most when it comes to water requirements. In Marsabit District for example people travel up to 100 kilometres, two, three days to reach water resources, so that they can fetch water and go back to their villages. This situation is very serious and you will see under Arid and Semi-Arid Land Programme (ASAL), part of Kisii District is arid land, part of Kwale District and they are allocated a lot of money for various developments and the most arid of all the arid lands has the least amount of money allocated for development purposes.

Mr. Speaker Sir, it is very unfortunate, even where there is water in North Eastern Province for example in Garissa and Isiolo Districts where there are rivers flowing through, an hon. Assistant Minister for Land Reclamation, Regional and Water Development was just suffering from amoeba the other day, because of drinking untreated water.

**The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Mokku):** On a point of order Mr. Speaker, Sir. Is Mr. Galgalo in order to speak on my behalf while I have not complained to him that I was suffering from what he is alleging? The allegation he has just made is not true.

**Mr. Galgalo:** Mr. Speaker, Sir, actually the hon. Assistant Minister has just admitted by saying that he was the victim of that water borne disease. Therefore, I sympathise with the situation and that is why I am speaking on his behalf. Whether he likes it or not, we come from the same area and we suffer the same diseases including dysentery and bilharzia.

Mr. Speaker, Sir, he said he is the subject and now I am stating that he is the victim. Therefore, I sympathise with the situation and that is why I am speaking on his behalf. Whether he likes it or not we belong to the same area and we suffer from the same diseases including dysentery and bilharzia.

The amount of money that has been allocated cannot allow the people of Kenya to have clean tap water by the year 2000. This Ministry has stated that by the year 2000 in Kenya every home shall be having clean tap water. Some of us are even crying to have dirty water leave alone the clean tap water they are talking about. We are suffering from thirst and we have to travel for many days to get to water sources.

Mr. Speaker, Sir, I would like some effort to be made to ensure that water reaches people so that the distances to the sources of water are reduced. I regret that we have so many water Authorities which are supposed to provide specialized services to the people living under their areas of jurisdiction but, unfortunately, some of the

Authorities ever since they were formed, have not been able to even visit certain areas of their jurisdiction.

I would like to mention Ewaso Ng'iro North Development Authority in this case because it covers my constituency as well. They are based in Isiolo. One or two projects might have been undertaken in Isiolo but not in the rest of the areas particularly in Marsabit District which has now been divided into Moyale and Marsabit Districts. These Districts have nothing to claim as services from this Authority. We would like this Authority to try and extend its services to the districts further away from its administrative headquarters; for example, Moyale and Marsabit.

In those areas, we have got minerals which could be exploited. Maybe the right type of research might not have been carried out or knowledge has not been extended to the people. People need some education in perhaps making use of the resources that exist within their area. Therefore, I wish to request the Ministry to ensure that the Authority extends its services to all areas under its jurisdiction, so that resources are exploited adequately for the people to be self-sufficient and to ensure that those areas, which depend mainly on other areas because of drought and famine calamities, are able to produce more funds for development.

As regards water catchment protection, the northern part of this country is very fragile. The main sources of water in this area is mainly rain water, be it underground or surface water. I would like the Ministry to start harvesting rain water because sometimes we get a lot of water flowing from the Ethiopian plateaus and it just goes to waste. If river basins are dammed I would think that there would be enough water to provide for---

Mr. Speaker, Sir, I beg to support.

**Mr. Mwiraria:** Thank you, Mr. Speaker, Sir, for giving me an opportunity to support the Motion. In doing so, I would like to make a few observations.

My first observation is to agree entirely with Mr. Joab Omino on what he said that most of the water projects in this country have collapsed. Looking through the Budget, I could not help wondering whether the Ministry has asked itself the question: Why have all these water projects, particularly the ones being manned by *wananchi* collapsed? First of all, let me thank the Ministry for doing a commendable job in assisting Non-Governmental Organisations (NGOs), groups and individuals in planning water projects. Once most of the projects have been planned and implemented, they usually succeed in the first one or two years. Thereafter, they totally collapse because what seems to be happening is that, people upstream tap more and more water. They have also become a little selfish. They introduce gate valves so that they can reduce water going downstream. Some of them have even got better tactics. They reduce the size of the plastic sizes by burning them at the joints so that they get constrictions and therefore instead of being one inch pipe they become half inch pipes thus allowing little water to pass through.

My proposal is that the Ministry should introduce a unit to deal with such problems. The Ministry should introduce an additional Item in the Budget dealing with management of water projects. One of the problems one notices is that our people waste a lot of water. You can go to one home and find taps running and water being allowed to run freely because a tap has broken down and nobody cares about it. One wonders whether the time has not come for our people to be educated that water is not only a scarce resource but a very precious one and it should not be wasted. Maybe time has come for us to introduce the use of water meters even in projects which *wananchi* have initiated. Unless this is done, then you do not generate revenue for maintenance of water; you do not stop wastage and you do not collect enough money from those who are using water to grow crops. My first contribution is to request the Minister to establish a special unit which will educate people on how to manage existing water projects and, perhaps, to have a special Budgetary Item to assist existing water supply projects in this regard.

*[Mr. Speaker left the Chair]*

*[Mr. Deputy Speaker took the Chair]*

Mr. Deputy Speaker, Sir, my second point is to urge the Ministry to ensure that this limited, yet precious resource is fairly and equitably shared. Today, we have many rivers and streams which used to be perennial, which used to run all the year round, but which have become seasonal. Some of them only run during the rainy season. I would like here, to give example of the Uaso Ng'iro River in the north.

Mr. Speaker, Sir, during the dry season, the people of Samburu District can hardly get water because no water flows down the river. I do not know whether people are starting it with licences from the Ministry or whether it is illegal tapping, but there is so much tapping of that river that during the dry weather there is not a drop flowing down the river. My request is that we should plan properly to make sure that water, which runs through a river, is shared in such a way that at least there is a trickle going down for use by those who cannot go

50 kilometres in search of water, or in areas where there are no boreholes or alternative sources.

Mr. Deputy Speaker, Sir, the other point I want to make is that the Ministry itself should share the resources they have, equitably, in all parts of the country. I notice, for instance, that in this financial year which has just started, in the Development Estimates, the Ministry proposes to give Meru District only K£10,000 for planning water. We appreciate the little we are getting, but we would be happier if we were given a little more, at least in the form of pipes, to support the many projects that we have in that district.

Mr. Deputy Speaker, Sir, my other point is to plead with the Ministry, which has in the past done a good job in planning, to make efforts to ensure that actions of other Government arms do not undo the plans the Ministry has done. Let me give an example. In the past, even traditionally, in the district where I come from, nobody was allowed to till the land up to the river. There was always a "no man's land" about 100 feet left a little more than that between the cultivated land and the river. Today, this is no longer the case. I think the Government has got different arms which should be ensuring that this is done. However, I think the most unforgivable activities are in municipalities like Meru Town where the old plans made sure that the banks of two streams and one river were not allocated to anybody. In the last six months, all the banks of streams, the river banks right up to the river and the stream itself have now been allocated for use by people and you can be sure that the little water that trickles down those streams and the river will become nothing more than mud.

*[Mr. Deputy Speaker left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, since I have mentioned the case of Meru, we have another problem in that the Ministry took over the water supply, but they did not take over the sewerage. So, when I, as a consumer, pay for my water supply, I am supposed to pay for the sewerage. The municipal council does not collect anything in the form of sewer fees, and yet they are expected to maintain the sewerage systems. The result is that today, we have raw sewage getting out of the ponds in Meru Municipality running along the roads and ending up in the rivers which are being used downstream by other people. The result of that is that typhoid has become a major killer in the Miriga Mieru East and particularly in Giaki Location of Meru District. Although we have asked the health authorities to see what they can do in treating these people and getting typhoid under control, I would urge the Ministry in charge of land reclamation and water development to see what they can do to return the sewer fees to the municipality so that they can expand the ponds system and eliminate this rather ugly problem.

