

**Mr. Munyasia:** Since we did not know who was speaking at the time when the House was adjourned, we did not stand up because we first wanted to know who was speaking at that time.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** No!

**Mr. Munyasia:** Yes!

**Mr. Speaker:** From my list, I see that it was Mr. ole Tipis who was contributing when the House was adjourned, and he is not present now.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** On a point of order, Mr. Speaker, Sir. Hon. Members should be aware that if the person who spoke last is not here, they should automatically stand to speak. But since there was nobody who stood to speak, and you said, "Since there is no hon. Member wishing to speak . . .", we should go ahead so that hon. Members can learn a bit of a lesson.

**Mr. Speaker:** No, I think their request is quite genuine. Mr. Munyasia.

**Mr. Munyasia:** Ahsante sana, Bw. Spika, kwa kuni-patia nafasi hii. Ni lazima Mbunge wa Butere afahamu kwamba ni lazima atupatie heshima vile tulivyompatia wakati alipokuwa akiongea.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Niwape heshima?

**Mr. Munyasia:** Ndio!

**The Assistant Minister for Livestock Development (Mr. Shikuku):** On a point of order, Sir. Nimekupa heshima uweze kukaa chini!

**Mr. Munyasia:** Bw. Spika, Hoja hii ya maongozi ya taifa juu ya chakula ni muhimu sana. Tukiangalia au kusafiri katika nchi nyingine, tutaona kwamba kuna nchi nyingine ndogo ambako mvua inayonyesha ni chache lakini wana mipango kamili ya kujipatia chakula. Kwa mfano, hivi majuzi tulipokuwa tukitoka katika visiwa vya Philippines, tulipita juu ya Bangkok na tukaona vile watu wa nchi hiyo wametega maji ya mvua na kuyatumia kwa kunyunyizia mashambani na vile nchi hiyo yote inavyojaa mchale. Nafikiri ni juu ya Waziri wa Kilimo akishirikiana na Wizara ya Ustawi wa Maji, washauriane na kufanya mpango kamili ili kuona kwamba maji yote, ambayo ni ya Mungu—maji ni ya Mungu na si ya mtu yeyote—yanayotoka mbinguni yanazuiwa yasiende katika Bahari Hindi.

Bw. Spika, nchi hii ya Kenya imefanikiwa sana, na hasa katika pande za Ukambani. Mungu aliumba kila mahali kulingana na matakwa yake. Hivi majuzi kulikuwa kunasemekana kuwa kulikuwa na njaa katika sehemu ya Ukambani; hayo si matakwa ya Wakamba, lakini ni vile Mungu alivyoiumba sehemu hiyo, na tutakaa huko huko kukiwa namna hiyo. Katika season iliyopita, mvua ilinyesha na sasa ukienda kule Ukambani, utaona kila mahali ni green na watu wana chakula. Lakini hakuna mipango ya kutoa chakula. Tunaweza kusema kuwa katika sehemu ya Ukambani kote kuna mito na vijito, lakini maji huko hayatulii; mvua inaponyesha maji yanakwenda moja kwa moja mpaka baharini. Ni kwa nini Serikali haiwezi kufikiria na kuona kwamba mpango kamili unafanywa, hata

ikiwa ni kwenda kukopa pesa kutoka nchi za ng'ambo, kwa mipango ya maji, ili mito hii yote ipate kujengewa reservoirs, ili wakati mvua inaponyesha maji yawe hayawezi kwenda baharini yote? Hii ndio sababu ninasema hatuna mipango kamili.

Kesho Mtukufu Rais atakwenda kufungua project moja kule pande za Masinga. Eneo hilo lilikuwa kavu kabisa na mto huo ulikuwa mkavu kabisa. Wale wata-kaokwenda kule wakirudi hapa watakuja kusema maneno mengine kabisa kwa sababu ukienda kule, kume-kuwa na ziwa moja ajabu sana la kipekee katika Afrika Mashariki; hakuna ziwa lingine kama hilo katika Afrika Mashariki. Huo mto ulikuwa mkavu sana na hata maji yake yalikuwa hayaonekani na watu wa upande huo walikuwa wakiumia sana. Lakini sasa maji yamezuiwa na yamejazana umbali wa karibu kilomita 52 mpaka karibu Embu. Basi ikiwa tunataka kumaliza shida za njaa, ni lazima tukuze chakula kingi ili kuona kwamba hatutakabiliwa na njaa tena. Kufanya hivyo, ni lazima tuseme, kwa mfano, "Katika budget ya Kenya mwaka huu tutakuwa na kiasi fulani cha kustawisha maji peke yake", kuliko kusema tu, "Oh, hakuna pesa", au "tunaangalia vile maji yatakvoyopatikana", na mambo kama hayo.

Bw. Spika, Wazungu wanapatiana conditions kutoka kwao na kusema, "Mkinita huko kwenu, nitawapatia \$200 million", halafu anatumwa na kuja hapa. Akija hapa atakuwa anafuata zile pesa na aanze kusema, kwa mfano, "Ni lazima twende mahali kwenye mto ili tuchore na kufanya mambo mengine", na wakati huo huo anaendelea kutumia zile pesa. Wakati huo huo, ukiangalia katika estimates, utaona kwamba nchi za ng'ambo, Marekani ikiweko, wamepatia nchi ya Kenya milioni nyingi za pesa na kiasi cha K.Sh. 200 milioni kimekwenda Ukambani. Ni ajabu kukueleza, Bw. Spika, kwamba Wilaya ya Machakos ilipatiwa kiasi cha K.Sh. 200 milioni ili kustawisha maji.

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

Tangu tusome habari ya pesa hizo, sasa ni miaka minne iliyopita na ukienda kule Machakos, lazima utajiuliza, "Je, zile K.Sh. 200 milioni zilizopeanwa ili kustawisha maji katika wilaya hii ziko wapi au zime-enda wapi?" Kwa sababu hakuna chochote ambacho kimefanywa huko. Wale watu waliopana pesa hizo ndio waliotoa condition kuhakikisha kwamba wame-fuata pesa hizo na kuzitumia, halafu waandike katika makaratasi kuwa "tulisaidia watu wa nchi ya Kenya". Yaani ni lazima kuwe na mchoro ambao utagharimu Sh. 100,000 na watu watakaokuja kufanya kazi ni lazima wapatiwe malazi yatakayogharimu karibu K.Sh. 3,000 kwa siku. Watu hawa wanakaa mwaka mmoja na pesa hizo zinakwisha. Machakos ilipatiwa Sh. 200 milioni lakini hakuna maji; hiyo bado ni sehemu kavu, na hakuna chochote.