My final point is that Mr. Galgalo talked about Semi-Arid and Arid Lands (ASAL) areas and about districts like Meru, having such ASAL areas. The point I really want to emphasise is that we have areas in the rain shadow of Mount Kenya which are as dry as those in North Eastern Province. I am talking about the areas adjoining Isiolo, Samburu and those areas need as much assistance from the Ministry of Land Reclamation, Regional and Water Development as those in ASAL do.

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

**Mr. Noor:** Mr. Temporary Deputy Speaker, Sir, thank you very much for the opportunity. I would like to support the Motion, but first and foremost, I would like to thank the Minister for the manner in which he presented these Estimates for this financial year. However, the past and the present seem to be the same. While we really appreciate the problems and the economic situation of this country, the little resources, mostly for water, should be shared equally or if funds allow, the arid areas should be given more. It seems our explorers have lost direction because people talk of clean water but can we get raw water? We do not want clean water. We want water. Instead of dying because of missing water, I would rather get water mixed with cow dung. There are people who cannot see a drop of water for a fortnight, leave alone taking baths or drinking. I am surprised to see people talk of getting clean water when we have no water. Shall we have raw water throughout the country and then go to clean water later?

Mr. Temporary Deputy Speaker, Sir, the priorities have to be looked into once again. People have tap water and we still do not see a drop of water for human life, leave alone animals. We almost stay like wildlife. We wait for the rain to come so that we can see a drop of water. In the northern regions, the only source of water is underground water sources, and you hardly see a rig in those areas. Then how do you expect to get water? The Dam Construction Unit which was put in place way back in early 1970s by the USAID American Funded companies are all grounded. I represent a Constituency which has an area of 200 square kilometres where I have got three dams which are colonial dams which have been silted and have never been touched for 32 years of

Independence. Forget about an additional one, the three we had are no longer dams. Others have broken the banks and turned into streams so that water comes in and then goes out. I think something has to be done. Those officers in this Ministry have to look into their priorities. We are not blind; we read these estimates books and the amounts of money allocated to some of the districts really raise a lot of questions in our minds.

Mr. Temporary Deputy Speaker, Sir, the other issue concerns personnel. We hardly have a mechanic for maintaining the few boreholes we have in a whole district. We do not know whether they exist in the Ministry or whether the Ministry has abandoned the responsibility of maintaining those boreholes. Most of the boreholes have been put under the management of the water user associations, which have no knowledge of how to repair the boreholes. You even hardly find private mechanics in those areas who can be hired to maintain the boreholes.

Therefore, the Ministry should differentiate between areas which can find manpower to hire for maintenance of the boreholes and those which cannot get the manpower. So, I urge the Minister to look into the possibility of posting trained officers to rural districts, especially Mandera, where private personnel for hire does not exist.

It is well understood that the Ministry can no longer afford to manage these boreholes but we are suggesting that it trains local people who can then maintain the boreholes. It is also well understood that services are supplemented by non-governmental organisations (NGOs) and donor agencies. However, no donor has ever been introduced to North Eastern Province (NEP). It is only recently that we got the World Bank sponsored Drought Recovery Programme, which has assisted us for the last one year. Those who are in a position to influence the donors should avoid taking them only to high potential districts. They should take them to areas where there are real problems. We are part and parcel of this country and we deserve to be served equally. So, when budgeting, the Ministry should take into account, in respect of some areas, the element of donor and NGOs input into development.

Also, we need more local personnel to be trained. Local people should be trained in polytechnics as mechanics, electricians and masons so that they can go back and assist rural areas in development. In fact, we need some explanation for non-funding of the Uaso Ng'iro Development Authority, which is the only one of its kind in the NEP. I think it is the responsibility of this Ministry to put this organisation on a sound footing. It is responsible for the development of ten districts but so far it has concentrated in Isiolo District. There was no need to create an Authority which is not supported by the parent Ministry. Development through authorities like this one is very crucial. So, we urge the Ministry to support this authority.

In the case of the Department of Land Reclamation, I do not know which land it has reclaimed since its inception several years back. In fact, we have never seen a single penny being allocated to this Department. It is under rural water supplies that we see an allocation of K£10,000 or K£20,000 and yet this money is not enough for only one trip by an officer to Nairobi for consultations. Sometimes it is very embarrassing that the Ministry cannot even afford a litre of diesel when a private person has offered to use his car and take a mechanic to a borehole. So, our planners in the Ministry have to look into the aspects of equal distribution of the meagre resources the Ministry secures for its Vote.

**Mr. Michuki:** Thank you very much, Mr. Temporary Deputy Speaker, Sir, for affording me this opportunity to make my contribution to this debate, which is on a very important subject. As it has been said before, water is life; indeed, there can be no life without water. But when I look at the Development Estimates I find that the distribution of resources is highly biased. We in Murang'a started our own water projects even before the Government had its own plans for water. We started very early in the 1960s with Wagatango Water Supply, which covers Kiru and Kamacharia locations, on a self-help basis. That water used to run much better before the Government interfered. Similarly, there is the Kandara Water Project which is very well-known. The moment the Government got into it, services and the maintenance aspect deteriorated. But let me go back to Gatango which I happen to know about very well. In 1993, I brought a Question in this House; Question No.931 which I asked on the 24th of November, 1993. This is what the Minister said, amongst other things. He was very respectful to your Chair because he said: "Mr. Speaker, Sir, I beg to reply". He was begging you to reply, and he said: "Gatango, and Kangema Urban Water Projects, all in Murang'a District require augmentation and/or rehabilitation to ensure 100 per cent coverage of their designed supply area. Completion of Gatango water---." I would like the Minister to note this. "Completion of Gatango Water Project is estimated to cost Kshs30 million and implementation is to be effected in the next financial year".

Mr. Temporary Deputy Speaker, that was in 1993, which meant we were in the 1993/94 financial year, and the year next which the Minister referred to was 1994/95 which, as you know, is history now. And yet, Gatango Water Supply remains unattended, and I find it very difficult that a Minister of Government, a Minister paid with tax payers' money can stand in this august House and tell what I consider, even if you have to ask me to withdraw, to be lies, and I withdraw. I think that it would have perfectly been in order, as far as Kangema people are concerned, to be told the truth, that there was not going to be any rehabilitation of Gatango so that people

could then make their personal arrangements as to how they will get water. It is a great shame for a government that considers itself legitimate and yet it is illegitimately using tax payers money. Therefore, I hope that the new Minister, for whom I have very high regard because he speaks the truth, will note this and make arrangement for this water project to continue. It is a pity that in the whole of the Development Estimates of the Republic of Kenya, Murang'a District which produces so much tea and coffee is given K£20,000 for research. They want to do research in Murang'a where there is so much water that you do not need any research other than to implement projects. I hope the new Minister will direct his attention to this very pathetic situation which Mr. Mbela has left in Murang'a.