Kwa hivyo, hii ndiyo sababu ninasema kwamba mipango tuliyo nayo siku hizi ni mibaya. Ikiwa watu wanataka kukopesha nchi yetu pesa, ni lazima tuone kwamba hawafuati pesa hizo na kuja kuzifanyia kazi.

**[Mr. Munyasia]**

Bw. Naibu Spika, ningemwomba Bw. Charles Rubia amwachilie mbali Makamu-Rais na Waziri wa Fedha ili aweze kusikia yale mambo ninayoyasema. Hili ni jambo la muhimu sana.

**The Minister for Urban Development and Housing (Mr. Rubia):** On a point of order. Bw. Naibu Spika, ni haki kwa Mhe. Mbunge kunitaka nimwachilie Makamu-Rais na Waziri wa Fedha na hali hawataji wale Waheshimiwa Wabunge wengine?

**Mr. Munyasia:** Ni haki, Bw. Naibu Spika, kwa sababu ninaongea juu ya fedha na ni Makamu-Rais na Waziri wa Fedha anayetayarisha mipango ya fedha. Hili ni jambo la maana sana. Sababu iliyonifanya niseme ni heri amwachilie, au ampatie nafasi Makamu-Rais na Waziri wa Fedha ni kwamba—

**The Vice-President and Minister for Finance (Mr. Kibaki):** On a point of order, Mr. Deputy Speaker. I have been in this House since 1963. Is it anywhere in our Standing Orders that an hon. Member can demand to be listened to regardless of whether he is speaking something worth listening to? Can you guide us, Mr. Deputy Speaker, Sir? I am asking for guidance because I have never heard of what the hon. Member is saying.

**Mr. Deputy Speaker:** Unfortunately, he must have forgotten our Standing Orders.

**Mr. Munyasia:** Bw. Naibu Spika, ingawa ninatoka heshima kubwa kwa Makamu-Rais na Waziri wa Fedha, ninajua kuna Kanuni nyingine za Bunge zinazosema kwamba, "When a Member is speaking, the rest of the hon. Members must hear him in silence".

**The Assistant Minister for Livestock Development (Mr. Shikuku):** On a point of order, Mr. Deputy Speaker. Could the hon. Member tell us which Standing Order says that, "When a Member is speaking, he must be listened to in silence?" That one is only provided under Standing Order No. 68 when a Member stands on a point of order but not when he is speaking.

**Mr. Munyasia:** Bw. Naibu Spika, sijui ni kwa nini Mhe. Mbunge wa Butere hakunisikiliza vizuri. Kuna Kanuni ya Bunge inayosema kwamba wakati Mhe. Mbunge anapongea, pasiweko na makelele mengi bali asikizwe kwa utulivu. Kwa hivyo, ningetaka kuendelea kutoa hotuba yangu.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** On a point of order, Mr. Deputy Speaker. Could the hon. Member tell us which Standing Order is this? We would like to learn too, Mr. Deputy Speaker. All I know is that when it comes to a point of order, under Standing Order No. 68, is when an hon. Member should be heard in silence. It is not mentioned anywhere in our Standing Orders that when a Member is speaking, he must be heard in silence. If there is too much noise, a point of order may be raised by another Member drawing the attention of Mr. Speaker that there is too much noise, but there is no Standing Order, as he is stating. If there is one, let him tell us.

**The Assistant Minister for Health (Dr. Wameyo):** Quote it or withdraw the remark.

**Mr. Deputy Speaker:** Well, it does appear that it is not mentioned anywhere here, neither is it mentioned that if a Member is on a point of order, he has to be listened to in silence. Maybe that one has got to be included but as of now, it is not included here.

**Mr. Munyasia:** Bw. Naibu Spika, ningetaka kuendelea na mambo niliyokuwa nikizungumza. Haja yangu ilikuwa ni kuomba msaada kwa Kiti kinilinde kutokana na makelele yanayoendelezwa ili Makamu-Rais na Waziri wa Fedha aweze kusikia yale mambo ninayoongea juu ya fedha.

Nilikuwa nikisema kwamba Serikali yetu inafanya kazi nzuri kwa kutafuta pesa katika nchi za nje ili tuendeleze mipango ya maendeleo, kama mipango ya maji. Nilikuwa nikisema kwamba ikiwa ni mkopo wa kuendeleza mpango wa maji, wale wanaotupatia msaada huo wasifuatilie pesa hizo wakitaka kujua tutazifanyia kazi namna gani, Ni heri watuachilie mbali ili sisi wenyewe tutayarishie mipango yetu bila kuingiliwa. Hatungetaka wazifuatilie pesa hizo na kuzitumia.

Bw. Naibu Spika, ingefaa tuwe tukitayarisha mipango kikamilifu. Kwa mfano, kama ni Mto Athi ambao tungependa tutumie maji yake katika mwaka wa 1982 kwa mpango fulani, ni lazima tuangalie na kuona kwamba tutatumia pesa na kuendeleza mpango huo kikamilifu. Hakuna haja kumaliza wakati kwa mambo ya uchoraji tukitaka kujua maji yatakawenda namna gani. Huku ni kuharibu wakati.

**The Assistant Minister for Health (Dr. Wameyo):** Hapana!

**Mr. Munyasia:** It is true. Kuna Mhe. Mbunge mwingine anayesema "Hapana!" Sijui ni kwa nini Mhe. daktari anasema hivyo. Kwa mfano, Mtukufu Rais mwenyewe alikuja kwangu, Kyaani Matinyani, na akaendeleza uzuiaji wa mmomonyoko wa udongo bila kuwako na mpango wowote. Hapakuwako na mpango ulioonyesha ni lazima gully, au mfereji urekebishwe kufuatana na mchoro fulani. Mifereji ilikuwa ikitengezwa na sasa ukienda huko, utakuta kwamba maji yanazuiliwa. Lakini kama tungewapatia watu kazi hiyo, ingechukua miaka mitatu kutayarisha michoro jambo ambalo lingechukua pesa za bure. Kwa hivyo, mambo mengine ni ya upuzi.

**The Minister for Livestock Development (Dr. Mango):** On a point of order, Mr. Deputy Speaker. Is it in order for the hon. Member to suggest that we go back to the stone age whereby we should do things without plans at all?

**Mr. Munyasia:** Bw. Naibu Spika, sijui ni kwa nini Bw. Waziri huyu haelewi vile ninavyosema. Ninasema kwamba—ningetaka anisikilize kwa makini—pesa tunazokopa zisifuatiliwe na wale watu wanaotukopesha kwa kusema, "Ni lazima tutayarishie michoro, au feasibility studies". Ikiwa tumekopa pesa za kuendeleza mpango fulani, wale watu wanaotukopesha wasifuatilie wakitaka tufuate mpango wa michoro yao.

**The Minister for Urban Development and Housing (Mr. Rubia):** We do not follow you!

**Mr. Munyasia:** Well, thank you "Mr. Charles".

Bw. Naibu Spika, nilikuwa nikisema kwamba huko ni kuharibu wakati.

**Mr. Kitele:** On a point of order, Mr. Deputy Speaker, is it in order for hon. Munyasia to say "Thank you, Mr. Charles" instead of saying, "Thank you hon. Charles"?

**Mr. Munyasia:** Ni kweli, ningesema Mhe. Charles. Anyway, he is my friend. Kwa vile hajalalamika, sijui jambo hili linamhusu Mhe. Mbunge wa Iveti North kwa njia gani. Pilipili usioila yakuwashia nini?

**Mr. Deputy Speaker:** Order! Mhe. Kitele ana haki kuona kwamba tunafuata Kanuni za Bunge hili. Hiyo ndiyo sababu alisimama kwa jambo la nidhamu.

**Mr. Munyasia:** Mhe. Charles Rubia, ahsante sana kwa kuniongoza kidogo.

Bw. Naibu Spika, nilikuwa nikisema kwamba—Waziri wa Ustawi wa Mifugo hakunieleza—tunapokopa pesa kutoka nchi za ng'ambo, watu wengine wanaotukopesha pesa hizo hutaka kuzifuatilia wakitaka wafanye uchunguzi kwa kutayarisha michoro, jambo ambalo huwa-wezeshia wamalize pesa zote kwa mipango ya michoro. Nilitoa mfano wa "Sh. 200" zilizotolewa kwa mipango ya maji huko Machakos, lakini ukienda huko, huwezi kujua pesa hizo zilifanya kazi gani.

**An hon. Member:** Sh. 200!

**Mr. Munyasia:** No, Sh. 200 million. Ukienda huko Machakos, Bw. Naibu Spika, huwezi kuona kitu chochote kinachonyesha kuwa pesa hizo zimetumika. Hii ndiyo sababu nilisema kwamba wakati mwingine tunaharibu wakati kwa mipango ya uchoraji tunapowaleta hapa nchini wataalamu watuambie ni vipi tunaweza kutumia maji ya mto fulani. Sisi wenyewe tunaweza kujifanyia kazi ya uchoraji na kuhifadhi maji ya mito fulani. Hapo ndipo nilipotoa mfano wa Mtukufu Rais alipoitembelea sehemu yangu. Alituingoza kwa kufunga gullies zote na sasa ukienda huko, utakuta kwamba kuna maji na mimea inakua vizuri. Hapakuwako na kazi ya uchoraji wakati tulipokuwa tukizuia mmomonyoko wa udongo. Kama watu wengine wangeambiwa waende kuchunguza vile zile gullies zingerekebishwa, wangeanza kutayarisha michoro yao na kumaliza wakati na pesa. Kwa hivyo, ni lazima kuweko na mpango kamili wa kuona kwamba maji ya mito yanahifadhiwa, miti ipandwe kando kando ya mito ili maji yasipotee bure. Tukifanya hivyo, tutaona kwamba hakutakuwako na upungufu wa chakula nchini.

Bw. Naibu Spika, nchi ya Kenya ni ya kilimo na imefanikiwa kwa mambo mengi. Kwetu Ukambani ardhi yenyewe—

**The Assistant Minister for Health (Dr. Wameyo):** Hakuna mvua.

**Mr. Munyasia:** Mhe. daktari anasema kwamba hakuna mvua. Hayo ni majaliwa ya Mungu. Today it is me, tomorrow it is you. Kuna mvua Ukambani na ningetaka Mhe. daktari ajue hivyo. Vile ninavyosema ni kwamba ni lazima kuweko na mpango wa kuona kwamba maji yote yanayotoka mbinguni yanazuliwa yasiitiririke katika bahari ya Hindi. Hivi majuzi tulipozitembelea nchi za Philippines na Thailand tuliona kwamba maji yamejaa katika nchi hizo na mpunga

unakuzwa kwa wingi. Kwa hivyo, Bw. Naibu Spika, ningetaka kukuhakikishia kwamba maji ya mito yote ya Ukambani yakihifadhiwa, Ukambani inaweza kuilisha Kenya nzima kwa chakula. Hakuna mtu yeyote anayeweza kuniambia Ukambani haiwezi kufanya hivyo kwa sababu ardhi ni nzuri na ni utaalumu tu ambao umekosekana.

Bw. Naibu Spika, kama nilivyosema hapo awali, ningetaka Waheshimiwa Wabunge watakapata nafasi kesho, waende Ukambani kujionea vile Masinga Dam ilivyojengwa. Kesho Mhe. Biwott atamkaribisha Mtukufu Rais huko Masinga Dam na ingekuwa bora kama Waheshimiwa Wabunge wangeenda huko kujionea vile mambo yalivyo. Wakienda huko, wataona kwamba bwawa hilo lilijengwa katika sehemu kavu, lakini sasa mahali hapo panaonekana kama ni bahari. Hili ni bwawa la pekee katika Africa Mashariki kwani lina umbali wa kilomita 52. Ni kwa nini mipango isitayari-shwe ya namna hii nchini kote ambako kuna mito ili kuhifadhi maji yanayoweza kutumiwa kwa mipango ya kunyunyizia mashamba maji? Nchi hii itajipatia chakula kingi ikiwa tutatumia mpango wa kunyunyizia mashamba maji. Maji ya mito yakihifadhiwa, tutapata nafasi ya kupanda mimea mbali mbali kwa wingi—yaani, cash crops kama maembe, michungwa, mapapai, cashewnuts, pilipili, na kadhalika—na kujipatia pesa za kigeni baada ya kuuza bidhaa hizo katika nchi za ng'ambo. Lakini kama hatuna mpango kamili, kila wakati kutakuwako na njaa.

Bw. Naibu Spika, singetaka kuendelea sana kuzungumzia jambo hili. Kitu ambacho nilitarajia kusisitiza katika Hoja hii ni kwamba ni lazima mambo yapingwe kwa njia kamilifu kwa kuona kuwa maji ya mito yote yamehifadhiwa.