Mr. Temporary Deputy Speaker, we need adequate water. We have new urban areas coming up such as Kangema. Kangema urban water supply system is in a deplorable state. We have a lot of secondary schools there. The rivers have been polluted with coffee water coming from the coffee factories and yet these schools have to draw that water because of the inefficiency of the departments that are concerned with the maintenance of water supply. In an urban area of over 15,000 people, surely, it must dawn on the Minister what could happen if there was an outbreak of, say, bilharzia. So, we are saying that we need this water. We need water for sanitation because our health services have gone to the dogs. We no longer have health programmes but we need water to clean ourselves because there is no medicine to cure us. We need clean water in order to keep ourselves healthy in the absence of medical services in the rural areas. Therefore, the Minister has a very difficult task to perform.

Mr. Temporary Deputy Speaker, Sir, I would also like to raise other issues that concern the Ministry of Land Reclamation, Regional and Water Development. I consider this Ministry to be a highly confused situation from the organisational point of view in that, we have too many institutions dealing with the same commodity called water. We have the Ministry itself, we also have the water corporation, we then have the local authorities, all dealing with water. We even have a Standing Presidential Commission on Water Conservation as another independent body which the Minister will not be able to control. We have another Presidential Commission on soil conservation and Afforestation which, of course, involves conservation of water. We have Arid and Semi-arid Lands (ASAL). These also relate to water. We have so many of them that *wananchi* are confused as to where they should go, should they require certain services. Unless, of course, you have planned for confusion and confounding people in their search for solutions to problems, all these areas and many others I have not mentioned should be streamlined in order to clarify to the *wananchi* where they should go when they have a problem.

Mr. Temporary Deputy Speaker, I notice in the Estimates, the Ministry is using words like "Regional Special Projects" and so on. What is special in providing water to Baringo, Kwale and Kitui? What is special about that, given that all parts of this country belong to the Republic of Kenya and there is no part which is more special than other parts? This country has been mapped. We have Central Province, Rift Valley Province, districts and so on. Which regional provision are you making in your Ministry for water? Why on earth can the Minister not say this water is going to Baringo in the Rift Valley Province? Why do you call them regions? We have nothing of that sort in our laws. We do not have anything of that sort in our Constitution and yet, you are creeping in with your political propaganda.

Mr. Temporary Deputy Speaker, Sir, I beg to support.

**The Assistant Minister for Finance** (Mr. Keah): Thank you, Mr. Temporary Deputy Speaker, Sir, for the opportunity for me to also contribute to this Motion.

At the outset, I support the Motion and I support the Minister's request that this House approves this Vote. I wish the Ministry had a bigger Vote than this because, like my colleagues, I would like to add my sentiments to the fact that water is, indeed, life. I take this opportunity to congratulate the Ministry and the staff within the Ministry for a very difficult job of providing water and development in the regions. I have no problem with "regional" development because that is just a word. I would like to confine my comments to matters that would enhance and improve the services that the Ministry is providing. Before I do that, I sincerely want to thank the Ministry and, indeed, the National Pipeline and Water Conservation Corporation. In spite of the many other sins that they will, probably, be accused of, I have every reason to thank them for particularly ensuring that Kaloleni Centre now has some flowing water after the installation of the two pumps at Mazeras connection that serves the Kaloleni area. I also urge that the Ministry finds it possible to replace the pump at Ribe so that water can reach where it used to reach previously. In this regard, I would like to caution that there are many water tanks built at extensive cost, notably, all along the Mazeras-Kilifi pipeline which have been without water for several years now. My fear is that these water tanks could particularly be damaged at the moment simply because they are empty. I would, therefore, urge the Ministry that they take due care and attention to ensure that these water tanks which have been empty for a number of years are in good shape because when eventually Mzima Pipeline Project No. 2 comes into operation, I imagine there will be enough water to flow along this pipeline. To

construct similar tanks would certainly be very expensive. I note from the Budget that Mzima Pipeline No.2 project is catered for and I urge that, in the planning for this pipeline, due care be taken to ensure that all the areas through which the pipeline traverses get their share of the water. I, therefore, would like to urge that, as it passes through Kaloleni Constituency, and I am here to represent the Kaloleni people, the planners take into account the very dry areas of Mariakani, Sangasini, Kayafungo, Kinarani and Mwanamwinga so that they are all taken care of. I am saying it here loud and clear so that the planners can take due notice of this and I am glad to see that the majority of the Ministry officials are here and I hope that they have taken due notice of that.

Mr. Temporary Deputy Speaker, Sir, time and again pipelines pass through areas where, in fact, no provision has been made for those areas to get water, but the water gets to a particular destination. In this regard, I appreciate I appreciate that Mombasa town needs water, but please, do take care of the intervening areas as well, so that they can get adequate water.

Mr. Temporary Deputy Speaker, Sir, I would like to tackle the issue of the arid areas. I would like to add my sentiments and support for the fact that the arid areas should have dam construction units and every effort should be made to ensure that the dam construction units have been revitalized. I appreciate the Budgetary constraints, but efforts must certainly be made and the management of these units is a point here which is very, very crucial. Time and again we go to the units looking for these caterpillars and bulldozers and usually, they are nowhere to be found. When you ask where the programme is and you are told that it is not available. It is really disappointing to note that the management of some of these units, and I have a point here in mind, the Mariakani Mechanisation Services. When we look for these units, when we look for the caterpillars or tractors we have never been able to get a proper programme. I urge the management of these units to be more vigilant.

If we had water dams in Kayafungo and in Mwanamwinga areas, we would be able to produce far, far much more for the people of those arid areas than we are doing at the moment.

Mr. Temporary Deputy Speaker, Sir, at this juncture, I would like to turn to the Cost Development Authority. These authorities should be allowed to look for ways and means of raising funds, even private funds for that matter, for the development of the areas they cater for. I ask development authorities, there is hardly any boundary in within their spheres of operation. I have in mind, for example, the Coast Development Authority could be a vehicle through which the public could be mobilised to provide or to get together for more productive purposes. For example, they could be utilised for the formation of companies through which funds could be raised for development purposes. If we wait for the Budgetary provision, the development authorities will always suffer shortfalls in what they would like to do. I, therefore, urge that it should be possible for these development authorities to be enabled to be able to raise funds from wherever sources then can from within those regions and elsewhere rather than relying entirely on the Budgetary provisions.

Mr. Temporary Deputy Speaker, Sir, I would, at this juncture, like to talk a little about the Global Environmental Facility. This is a facility which caters for all the environmental projects arising out of UNSED or the Rio Summit. We in Kenya, have benefitted just a little from these grant funds, but what I would like to urge here is for the Ministry of Land Reclamation, Regional and Water Development, as well as the Ministry of Environment and Natural Resources, to get together to prepare bankable projects that deal with the preservation of bio-diversity, the international waters as well as the climate change. These are the projects that qualify for grant funding under the global environmental facility of which I happen to be a member of the council, the Money Council of the Whole World. I say so because very few projects are coming to this body from Kenya and I would urge the Permanent Secretary and his officers, perhaps, at some stage we could get together through UNEP, UNDP and through the World Bank in order to ensure that we have prepared projects for funding by the GEF or Global Environment Facility.

With these remarks, I beg to support.

**Bishop Njeru:** Thank you, Mr. Temporary Deputy Speaker, Sir. Before I continue, I want to say that I support this Motion with a lot of pressure since the Ministry is very important and we talk about lack of water in the country.

I quite agree with the President that everything that the Western countries say to us, we should accept. Kenya can be self-reliant if we have people who can think properly about their nation and people. What we lack now in this country is not resources. We have enough water and other resources to utilise even without depending on western countries. It is very sad to have a House without an opposition to oppose some Motions and then we are told to support them without being explained properly how the money is going to be utilised and in what areas.