*(Several hon. Members rushed into the Chamber)*

**The Assistant Minister for Livestock Development (Mr. Shikuku):** On a point of order. What is happening, Mr. Deputy Speaker? Is the House burning?

*(His Excellency the President entered into the Chamber and took his seat as the Member for Baringo Central)*  
*(Applause)*

**Mr. Munyasia:** Bw. Naibu Spika, ningetaka kuchukua nafasi hii kutoa shukrani kwa Mtukufu Rais kwa kuingia Bungeni na kushirikiana nasi katika majadiliano. Mtukufu Rais amekuja hapa kutusikiliza, kama watoto wake, tukiongea juu ya matatizo yanayotandaa kuhusu upungufu wa chakula. Kwa hivyo, ninasema ahsante sana kwa Mtukufu Rais. Ninawomba Mungu ampatie maisha marefu ili aendelee kuwatembelea watoto wake.

*(Applause)*

Nafikiri kwamba Mtukufu Rais atanisamehe, nikipitia kwa Kiti, ili nipate kuendelea na yale mambo nilikuwa nikisema.

Bw. Naibu Spika, nilikuwa nikisema kwamba mpango mzuri ni lazima ufanywe kama vile Serikali ilivyo-fanya hapo mbeleni na kama inavyoendelea kufanya, wa kujenga mabwawa ya maji. Nilianza kule Kamburu, Gitaru na sasa tuko na Masinga Dam ambapo nasikia kwamba Mtukufu Rais atakwenda kesho kufungua rasmi mpango huu wa maji. Nilisema kwamba

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mahali pale palikuwa pakavu sana na ule mto ulikuwa bila maji na palikuwa mawe tupu na pale palikuwa sehemu ambapo binadamu hawezi kuishi, lakini ukifika kule sasa, mambo yamebadilika. Hii ndiyo sababu nilitoa mwito kwa Waheshimiwa Wabunge ambao watapata nafasi kesho, waende wakajionee wao wanyewe kwamba nchi ikitengenezwa jinsi hii inaweza kuwa pahali pazuri pa kuishi. Ie dam inatumiwa kupeleka maji umbali wa kilomita karibu 52 katika upande wa Embu. Hii ndio sababu nilisema kwamba ni lazima mpango kamili ufanywe ili mito mingine ambayo inaweza kuzuliwa, iweze kutumiwa, ili maji hayo yatumiwe katika mipango ya kunyunyizia mashamba maji. Hii ndiyo njia ya pekee ambayo inaweza kutumiwa ili nchi hii yetu iweze kujitegemea kwa chakula na kuhakikisha kwamba hatukimbii katika nchi za ng'ambo kutafuta msaada wa chakula.

Pia, Bw. Naibu Spika, ningetaka kutoa shukrani kubwa kwa Mtukufu Rais kwa vile wakati tulipokuwa na njaa alikimbia katika nchi za mbali ili kwenda kutuletea chakula. Hiyo ni heshima kubwa sana kwake na hii ndiyo sababu nasisitiza kwamba hatutaki kuona Mtukufu Rais wetu, kwa ajili ya unyonge wetu, na kwa kutofikiria kufanya mipango yetu, aende tena kule kutafuta chakula, hali Mungu ametupatia mvua ya kutosha, na maji yanakwenda katika Bahari ya Hindi. Ni lazima tuyazuie haya maji na kuyatumia katika mipango ya kunyunyizia mashamba yetu maji ili nchi yetu iweze kujitegemea kwa chakula.

Bw. Naibu Spika, kwa haya machache, naunga Hoja hii mkono.

Mr. Boy: Ahsante sana, Bw. Naibu Spika, kwa kunipatia nafasi hii ili nami pia niseme machache juu ya Hoja hii ya chakula. Kabla ya kusema chochote, ningetaka kuchukua nafasi hii pia kumshukuru Mtukufu Rais kwa kuwa nasi katika Bunge hili tukufu leo, ili asikilize wakati watoto wake wanapojadiliana mambo yanayohusu chakula nchini Kenya. Sisi tunamwomba Mtukufu Rais maisha mema na tunatumaini kwamba mara kwa mara ataweza kututembelea hapa ili aweza kutusikia kwa kinaganaga tunapozungumza juu ya mambo ya nchi nzima kwa jumla. Bw. Naibu Spika, unaweza kunilinda kutoka kwa Mhe. ole Oloitipitip.

Mimi ningetaka kusema maneno machache tu juu ya Hoja hii. Kwanza, ningetaka kumshukuru Mtukufu Rais kwa juhudi kubwa aliyofanya, na pia kwa hatua kubwa aliyochukua ya kuzuia magendo nchini Kenya. Nasema hivyo kwa sababu kuna chakula kingi ambacho kinakuzwa na watu wa Kenya. Inajulikana dhahiri kabisa kwamba watu wa Kenya ni watu wanaofanya kazi kwa nguvu zaidi na wanapenda kulima sana lakini jirani wetu ambao wanaona taabu wanapolima kwa sababu wana uvivu na siasa nyingi, wanafanya kazi kidogo sana. Kwa hivyo, vyakula kutoka nchini Kenya vinachukuliwa na watu wengine wanaotaka utajiri wa haraka. Kwa hivyo, wanakwenda kuuza chakula katika nchi jirani na jambo hili ndilo limetufanya sisi katika nchi hii kukumbwa na njaa kubwa mwaka uliopita. Mtukufu Rais alikuchua hatua ya kuona kwamba mtu

yeyote atakayepatikana akifanya magendo, atachukuliwa hatua, na kwa kusema kweli jambo hili limeangaliwa sana katika Kenya na sasa hakuna magendo. Wale waliokuwa wakifikiria kwamba hayo yalikuwa maneno tu ya mdomo, walijaribu na wakaona cha mtema kuni. Sasa nchi iko katika hali njema zaidi kwa sababu Mungu ametuletea baraka ya mvua na watu wa Kenya wanalima sana chakula katika nchi hii. Kwa vile Mtukufu Rais yuko hapa, tungetaka kusema kwamba ule mkazo wa wale watu wanaotaka kutajirika kwa haraka sana, unafaa kushikiliwa hivyo hivyo. Tungetaka Mtukufu Rais aushikilie mkazo huu hivyo hivyo, ili hatua kali ichukuliwe kwa mtu yeyote ambaye anataka kupeleka chakula katika nchi nyingine ili awe tajiri haraka. Tungetaka hatua kali ichukuliwe ili chakula kibakie hapa kwetu Kenya.

Pia, ni lazima mipango kamilifu ya kunyunyizia mashamba maji ifanywe na vile vile mipango yote ya kilimo, ni lazima itiliwe nguvu ili kuweza kuwasaidia watu ambao wana taabu juu ya kilimo. Kuna nchi nyingine ambapo watu hawawezi kunyunyizia mashamba maji kwa sababu maumbile yake yana milima, mito na hali ya hewa ni nzuri na watu hulima sana. Lakini kuna sehemu nyingine ambazo ni kavu sana ingawa watu wengi wanalima kwa bidii sana, lakini kwa sababu ya hali ya hewa vyakula havikui vizuri.

Ni lazima Wizara ya Kilimo ihakikishe kwamba zile sehemu kavu ambapo watu wanataka msaada, zinasaidiwa ili watu waweze kusaidiwa katika mambo ya chakula. Pia, ni lazima Wizara hii ihakikishe kwamba watu wanalima kwa wingi sana kama inavyofanya katika mahali pengine. Vile vile, tungetaka mipango ya kunyunyizia mashamba maji ianzishwe katika sehemu nyingine, kwa mfano, kule pwani. Kuna watu wengine kule ambao wanakuza mpunga kwa kuyatumia maji yanayotiririka kutoka sehemu ya Tanzania na ingekuwa jambo la busara kama maji haya yangetumiwa katika mipango ya kunyunyizia ili tuweze kupanda vyakula vingi sana katika mashamba yetu. Nasema hivyo kwa sababu mpunga umekuwa taabu sana kupatikana katika sehemu ya Kwale na Vanga. Mpunga ukikuzwa, unapatikana kwa wingi na hata Waziri wa Kilimo anaelewa hivyo sana, lakini kwa sababu ya kukosa mipango ya kunyunyizia mashamba maji, imekuwa ni taabu sana kukuza mpunga. Sasa mtu akipanda mpunga, anapata tu kama gunia 30, 50 au 60 na hii ni kosa kulingana na ukulima wa kule kwetu. Lakini kama mpunga unakuzwa kwa njia nzuri, chini ya mpango wa kunyunyizia mashamba maji, unaweza kupatikana kwa wingi sana katika sehemu hii ya pwani. Mimi najua kwamba Waziri anaelewa hivyo kwa sababu amezitembelea sehemu hizi na tunamshukuru sana kwa jambo hili. Tumeona juhudi ambazo amefanya za kurwasaidia watu katika sehemu hizi na tunaishukuru sana Serikali kwa bidii hii, lakini kwa sababu ya ukame ambao sasa imekuja, tungetaka juhudi hizo ziongezwe zaidi ili watu waweze kulima vizuri.

Pia, Bw. Naibu Spika, wakati mwingine tunafikiria kwamba mahindi ndio chakula cha pekee cha nchi hii. Hata mihogo ni vyakula vya watu na ni lazima ukuzaji wa mihogo utiliwe nguvu. Watu wengine wanasema,

[Mr. Boyl]

"Sipendi mihogo, hafadhali mahindi au ngano au njugu", lakini mihogo ni chakula kizuri na kwa hivyo, ni lazima ukuzaji wa mihogo utiwe nguvu ili watu waikuze na kupata chakula. Kwa hivyo, ni lazima chakula hiki kitilwe nguvu, na sio kwa kusema ati mihogo inaweza kutengeneza biskuti au itapelekwa Ujerumani au Uchina hapana, lakini inaweza kutusaidia katika mambo ya chakula chetu hapa nchini. Pia, nafikiri kwamba Wizara inayohusika na mambo ya ardhi haifanyi kazi vizuri na mambo yake yanazoroteka sana kwa sababu wakati mwingine ardhi inapimwa lakini cheti cha kumiliki ardhi hiyo kinacheleweshwa sana. Mkulima mwenye ardhi ile akiomba mkopo ili aweza kununua vifaa vya kisasa au ili aweze kununua mbolea au vitu vingine, anaona taabu kupata mkopo kwa sababu anautilizwa, "leta title-deed yako", lakini yeye hana title-deed. Utaona kwamba mashamba yalipimwa miaka mingi iliyopita, lakini watu hawawezi kupata title-deed. Unapokwenda kule ofisini, unaambiwa, "fulani amekwenda livu". Mimi naunga mkono matamshi ya Mtukufu Rais ya hivi juzi alipotoka safarini kwamba mfanyakazi yeyote wa Serikali atakayezorotesha mambo, atamfuta kazi. Mimi namuunga mkono Mtukufu Rais kabisa. Futa yeye ikiwa hataki kufanya kazi. Nasema hivyo kwa sababu kuna watu wengi wanaoketi katika district development committees, lakini pesa zinrudishwa Treasury bila kufanya kazi. Watu wanaotaka title-deeds, hawapati title-deeds na ukiuliza ni kitu gani kinachoendelea, unaambiwa, "fulani hayuko", au "fulani amekwenda huko au kule". Ukifika kule utaona mambo ya ajabu sana ma watu hawapati title-deeds zao. Kwa hivyo, ni taabu kwa mkulima kutoka pwani kupata mkopo kwa sababu anaambiwa atoe title-deed yake, na yeye hana title-deed. Ili kilimo kipatikane kwa haraka sana na ili kila mkulima ajitegemee mwenyewe, juu ya mambo ya pesa na kadhalika, tunataka land adjudication iharakishwe ili mambo ya vyeti vya kumiliki ardhi yakamilishwe ili watu waweze kupata msaada wa mkopo, kwa sababu watu wa pwani kwa jumla hawana pesa. Kwa hivyo, tungetaka kuona Wizara inayohusiana na mambo ya ardhi ikihakikisha kwamba vifaa kama hivyo vinapatikana kwa sababu watu wa Kenya wanafaa kusifiwa sana kwa sababu wao ni wakulima sana, na kwa sababu kuna mvua kidogo wanafanya kazi kwa bidii sana.

Kwa hivyo, mimi sina mengi ya kusema zaidi kwa sababu mimi naona kwamba Hoja hii ni straightforward. Lakini tungetaka kuisitiza kwamba Serikali ijaribu kuzisaidia zile sehemu kavu kwa msaada wa Serikali ili wananchi katika sehemu hizo waweze kupata mavuno mema.

Kwa hayo machache, naunga mkono.