In fact, we can be brain-washed by the donors. Why do I say so? Think about Sagana Town. The biggest river passes right in the middle of Sagana Town, but there is no water in town. What do we lack, is it water or technology? I think what we lack in this country is technology. I may be the Minister and do not

understand how to manage the Ministry, but I have the PS, the engineers and so on behind me. Yet from the time we got our Independence in this country, people are the same. I can say that once people lived for long in slavery, they also became slaves within themselves.

Mr. Temporary Deputy Speaker, Sir, the Ministry of Water Development is the best in the country, if we have to utilise the water we have. For instance, in Kirinyaga, every four kilometres, there is a river and you will hear even Kerugoya people that there is no water in Kerugoya. It is very sad that even a PS who knows where the water (river) is to complain that there is no water. I ask the Minister to think more deeply because what we are going to see in this country in future is that we shall have a Minister or President going to America to look for donations for water or rivers. If we cannot use the water we have now, we shall go to look for rivers from western countries. I say so because even in North-Eastern Province, if we cannot take water there, we can make boreholes and use wind pumps to draw water from the boreholes and supply water to the whole area. If you go to Senegal, for instance, all the water is supplied by wind pumps which is just blown by wind and supplies water everywhere. Next time when this Ministry brings a Motion here, we shall oppose it, but we are going to support this one since we have no way out.

Mr. Temporary Deputy Speaker, Sir, in Ngurubani, Wanguru, where I come from, since 1963, behind Wanguru there is a farrow which passes through and then there is a big river called Thiba and yet Wanguru town has no water. We can see how this Ministry or Government does not think of its people and make use of the rivers they have. But they just want to go and look for donors, get money and when the money comes here, it is not used in a proper manner to serve their own people.

Another area, Sir, is that water is life. Through water, we can have agriculture and start growing, say, french beans, onions and so on using irrigation. That is why even when the Japanese came to Mwea did the same. I can commend them. I wonder how the Koreans or Japanese could have known that if Nyamindi and Thiba rivers were connected or joined together, we could have an expanded area for growing rice in Mwea. How could someone from Japan who has never been to Mwea before come here and advise the Government on how to use the water from the two rivers so that we can grow more rice? I thank the Government of Japan since we have an extended area of growing rice all over Kandongu and Mutithi Location.

I am very discouraged by this Ministry. If I were the Minister for Water Development, it would be good to resign if I cannot do anything to my people. This is because even in places like Nairobi, we hear there is no water. What is happening or lacking? It is because people who are managing water, including the engineers want to become the President and do not think about their own people? People are mad about becoming the President in this country. Everyone wants to become the President, but nobody comes to tell us what Kenyans should now do to become self-reliant. I propose to the Minister that from today, we need water at Wanguru Town since the farrow passes through the town. What is lacking? If they have no engineers, they can go to Germany and ask one engineer to be donated to Kenya to come and help us. If donors refuse with their money, it means we cannot survive even for a day. This is very bad!

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

*[Mr. Deputy Speaker took the Chair]*

Mr. Deputy Speaker, Sir, water is health. We drink water that is contaminated. For instance, in Mwea, the stagnant water is the breeding area for mosquitoes. This water is also full of water-borne diseases like bilharzia, amoeba and so on. We die daily from this water. Why should the Ministry give us this polluted water and kill us with the same? That is the question the Minister should answer. Why should he bring water if he cannot treat it and kill the same people he is trying to assist? So, we need our water to be treated and be supplied everywhere in Kenya. I am sure if we use the rivers we have, plus boreholes with modern technology, then we can have water everywhere in Kenya within one year. The Ministry of Agriculture should be merged with the Ministry of Water Development since the two are dealing with one and the same product. In Mwea, Karira Hospital, today, people are dying at an average of ten per day due to water-borne diseases. I urge the Minister to look into this question and also see how the North Eastern Province will be supplied with water from boreholes since we do not lack anything. However, I think we lack people who love their nation and country. Instead of loving their country, they want to go all over other countries looking for money. We should not bother our President looking for food since we have enough fresh water to grow our own food unlike the "Dead Sea".

With those few comments, Sir, I want to urge the Ministry to look for the appropriate technology to make use of our rivers.

*(Several hon. Members stood up in their places)*

**Mr. Shikuku:** On a point of order, Mr. Deputy Speaker, Sir. The Member on the Floor is supposed to resume his seat when he sees the red light. But you will find that other Members stand up in their places even before the Member on the Floor has resumed his seat.

**Mr. Deputy Speaker:** Thank you Mr. Shikuku. I wish other hon. Member could be as particular about the rules of the House as you are!

**Mr. Falana:** Thank you very much, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion.

First of all, I would like to congratulate hon. Hussein Maalim on his appointment as Minister for Land Reclamation, Regional and Water Development.

**An hon. Member:** But the Ministry is for all Kenyans!

**Mr. Falana:** The Ministry is for all Kenyans who need water. But I think, for the people of northern Kenya, this is the time for them to benefit. If we do not make it during Mr. Hussein Maalim Mohammed's time we are doomed! That is a fact. For the first time the right man has been put in charge of the right Ministry.

**An hon. Member:** He has been put there at the wrong time!

**Mr. Falana:** Mr. Deputy Speaker, Sir, we have high hopes that we shall see changes in the provision of water. Water is life. I would like to refer to northern Kenya as an example.

**An hon. Member:** What about Kerio Valley?

**Mr. Falana:** I will also touch on Kerio Valley.

Mr. Deputy Speaker, Sir, we talk about nation-building and no one can contribute to nation building without water. Water is life; it is the beginning of everything.

Mr. Deputy Speaker, Sir, I will give your constituency as an example of an area where people have to walk long distances in search of water. In that constituency people have to travel long distances on camel backs or on donkey backs to look for water. In fact they travel about 60 kilometres to fetch water. One spends the night on the way; just to go and fetch 20 litres of water, get back home to the kids and when that water is finished the journey starts all over again. That is the lifestyle of the people in most areas of northern Kenya. Even our ancestors use to live that way. The only contribution a mother makes towards nation building in that part of the country is to travel such long distances to fetch 20 litres of water each day. When will people in those areas ever contribute to the other aspects of nation building? Their chances of contributing to nation building in any other way are nil. I am happy that the Minister was born and brought up in the environment I am talking about. I am not exaggerating anything at all.

**Mr. Obwocha:** On a point of information, Mr. Deputy Speaker, Sir.

**Mr. Falana:** Mr. Obwocha, do I really need any information from you? Anyway, you may proceed and give me the information.

**Mr. Obwocha:** Mr. Deputy Speaker, Sir, I wish to inform Mr. Falana that he is talking about one jerrycan of water in North Eastern Province, when one-third of the Budget has gone to Baringo District; K£31 million or Kshs620 million has gone to one district. When will you get water?

**Mr. Falana:** Mr. Deputy Speaker, Sir, I would now like to touch on the Dam Construction Units. Although earlier speakers have spoken on this issue, I would also like to make a few comments on it. We have a Dam Construction Unit stationed somewhere in Isiolo which is not fully operational. Perhaps one or two machines could be either in Marsabit or in Isiolo. I do not think that those machines are fully operational. I do not any provision in the Budget has been made to revive those machines. I would like to appeal to the Minister to look for funds, even from donor agencies, to revive that Dam Construction Unit so that dams are constructed in those needy areas.

With regard to the Arid and Semi-Arid Lands Programme, this Programme is supposed to have claimed some wastelands in the areas concerned. The ASAL Programme has not implemented any project in the Northern parts of Kenya. I know that in Marsabit they have constructed some buildings in Galacha and Jaldessa.

But the local people should have been consulted before those buildings were constructed. I think this is where we go wrong most of the times. We waste a lot of money on the so-called experts. Such experts embark on projects without even consulting the local people to know what their priorities are. As a result of this they end up pumping money into some white elephants. So, I think the ASAL Programme is not living to our expectations. The operations of this Programme should be reviewed with a view to ensuring that it provides the services it was meant to provide. Let them reclaim land and at least implement one or two viable projects in those areas.

Mr. Deputy Speaker, Sir, some donor countries like The Netherlands, Japan and Egypt have given some aid to this country. Some of them channel their aid through the Ministries concerned. I do not think we in Northern Kenya have ever benefited from given by such donors. Some of them have financed the construction of dams and the sinking of boreholes in some parts of the country. I know that the immediate former Minister for Land Reclamation, Regional and Water Development may have taken some things to the Coast Province. I appeal to Mr. Hussein Maalim Mohammed to do something about water projects in Northern Kenya. If these *Wazungus* come to this country with the aim of helping us the Minister should give the first priority to Northern Kenya.

**An hon. Member:** And Kerio Valley!

**Mr. Falana:** Kerio Valley can wait! I say this because the wearer knows where the shoe pinches. I know how painful it is to go without water. So, if anything comes from donors, let it go to Northern Kenya. That is where water is needed most.

Finally, Mr. Deputy Speaker, Sir, something was mentioned about Mr. Adler. Adler was the contractor who was executing the Marsabit Water Supply Project. I think he was also executing another water project in Garissa. But, unfortunately, he died. That is too bad. The project is still there. I think the contractor had been paid a substantial amount of money in advance. That project is incomplete. These projects are not complete and, at least, for Marsabit District, there is very little left and after doing some consultation, I am told that things are going on because the engineer has gone there and the same perhaps goes for Garissa District. If this one could be speeded up and that project completed, we would really appreciate. I would like to take this opportunity to congratulate the Ministry for the water projects they are doing in Marsabit District, and particularly so for Marsabit water supply. I am happy quite a lot of money has been spent on that project and it is going on well; the distribution lines are also set up and contracts have been issued and I hope they will continue with that project and we get water in good time.

With those few remarks, I beg to support.

**Prof. Anyang-Nyong'o:** Mr. Temporary Deputy Speaker, Sir, I beg to contribute to this Vote. I think that in our national Budgets, health and education should obviously come first in terms of how the Budget is repatriated. But I think next to those two is water and, water irrigated problems like irrigation and land reclamation.

I have not done an analysis of how the Budget has this time been divided. But I would plead to the Government that health, education and water must take priority in Government expenditure in terms of social and physical infrastructure. And, of course, next to water is environmental concerns and management. Because without proper management of the environment, all our expenditures in water development will go haywire.

I think the Government could also use some of its own public institutions to supplement what is spent on water and irrigation works. Here I am referring to the Army Corps of engineers. In other countries, the corps of engineers is used for public works; like building roads, irrigation works and so on. I do not think whether it helps this nation much to maintain an Army where people are just polishing their boots and parading on National Days.

I think these people would be effectively used given their qualifications in semi-arid and arid lands for constructing irrigation works and water supply. After all, they have the scientific qualifications and technical know-how to be used for these peaceful and peace promoting enterprises.

Secondly, Mr. Deputy Speaker Sir, behind the whole philosophy of establishing a budget for water, I think the Ministry concerned should make a very concise decision on what type of water supply is going to be provided. There should be a judicious division between One; central supplied water systems; and, to community based water projects. In my experience in our stage of development centrally supplied water systems works very in urban and semi-urban areas and also in areas where commercial agriculture is highly developed. Elsewhere where development is still backward in terms of peasant communities, like where I come from, community water projects work very well. I do not mean this in any derogatory manner but I really mean that in terms of effective availability of water. Community-based water project is for some time going to work much more effectively in our kind of society in rural areas than centrally supplied water projects. Two experiments or two central supplied water projects that I know of which have not worked very well, one is in Rarieda Constituency in Uyoima where piped water is just not working. The other one is in my own constituency in Kisumu Rural, where Kombewa Water Project is not working properly.

One because of the kind of materials that was used for piping, that is PVCs, were put so much near the surface that any heavy bull walking around would punch a hole into them and that is what has happened. Secondly, because these things are based at the intake point in using diesel for pumping them, it encourages graft among civil servants. They get this diesel and sell it to people and so on and in the end you have a whole project which is called a project and it is not serving people. Until and unless the Government is prepared to take

electricity to the intake point, the centrally supplied water projects will not work very well in the rural areas and I think the Ministry should pay attention to that.

Thirdly, Mr. Deputy Speaker Sir, another point I want to raise generally with regard to water supply is Government funds being made available for community-based water projects, for example shallow wells. At this point in time the Ministry is relying too heavily on Non-Governmental Organisations to give funds for the digging of shallow wells and there is rather little that Government of Kenya funding for shallow wells. Yet shallow wells supply rural communities with readily available clean and natural water; water that does not need treatment and water which is very easily accessed because it is based on being managed by the community. If we go by the principle that every Kenyan should not be far further than a half a kilometre from the nearest clean and fresh water point then you will find that in the rural areas the encouragement of shallow wells is going to be very cost-effective in providing our people with clean and fresh water within a half a kilometre of every family. This should also apply to the Ministry of Health where nobody should be further than half a kilometre from the nearest dispensary hence a health and water project policy based on a half a kilometre principle will easily eradicate water borne diseases and other such diseases which could be preventable by good health and water facilities in the rural areas.

Finally, Mr. Deputy Speaker, Sir, regarding public financing of water projects, the Ministry has relied very much on regional development authorities. In this regard, whatever failure the Lake Basin Development Authority has at least in my area I must commend the Lake Basin Development Authority for having done a much better work in constructing shallow wells to the residents of Kisumu Rural than other Non-Government Organisations like KWAHO. I would remind the Ministry that our people in Kisumu Rural are tired of KWAHO officials coming and organising seminars after seminars and all they do is eat *kuku* and drink tea and not provide water for our people in Kisumu Rural. So, I would like KWAHO to be put on notice that at the District Development Committee (DDC) we have said this and we hope that they will improve and we would like much more resources to be given to the Lake Basin Development Authority to develop shallow wells for the residents of Kisumu Rural.

Mr. Deputy Speaker, Sir, I would like now to go to very specific items in the Budget concerning Kisumu District. On page 697, Head 620, Sub-Head 191 - there is RDS - in the Development Expenditure. A sum of K£2,000 has been given for investigations planning and design, and I do not know what. I am wondering how much K£2,000 can do in a year to investigate, plan and design something, unless we are designing a few water tanks. I would like to know from the Ministry what this K£2,000 is meant to do. Or unless it is just a holding operations so that at least you open a budget line for subsequent years. But I thought that amount of money was rather too paltry for an important subject like investigations, planning and design and we do not even know what is being planned designed and investigated into.

On page 733, Head 560, Sub-Head 620, Item 425 - Water and Sanitation Activities, K£430,000 is expected from United Nations Children's Fund (UNICEF) in the 1999/96 Financial Year. I am very happy that UNICEF is giving so much money for water and sanitation activities but I would be grateful if the Government of Kenya could supplement that because sanitation is in an extremely important thing in our area. A lot of people are dying from waterborne diseases because, among other things, there is poor sanitation. The construction of VIP latrines will not just be left to UNICEF. I think it should be a Ministry of Health and Ministry of Land Reclamation, Regional and Water Development joint venture to ensure that we eradicate poor sanitation behaviour by building proper sanitation facilities in the rural areas.