**The Minister for Local Government** (Mr. ole Oloitipiti): Ahsante sana, Bw. Naibu Spika kwa kuni-patia nafasi hii. Mimi niko na furaha kubwa sana kwa kupata nafasi hii ili kuungana na Waheshimiwa Wabunge wenzangu ambao wamepata nafasi ya kuzungumza juu ya Hoja hii. Sisi Wabunge wote tunasema kwa nguvu na kwa moyo yetu yote kwamba tuna furaha kubwa sana kwa Mtukufu Rais wetu kuingia hapa Bungeni kwa ghafula; katika Bunge hili Tukufu

la Taifa tukizungumza mambo ya nchi hii. Tunarudisha shukrani nyingi sana kwa Rais wetu kwa kuweza kutufikia leo. Jambo la pili ni kwamba kwa niaba ya Wabunge wote, na ninavyosema hivyo najua ni kweli, sisi sote tunamwambia Rais wetu kwamba tuna imani na yeye. Na imani yetu kutoka kwa sisi Wabunge inamwelekea yeye, President Moi, directly. Nimesema hapo mbeleni kwamba loyalty yetu haigawanywi na inatoka kwetu na kumwelekea directly na sasa iliyobaki ni Wabunge kutia sahihi na kusema halleluyah. Tumekwishasoma historia, na pia tumekwishana Marais wengi ambao wamechaguliwa katika nchi za Bara la Afrika ambazo zimepata Uhuru, lakini hatujapata kusikia Rais ambaye anakwenda katika Bunge kama huyu Rais wetu. Jambo hili linaonyesha kwamba Rais wetu ana imani na Wabunge wake na pia ana imani na nchi yake ambayo anaiongoza. Anataka kuja hapa Bunge kusikia mwenyewe vile tunavyosema hata kama akikaa kule State House, ana chombo cha kusikiliza na kujua ni kitu gani tunachosema, lakini yeye alikuwa anataka kuja hapa kujionea yeye mwenyewe na kujua ni mambo gani tunayosema hapa Bungeni. Lakini alitaka tu kuja hapa kufanya a physical check ili aweze kuona vile nyuso zetu zilivyo hapa Bungeni. Kwa hivyo, hata mimi mwenyewe nashukuru kwa sababu ametukuta sisi sote tukiwa hapa Bungeni.

(Applause)

Kwa hivyo, kwa kuwa Rais wetu ni mtu anayemcha Mungu, na kwa vile sisi watu wa Kenya pia ni watu wanaomheshimu Mungu, ningependa kusema kwamba sisi tunamheshimu Rais wetu na taifa letu la Kenya. Kwa hivyo, Mtukufu Rais tunasema ahsante sana kwako kwa kuja katika Bunge siku ya leo.

Jambo la pili ambalo ningependa kutaja, Mtukufu Rais, ni kwamba dakika chache zilizopita Wabunge wako wamewaokoa wananchi kutoka kwa minyororo ile ya kunyanyaswa ambayo wewe mwenyewe umekuwa ukihusika sana nayo. Tumeupitisha Mswada unao-husika na mambo ya ardhi ili kesi zinazohusika na mambo ya ardhi zisiende tena kwa mawakili na kuwafanya wananchi wa Kenya kulipa pesa ambazo hazina maana kwa mtu ambaye hajui matatizo ambayo wananchi walio nayo juu ya ardhi. Kwa hivyo, leo tume-yarudisha mamlaka hayo kwa wananchi wenyewe.

**An hon. Member:** Kwa wazee.

**The Minister for Local Government** (Mr. ole Oloitipiti): Ndiyo, kwa wazee wale wa vijiji ambao wanaweza kuziamua kesi kwa njia ya haki kwa sababu wanajua ukoo na milango ya watu. Wazee kama hao ndio wanaojua ni nani aliyekuwa baba ya mtu fulani, au ukoo ambako mama yake alitoka, na heshima gani, ama urithi gani waliokuwa nao. Mtukufu Rais, tume-uitikia ule mwito wako kwamba ni heri jambo hili litoke mikononi mwa mawakili.

Kwa hivyo, ningependa kukuambia, Mtukufu Rais, kwamba tumeupitisha Mswada huo sasa hivi. Kitu ambacho tunakuomba ufanye, Mtukufu Rais, ni kwamba Mswada huu ukifika kwako, ni heri utoe kibali-chakor juu yake kwa kuweleka sahihi kwa sababu it is your own baby ili uwe mwisho wa barabara kwa wale mawakili ambao wamekuwa wakiwanyanasa

[The Minister for Local Government]

wananchi. Kwa hivyo, Mtukufu Rais, namuomba Mungu akupatie maisha marefu na uongozi mwema kama kawaida.

Nikiendelea, ningependa kusema machache juu ya chakula. Ni lazima tuzungumze tena juu ya jambo hili kwa sababu hukuwa hapa, Mtukufu Rais. Tumekuwa tukizungumza juu ya jambo hili kila mahali, na ume-kuwa ukiyasikia yale ambayo tumekuwa tukizungumzia, kwa kusema kuwa nchi hii ya Kenya na Wabunge wako wana shukrani tele kwako kwa kazi ambayo ulifanya ili kutuokoa kutokana na njaa tuliyoukuwa nayo wakati uliopita. Tunakushukuru sana kwa kazi hiyo, Mtukufu Rais. Wakati tulipokuwa na njaa, hukulala; ulikuwa ukienda Marekani, Ufaransa na mahali pengine kwa sababu ya sisi sote. Pia, kutokana na juhudi zako, na baraka za Mwenyezi Mungu, tumewahi kupata mvua na sasa tuna chakula cha kutosha katika Kenya. Kwa hivyo, tungependa kusema ahsante sana kwako.

Nikiendelea, ningependa kusema machache juu ya Hoja hii, ningemuomba Waziri anayehusika ayasikie yale nitakayosema. Kwa kuwa sehemu ninakotoka ni kavu kidogo, tunataka kutia maanani hasa katika zile sehemu za Kenya ambazo ni kavu. Katika sehemu ya Kajiado tunakotoka, tuna mito mingi kama Anoldures, Akimana, Asinet na Mburong ambayo maji yao yanatiririka bure na hali maji kama hayo yanaweza kutumiwa kwa mpango kama ule wa Tana River Development Authority. Kwa hivyo, ningemuomba Waziri anayehusika na mambo haya awe na mpango kama huo katika sehemu ya Kajiado.