On Page 745, Head 935, Sub-head 620, Item 191, again there is investigation for Maseno-Kombewa Water Project. It is not said whether this is Maseno-Kombewa Phase I or II Water Project. I hope it is investigation and preparation for the Maseno-Kombewa Water Project, Phase II because Phase I was completed but it is suffering from the problems I have said regarding centrally supplied water systems. Below the second supply tank, the Maseno-Kombewa Water Project for Phase I is not working because the piping is not just there. The PVCs were punctured and rotten a long time ago.

Page 750, Head 936, Sub-head 620, Item 423 deals with construction of water supply; Maseno-Kombewa. Now, K£4,000 to K£5,000 is dedicated for this construction. It is my opinion that Maseno-Kombewa Water Project Phase II which is the one I know should be constructed cannot be constructed with K£4,000 to K£5,000. So I think the Ministry should clarify this because as far as I am concerned, we need to complete that project.

Finally, I hope that the rehabilitation of the Kuruwenja Water Project will be completed and Kisumu Rural Phase I will also be brought into operation. Thank you.

**Mr. Boy:** Ahsante sana Bw. Naibu Spika kwa kunipatia nafasi hii ili niunge mkono Hoja hii muhimu na pia nitoe maoni yangu juu ya Hoja hii ya kupendeza sana. Nitasema ukweli wa mambo kama

ninavyoyafahamu. Sisi tunapitisha pesa hapa kuwapelekea engineers katika wilaya ili wazile na nitalithibitisha jambo hili. Sisemi neno ambalo sitathibitisha. Katika Voti ya mwaka jana, Supplementary Estimates, Mkongani Water Project ilipewa K£500,000. Hizo pesa zilipitishwa hapa lakini zilipofika Kwale, Water Engineer wa wilaya hiyo akazilipua zote na hata peni haikubaki na mradi wa maji uko pale pale mpaka leo.

Jambo la pili, mradi wa Shimba Hills Water Project ulitengewa K£1.5 million ambazo tulipitisha hapa. Kumbe tulimpitishia Water Engineer Kwale! Kiasi cha K£1.5 milioni akaziruruwa! Sasa leo tuwapitishie tena pesa engineers katika wilaya wakazitumie! Kikubwa kilichofanywa---

**The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Ligale):** Jambo la nidhamu Bw. Naibu Spika wa Muda. Mhe. Boy amesema hapa kwamba pesa ambazo zilipitishwa hapa kutumika katika Wilaya ya Kwale "ziliraruliwa" na District Water Engineer. Anaweza kuthibitisha kwamba "ziliraruliwa" la si hivyo, aondoe matamshi hayo na kuomba msamaha?

**Mr. Boy:** Bw. Naibu Spika, nitamfahamisha mhe. mambo mengi zaidi. Sisi katika District Development Committee (DDC) tuliunda sub-committee ya kuchunguza pesa hizo nikiwa mmoja wao. Katika hii kamati tulikuwa pamoja na Mkuu wa Wilaya, Kwale, Ofisa wa Polisi, na Provincial Water Engineer wakati huo. Baada ya kuangalia vitabu tulisafiri hadi kwenye site na tulipofika hapo, tuliambiwa kwamba mashine mpya ya kuchimba maji ilikuwa imenunuliwa lakini tukapata kwamba kulikuwa kumefanywa forgery. Mhe. Mwamzandi anaweza kuelezea jambo hili. Mashine ilichukuliwa usiku kutoka Msambweni na mpaka sasa hakuna maji humo. Mabeheba ya maji ambayo yalikuwa yamenunuliwa tulipata kwamba sasa lilikuwa moja ambalo lilikuwa limetoboka na tena limetoka stoo na hali ilikuwa imeandikwa katika Vote Book kwamba limenunulia na tendering system. Kumbe duka alilonunua ni lake mwenyewe Engineer! Akitaka niendeleo kusema nitafanya hivyo. Nitamwambia Mhe. Waziri na kama akikasirika aende akamwone huyo Engineer lakini hivi sasa yuko mahali pengine akila tena. Kama huyo Waziri anataka mambo ya ukweli amfuata maanake anamjua. Maofisa wengine walikuwako na mmoja wao yuko hapa ameketi. Alikuwako kesi hii ikiletwa. Si jambo la sawa kusema kwamba kuna ufsadi wa fedha za umma zinazopitishwa hapa za miradi na wakati huo maofisa wanazila hizo pesa bila wasiwasi, raha mstarehe. Isitoshe, pesa za Msambweni Water Project ambazo zilikuwa K£2 million zilipotea. Tulisafiri hadi Msambweni na Kamati ya DDC tukapata kwamba huyo Engineer alikuwa ameandika invoices za conduit pipes kuwa K£2 million. Haya ni mambo ya wazi. Sijui kwa nini tukisema ukweli wengine roho zinawadundadunda. Ukweli ni kwamba tutapitisha hapa mambo kama haya lakini mambo mengine yanatendeka katika wilaya. Wale wanaojulikana vizuri kwa kutenda mambo mabaya si wote. Isije ikaeleweka kwamba mhe. Boy amesema engineers wote katika wilaya zote ni wezi. Si wote mbali ni baadhi yao. Mfano ni kama yule Water Engineer aliyekuwako Kwale. Hili si jambo la siri wala si kwamba tunamwingilia mtu. La, huu ni ukweli.

Nikitoka hapo nitazungumza juu ya maji katika Kwale Township. Maji haya yanakuwa pumped kutoka Marere ikipitia Madabara I na Madabara II hadi Kwale yenyewe. Tatizo lililoko ni kwamba hakuna direct pumping na pia hakuna water storage. Mashine ikaharibika basi the whole system inakufa. Kwa sababu ya fluctuation of power kila siku umeme unapotea. Hakuna storage tank Kwale Township na hali mkuu wa Wilaya na Mbunge wanaishi humo. Hii ni kweli. Kwale Township, Shimba Hills mpaka Golini hamna storage water tanks. Hata wakiweka standby generators ni kazi ya bure kwa sababu kuna direct pumping ya maji. Lazima maji yawekwe katika storage tanks hata kama ni kwa muda mfupi lakini sasa utapata kwamba Kwale haya maji yanakuwa pumped moja kwa moja mpaka kwa consumer. Tukisema kuhusu hili jambo tunaambiwa kwamba National Water na Pipeline Board hazina pesa lakini hapa tunapitisha pesa.

Jambo lingine ambalo ni lazima lizungumzwe ni swala la SIDA. Kinachonishangaza mimi katika Wizara ni kwamba Wizara inawacha mradi wa SIDA uende kwa shirika lisilo la kiserikali la KWAHO? Sasa watu wa Kwale ambao tumekuwa tukifaidika chini ya mradi wa SIDA ambao ulikuwa unakuwa supervised na Wizara sasa pesa zote zinaenda kwa shirika hili la KWAHO. Hata shirika hili halishiriki katika mikutano ya DDC. Sasa sielewi jambo hili. Hii ni kwa sababu pengine ni heri sisi tunaazungumza katika Bunge hili.

Bw. Naibu Spika, mambo haya ni lazima yazungumziwe. Ukiisoma Voti hii utaona kwamba pesa nyingine zitatokana na Swedish International Development Agency (SIDA). Ubaya ni kwamba nyingi ya pesa hizi zitatumika kugharamia masemina katika hoteli kubwa kubwa. Hata hivyo, tunawashukuru watu wa SIDA kwa sababu wametuchimbia kule Kwale visima vichache.