Bw. Naitu Spika, Waisraeli wamekwishaitembelea sehemu hiyo na wakasema kuwa watatupatia \$300,000 ambazo zinaweza kutumiwa katika mpango wa kunyunyizia mashamba maji, na kwa hivyo, kitu ambacho wanataka tufanye ni kuwa na feasibility study ili tukishafanya hivyo waweze kuanzisha mpango huo wa kunyunyizia mashamba maji. Tumekwishapiga ripoti zetu kwa Waziri anayehusika na mambo haya na kilichobaki ni kukuomba, Mtukufu Rais, kama tuna-weza kupata njia yoyote ya kupata Sh. 4,000,000 ili kazi hiyo ianze halafu wananchi wapate nafasi ya kunyunyizia mashamba yao maji na kukuza vyakula kwa wingi. Tunataka mpango huo uwe wa kudumu. Kwa kuwa vitunguu na vitu vingine hukuzwa kwa wingi katika sehemu yetu, tungependa kukuomba uliangalie jambo kama hilo.

Nikizungumza juu ya kunyunyizia mashamba maji, sizungumzi juu ya sehemu ya Masai peke yake, nazungumza juu ya sehemu kama ya Yatta anakotoka Mhe. Munyasia na sehemu nyingine ambazo zimechukuliwa chini ya Tana River Development Authority. Pia, ningemuomba Waziri aone kwamba kila wilaya, au kila sehemu, iliyoko kavu na ambayo iko chini ya Tana River Development Authority ina wawakilishi wake katika bodi hiyo ili wawakilishi hao waweze kusema ni pahali gani panapofaa kuanzishwa kwa mpango wa kunyunyizia mashamba maji. Nasema hivyo kwa sababu si jambo zuri kwetu kuendelea kuomba Rais wetu kwenda kuomba chakula kutoka

katika nchi nyingine na hali tuna ardhi; ni lazima sisi wenyewe tufanye kazi katika ardhi hii ili tuweze kupata chakula cha kutosha. Ikiwa tuna nchi ya Kenya katika roho zetu, ningependa kusema kuwa wakati umefika ambapo ni lazima tuone kwamba tunafanya kazi katika Serikali hii ya Nyayo ambayo tunajivunia kwamba tuko ndani yake kabisa kabisa. Kwa hivyo, kunyunyizia mashamba maji katika sehemu kavu ni kitu kikubwa sana ambacho kikifanywa, nina hakika kwamba wananchi wanaweza kufurahishwa nacho.

Nikiendelea, siwezi kusahau kusema kwamba ni lazima mipango ya kunyunyizia mashamba maji iendeshe pamoja na upandaji wa miti katika nchi yetu tukufu. Ikiwa kuna mpango wa kunyunyizia mashamba maji mahali pengine, ni lazima mpango huo uendeshe pamoja na upandaji wa miti ili tuweze kuzuia kuenezwa kwa jangwa katika nchi yetu tukufu.

Jambo langu la nne ni juu ya ng'ombe. Nafurahi sana kwa sababu Waziri wa ng'ombe, au Waziri wa mifugo yuko hapa.

An hon. Member: Hatuna Waziri wa ng'ombe.

The Minister for Local Government (Mr. ole Oloitipitip): Yeye ni Waziri wa ng'ombe, au Waziri wa mifugo.

The Assistant Minister for Livestock Development (Mr. Shikuku): Jambo la nidhamu. Je, ni haki kwa Mhe. Waziri kulipotisha Bunge hili kwa kutubandika jina "Waziri wa ng'ombe" ambalo haliko? Wizara yetu ni Wizara ya Ustawi wa Mifugo wala sio Wizara ya ng'ombe.

## COMMUNICATION FROM THE CHAIR

### WELCOME TO HIS EXCELLENCY THE PRESIDENT

Mr. Deputy Speaker: Order, order. Hon. Members, before I reply to the point of order which has been raised by the hon. Assistant Minister, it is my great pleasure, on your behalf, and on my own behalf, to warmly welcome the presence of His Excellency the President and Commander-in-Chief of our Armed Forces, Mhe. Daniel arap Moi, and I would like to assure him of our total loyalty, commitment and dedication to follow diligently his Nyayo philosophy which we believe and uphold as a sure way to develop this nation to greater prosperity.

(Applause)

May I also, on your behalf, wish His Excellency the President a very happy Christmas and a prosperous New Year.

(Applause)

The Assistant Minister for Livestock Development (Mr. Shikuku): Jambo la nidhamu, Bw. Naitu Spika. Nilisimama kwa jambo la nidhamu kuuliza kama ni haki kwa Waziri kutuita, au kusema kuwa Wizara yetu ni Wizara ya ng'ombe. Je, ni haki kwake kuita Wizara yetu Wizara ya ng'ombe na hali Wizara yetu inajulikana kama Wizara ya Ustawi wa Mifugo? Wizara yetu inajulikana kama Wizara ya Ustawi wa Mifugo wala sio Wizara ya ng'ombe, kwa sababu tunawangalia hata punda.

(Laughter)

**The Minister for Local Government** (Mr. ole Oloitipitip): Bw. Naibu Spika, ikiwa hiyo imemuumiza rafiki yangu, ningependa kumwambia kwamba hiyo haikuwa nia yangu. Lakini livestock development maana yake ni ustawi wa mifugo kama ng'ombe, mbuzi, kondoo, punda na hata kuku. Lakini ningependa kukuomba unisamehe juu ya jambo hilo kwa sababu mimi kama Mmasai nafikiria ng'ombe peke yake.

*(Laughter)*

Kwa hivyo, Bw. Naibu Spika, nilikuwa nikisema kwamba wananchi kwa jumla wamefanya bidii kujijengea vidimbwi vya kuwaogeshea ng'ombe.

Lakini tumepata fununu kwamba Wizara hiyo itafanya jambo fulani kuwaasaidia ng'ombe. Kama itafanya, ninafikiri wakati umefika kwao sasa kutujengea dips. Hata kama tutalipia madawa au kufanya mambo mengine kwa njia nyingine si vibaya. Lakini tunataka kote katika Jamhuri ya Kenya kuliko na ng'ombe watu wapate vidimbwi vya kuwaogeshea ng'ombe.