Pia kule Kwale kuna bwawa la Kikoneni ambalo lilijengwa na Wizara. Lakini bwawa hili haliwasaidii Wadigo. Limejaa mamba ambao kazi yao ni kupunguza idadi ya Wadigo. Namuomba Waziri anikubalie niende na kuwaamrisha Wadigo tulivunje lile bwawa ili mamba waliomo waende zao. Kuna wakati Waziri mmoja na Katibu wake Mkuu walikuja hadi kwenye bwawa hilo. Walitumbia kwamba bwawa hilo lingetengenezwa kwa gharama ya Kshs140 milioni, lakini mpaka sasa hatujaona chochote.

Nikimalizia, ningetaka kugusia Coast Development Authority (CDA). Sisi watu wa Pwani tulidanganywa kuwa tunaletewa maendeleo kwa sababu CDA haipewi pesa; tunachona ni magari ambayo

yameandikwa "CDA".

Kwa hayo machache naunga mkono.

**Mr. Mulusya:** Mr. Deputy Speaker, Sir, I will echo what hon. Boy has just said, that the person who is benefiting from the money budgeted here is not the ordinary *mwanachi* but rather the civil servant who is busy supervising water projects. I have in mind one water project which is right in my sub-location. Since 1985 the Ministry has been voting money every year for this project, but up to today only a pump, which was donated by an NGO, exists. Nobody is ready to pay for connection of electricity to the pump. Nobody is ready to find out whether the storage tanks and pipes which were installed many years ago are rotten or working. **[Mr. Mulusya]** When you talk to the Ministry's staff about this project they tell you "toeni pesa kwa njia ya Harambee ili tuifanye kazi hii na hali tunajua pesa za mradi huo "zimeliwa". We have told the Ministry that since we pay taxes we must get part of the voted money and that civil servants who misused money for this project should be prosecuted!

**Dr. Lwali-Oyondi:** On a point of order, Mr. Deputy Speaker, Sir. Is it in order for Mr. Mulusya to talk in both English and Kiswahili?

**Mr. Mulusya:** Mr. Deputy Speaker, Sir, I was just quoting Mr. Boy.

Now, the Kilimanjaro Water Project, which was financed by the Government of Italy, was supposed to supply water to Machakos and Athi River Towns, but it was diverted to Kajiado. However, now, instead of serving the people of Machakos and Athi River Towns and the ones along its pipeline and also those of Kajiado to which place it was diverted, it is now being used to irrigate flowers for export by a very wealthy company in this country. Very many water dams have been constructed in a recently established farm just outside Athi River Town. Very many dams have been dug and water is being pumped into them using very powerful pumps. A delegation, which included the mayor of Mavoko Town was sent to this company but, surprisingly, the chief executive of that company, a Mr. Rotich, could not see the mayor of Mavoko Town and his team. He told them to go and see another Mr. Rotich of Kenya National Pipeline and Water Corporation.

As I speak right now, water is being supplied in trickles to Machakos and Athi River Towns. The question is, whether this company paying for this water. There is no meter in the pipeline supplying it with water! I would like the Minister to prove to this House that there is a meter and that the company is paying for that water. I am giving an ultimatum, on behalf of the Kamba people, that if within two weeks we are not given water, we will vandalise this water project. We will ask the people of Athi River and Machakos towns to go and confirm for themselves that their water is being used by people who could have afforded to get water from other sources. Athi River is near this company which is wealthy enough to afford pumping water from it. Now, Athi River Town, which is growing industrially, is not getting water. People have to fetch water from very far!

**Mr. Shikuku:** On a point of order, Mr. Speaker, Sir. I get pained by what the hon. Member is saying: I have talked about water for Ukambani for a long time. Mr. Mulusya has repeated three times that water, which is supposed to serve the people of Machakos and Athi River, is going to a private company. Could he tell the House which this company, which is taking wananchi's water, is?

**Mr. Mulusya:** Mr. Deputy Speaker, Sir, this is none other than the notorious Ms Mugoya Company. Now, the Government has promised the people of Ukambani water from time immemorial. Feasibility studies have been done over the whole of Lukenya, Komarock and Yatta and they are well documented in the Ministry's books, but where are the dams? Every year, we are told water will come; there will be dams. Where are the dams? You people of Ukambani are going to be nothing but dams. Where are the dams? We do not need flowers, we need water. There are so many boreholes which were dug in Ukambani, particularly in Kangundo, during the colonial period. Others were dug just immediately after Independence. We have persistently requested the Ministry to provide pumps to pump this water from these boreholes. Money was spent to dig these boreholes, but they are just lying there, doing nothing. When we ask, the Ministry, through the local administration, say "organise Harambees." For how long are we going to be told to organise Harambees? What is the Government doing? What is the responsibility of the Government to its own tax payers? We have now reached a level where the Ministry should be a little bit more practical. It should be able to co-ordinate with the Ministry of Energy and other parties. In Ukambani, we have so many rivers, including, Tana River and Athi River, which traverse the region and they are being used for the production of electricity. Why can electricity not run along those rivers because there are very many people who would want to pump water to irrigate their lands? If electricity was near those rivers, it would be used because it will be cheaper for the people who have land along those areas to pump water and irrigate. That must be looked into.

Mr. Deputy Speaker, Sir, another issue is that we would like to see the Government, come next Budget, try to zero-rate the taxes on imported water pumps. The Ministry has zero-rated inputs for green houses. However, we need more of the water. The green houses will not work unless you have a pump to pump water.

We also need electricity transformers to be zero-rated because if they are cheaper, they reach a wider population of the people. This will make the pumping of water easier. That is the only way we shall stop depending on imported food. Ukambani has the potential to feed the whole of this country. This potential has not been realised because, maybe, some people in the Government are benefitting from the imported foods. That is why they do not want the inputs in the agricultural sector to be cheaper. It is only when they are cheaper and accessible to everybody that people will spend a lot of money. May I assure you that, the way I know Kenyan people, they are very hard working. They would like to invest even to their last cent, even if it means selling their underpants to buy pumps to pump water, especially people from Ukambani, they can do. It is better that way than telling people everyday that; "wait, we are going to provide this---" We are losing a lot of foreign currency in the importation of these foods, instead of us growing that food from here. It is very painful. It pains everybody here in this House and it will continue biting the Kenyan population.

With those few words, I beg to support.

**Mr. Magwaga:** Thank you, Mr. Deputy Speaker, Sir, for giving me the chance to contribute to this important Ministry's Vote. First and foremost, this is the life Ministry. Without water, we know what would happen to human, plant and animal life. There are a few things that I would like to request the Ministry to do in order to help the people of Kenya to get water. For some of the people who, by nature, do not have water, the Ministry should arrange to give them water through the scientific way of piping water to those dry areas. In places like where we people live, where we have water by nature and it rains every day, this water should be harnessed so that it can be used by the people of those areas. Even river water should be harnessed. It pains very many people in those areas to find women still carrying pots and pails to the ordinary wells. At this stage in our country, they have access to water this is treated and which is good for human and animal consumption.

Mr. Deputy Speaker, Sir, first of all, what are all these bodies doing; Water Pipeline Corporation, Water Catchment, the Ministry of Water itself, Kenya Finland Water Company--- Why so many bodies? They are all confusing and we do not know who is responsible for what. The Ministry of Land Reclamation, Regional and Water Development should definitely organise itself to get one important body which the Ministry should rely on. I am saying this because there is a project which was started in my own constituency way back in 1985 by the Government. It was not a Harambee project. They refer to it as Shitoli Water Project.

**Mr. Shikuku:** Shitoli-Khwisero Water Project?

**Mr. Magwaga:** It is Shitoli Water Project. There is nothing like Khwisero Water Project! There is Shitoli Water Project which covers Khwisero and cover four divisions.

**Mr. Shikuku:** On a point of order, Mr. Deputy Speaker, Sir. I would like to draw the attention of the hon. Member to page 727 where it is stated clearly "Shitoli-Khwisero Water Project". This year, we are grateful because we have got K£500,000.

**Mr. Magwaga:** Mr. Deputy Speaker, Sir, in 1985, that project was not called like that. Probably, in 1995, it is now called Khwisero. It does not matter.

We want to know why this Government planned water project has stalled for so long. Every financial year, there is money which is supposed to be used to complete this project. This Shitoli Water Project is causing a lot of concern in my area and also in Shinyalu, Lurambi and Butere areas. We would like to ask the Ministry concerned with water to complete this project in order to ensure that there is consumption of clean water by the people who live in these four constituencies. For this particular financial year, the K£500,000, that I hear my friend mentioning, may not be enough to complete phases two and three. Phase one is not even functional. When we ask, we are told to go to the Water Pipeline Corporation. The Water Pipeline Corporation in Western Province is controlled from Kisumu. Could we have a little office in Kakamega so that we can launch our problems there?

The other problem with this particular water project is that the little part that is working, the Ministry has gone ahead to bring bills to consumers for water which does not exist. Some people are being requested thousands of shillings, even for the time when there was no water. We are asking the Ministry to look into it and ensure that people only pay for the water that they consume, and not for air. The Ministry should definitely irrigate areas like Kisumu where people can use water to grow rice in order to increase agricultural productivity in the area.

Mr. Deputy Speaker, Sir, the Ministry of Water Development should harness the natural gravity that brings water down so that they can avoid using a lot of money for many instruments and other things to bring water down from high places. Above all, the Ministry of Water Development should also check corruption which makes the Ministry not run properly. For example, the people who receive money from water consumers

do not give proper receipts. We want proper receipts to be given by the Ministry of Water Development to the consumers. My people are having it rough since they paid money to somebody who wrote on a sheet of paper and then he threw it away. But he is now demanding payments to be done on official statements. So, we would like this matter to be streamlined so that people can have clean water.

Mr. Deputy Speaker, Sir, before I sit down, I have made my contributions to the Ministry of Water Development and if KBC is covering contributions by hon. Members here, I hope they will cover me today since I have never been covered that I speak in Parliament on behalf of my people. Today, I will listen and my people are also listening to the "Today in Parliament" broadcast.

With those few remarks, Sir, I beg to support the Vote of the Ministry of Water Development.

**Mr. Nthenge:** Ahsante sana, Bw. Naibu Spika. Nitakachosema ni kidogo na nilikisema tangu 1961. Nilisema Mungu anaipenda Kenya sana, ametupatia maji ya kutosha, nchi kubwa tena nono. Hata tuna kila kitu, mafuta taa, petroli na kadhalika.

Lakini ubaya wetu ni kwamba tulikuja kutazama sehemu ndogo tu ya Kenya, yaani pale panaponyesha sana eti ndipo Kenya. Zaidi ya thuluthi mbili (2/3) ya Kenya ni nzuri lakini haina mvua ya kutosha. Lakini mvua ni tele Kenya tukiitumia vizuri. Inaweza kutosha Kenya yote kwa jumla na bado maji yaende kwenye bahari.

Nilichosema na bado nisemacho mpaka leo ni kwamba tukope pesa kutoka kwa banki ya dunia tufunge mito ili tuwe na masilanga kama tulivyofanya juzi Tana. Ikiwa tumenyunyizia mchanga maji, haijui kama ni ya mvua au mito. Mchanga wataka maji tu. Maji yanatoka mto Tana mpaka kwako Bw. Naibu Spika mpaka mwisho. Sababu yake ni nini? Wale tuliosoma sayansi kidogo tunajua maji hutiririka kutoka juu. Kwa hivyo, ikiwa sehemu hii iko juu maji yatatiririka mpaka mwisho. Niliwaambia wapeleke maji ya hapa Timboroa ambapo ni juu zaidi kuliko kote Kenya na yatatiririka na hakuna haja ya kutumia sitima. Tukifanya hivyo, maji yatakwenenda mpaka Turkana na kadhalika.

Mimi ni mwanasayansi by inclination, lakini sikusoma sana. Lakini ile sayansi ndogo ndogo naifahamu.

Niliwaambia hivyo zamani wakasema: "Nthenge has ideas, but they are not workable". Lakini ninaweza kuwaeleza vile inavyowezekeka kwa sababu tutafuga kondoo tele na kuuza sufi katika nchi za baridi; pia tutauza nyama na kadhalika. Sasa ukitaka kulima mpunga, mpunga wetu Embu ndio nambari moja. Pia tunaweza kupanda ngano, mchele na kadhalika. Kwa hivyo, hatuna shida yoyote. Lakini ubaya wetu ni kwamba tunataka macho yetu kutazama upande mmoja tu badala ya kutazama Kenya yote. Nchi kavu yetu ni kubwa zaidi na tuna maji ya kutosha.

Unajua watu wa Misri hutoa maji hapa Kenya lakini sisi wenyewe hatuitumii. Hii inaonyesha kwamba pengine tuna mdudu kichwani. Yafaa tuyatunze maji haya ambayo tumepewa na Mungu bure na kukuza mimea yetu. Tunataka yatiririke pole pole hadi baharini. Ukiyazuia maji, yatatengeneza ziwa kubwa na kunyunyizia mashamba. Kwa mfano, Yatta ambapo kuna mtaro wa maji. Zamani nilipokuwa Mbunge wa Machakos yote pamoja na Makueni, kulikuwa kukavu na hakuwezi kumea kitu. Lakini leo enda Matuu na utapata nyanya, miwa, ndizi na kadhalika zikiuzwa pale. Utafikiri uko milimani. Lakini hakuna haja ya kuwa milimani; haja ni maji tu. Mtaru huu ulitengenezwa na Wazungu zaidi ya miaka 30 iliyopita. Mbona hatuwezi kufuata mtindo wao? Ikiwa jambo ni zuri, hata ikiwa limefanywa na adui wako, unaweza kufuata. Nchi ya Wazungu ni mbaya kwa sababu ya baridi nyingi. Wao hawawezi kulima chochote. Watangojea matunda, mboga na kadhalika zetu tuwapelekee.

Pia tuna kipawa kingine kikubwa ambacho hatufikirii. Tuna watu wengi ambao hawana kazi. Ingefaa tuwapeleke huko ili wafanye kazi. Hata hakuna haja ya kuleta kompyuta hapa ambazo zitawapunguzia watu kazi.

Ni karibu kila mtu astaafu Ulaya kwa sababu ni wachache lakini hapa watu ni tele. Wanaweza kulima miwa na kutengeneza sukari; mboga na kuuza Ulaya na kadhalika. Tunaweza kuuzia Waarabu ambao wanatuuza mafuta kwa sababu hawana chakula. Tuna wafanyakazi wengi tele hapa kwa sababu wanawake bado hawajafunga kuzaa. Hata mimi nina watoto 17 na bado hawajakosa chakula. Jambo hili la "mpango wa uzazi" ni upuzi wa binadamu kutaka kushindana na Mungu!

#### ADJOURNMENT

**Mr. Deputy Speaker:** Hon. Members, it is now time to interrupt the business of the House. Therefore, the House stands adjourned until tomorrow, Wednesday, 26th July, at 9.00 a.m.

The House rose at 6.30 p.m.