Si pahali pa kuogeshea ng'ombe peke yake kwa sababu tungetaka pia tujenge na Serikali yetu tukufu kliniki ambako mwananchi anaweza kwenda kwa urahisi kununua madawa hayo. Hii ni kwa sababu nikitoka mfano katika Kajiado District, ukuta kutoka Oloitokitok ni maili 181 mpaka Kajiado. Madawa yako Oloitokitok na Kajiado peke yake. You imagine, mtu kusafiri katikati hapo maili 80 kwenda kutafuta madawa. Hiyo ni gharama kubwa.

Kama ni close administration ambayo tunataka ni lazima sisi tuone kwamba jinsi binadamu anavyotaka kliniki nao ng'ombe wetu wanataka kuwa na kliniki ambako tutakuwa tukinunua madawa hayo. Pia tungetaka upatiwe wale madaktari ambao ukiwaita usiku wanaweza kujua ng'ombe huyo ana ugonjwa gani. Hii ni kwa sababu ni vigumu sana kwa mtu wa kawaida kujua ng'ombe huyo ana anthrax, Foot-and-Mouth disease, Rinderpest, au East Coast fever.

**An hon. Member:** Pleural-pneumonia.

**The Minister for Local Government** (Mr. ole Oloitipitip): Na Pleural-pneumonia. Hiyo ni shida. Atakayejua hivyo, ni mtaalamu. Kwa hivyo, ninasema kwamba ikiwa tunajenga dispensari za binadamu na binadamu anaishi kwa kuwa na chakula, hao ng'ombe pia wanahitaji kliniki. Kwa hivyo, tungetaka Waziri afanye kazi kuanzia juu mpaka chini ili aweze kuona kwamba kila kitu kinafanyika.

Pia kuhusu yale madawa tunayotia katika dips zetu tabu ya wananchi leo ni kwamba hatuna wale dip-attendants ambao wanajua kazi hiyo. Unaweza kuweka mtu kama dip-attendant, lakini hajui ni siku ngapi darwa fulani italkaa kabla ya kupelekwa katika Kabete Laboratories ambako tuna pahali pa kipekee pa kupima madawa hayo katika Kenya. Hata ikiwa ni kutoka Kitui, ni lazima madawa yaletwe hapa Nairobi. Tungetaka hizi laboratories pia ziwe karibu katika kila wilaya ambako kazi hiyo itafanyika.

Jambo la mwisho ni kuuliza wakati ambapo tuna ukame kama huu pahali ambako hatuna maziwa sasa tusaidiwe na magari ambayo yanasafinisha maziwa kwa sababu sehemu hizo zimekuwa kavu. Tungetaka maziwa

ya Kenya Co-operative Creameries yaende Masaini, Samburu, Kitui na Meru. Labda watu wa Meru wana barabara na pengine wao ni sawasawa. Lakini tungetaka kumuuliza Mhe. Shikuku ambayo ni Waziri Msa-idizi mwenye nguvu ahakikishe kwamba yale maziwa ambayo tunanunua hapa yapelekwe huko ili Wamasai na Wakamba wasikose maziwa kwa sababu sehemu zao zimekwishakauka. Tungetaka apeleke maziwa hayo huko na tutayanunua. Hatutaki kupewa maziwa bure; hakuna cha bure.

Jambo langu la mwisho ni juu ya district development committees. Tungetaka kusema kwamba kamati hizi zimebolewa na Serikali ili kuwasaidia wananchi. Lakini kwa kusema haki, wakati mwingine pesa zinairudi Hazina bila kutumiwa. Hii ni aibu. Kama Serikali yetu tukufu inatoa pesa kuwasaidia wananchi na projectis hazifuatwi, mimi ningetaka kuuliza Serikali na Waziri tuwe na inspector katika kila mkoa ambaye atakuwa akiangalia projects, A, B, C na D katika kila wilaya. Hii ni kwa sababu hata juu mimi nilihudhuria mkutano wa kamati ya maendeleo ya wilaya, na niliona kwamba mambo yamekwama mpaka nikapiga gari moto ili watu wainuke. Lakini ni siku ngapi mtu kama mimi au wewe atakwenda huko?

Kwa hivyo, tungetaka tuwe na mipango ya kuona kwamba pesa hizi za kamati za maendeleo za wilaya zikitolewa, zitumiwe kwa wananchi na tuwe na mtu wa kuangalia na kuona kwamba pesa hizo zimetumiwa kwa njia sawasawa sana.

Kwa hivyo, Bw. Naibu Spika, kwa hayo machache naomba kuunga mkono. Pia ninamshukuru Rais wetu na ninamwomba Mungu ambariki. Sisi sote tuko pamoja naye. Ahsante sana.

**His Excellency the President** (Mr. arap Moi): Mr. Deputy Speaker, Sir, my appearance in this House shows or indicates the importance I attach to the National Food Policy.

*(Applause)*

A nation which cannot feed itself, is not worth a salt. We take pride of ourselves if we can feed our people. A united country and united leaders can only succeed if they have that commitment. People who are on the job, whether Ministers, the President for that matter, or any other person without commitment, are not fit to be patriots.

*(Applause)*

Therefore, I support this Sessional Paper No. 4 of 1981 with some amendments which the Ministry is proposing to make. As you all know, my dear sisters and brothers, although I do not see sisters here today—

**Mrs. Onyango:** We are here.

*(Hon. Mrs. Gachukia and Mrs. Onyango stood up)*

*(Applause)*

**His Excellency the President** (Mr. arap Moi): My dear sisters and brothers, as you all know, we in this country, can succeed if our objective of improving the standard of life of our people can be fulfilled. I am happy with the way you are talking about things.

**[His Excellency the President]**

given that you have no ulterior motives. If your objective is that of making our common man improve his standard of living, then I entirely agree with you.

*(Applause)*

I have stated more than once that our youths must play a very important role in shaping the future and laying a firm foundation for our nation, so that the future can look bright. It is on this basis that we the older generation, should set a very good example to them. We should handle them humanly, and we should understand their feelings. If we do not understand their feelings, then we have not done our job.

*(Applause)*

We should not lament on their behaviours. I was impressed the other day when I met a club of youngsters in secondary schools who numbered 50,000 and who have come out to support the conservation of wildlife. This is an indication of what they want, but they want to be given a lead. The National Food Policy is governed by many factors such as productivity of the field officers; productivity of those in the officers; productivity of all officers in various departments working together for one common goal.

*(Applause)*

It should be understood that we have one Government, and that one Government has 25 Ministries. No one should say that "This is my Ministry" and run it as if he is a bull; not wanting other small bulls to come around!

*(Applause)*

We should combine our efforts, ideas and knowledge together, and that can form a solid foundation. No one person is a jack of all trades! I cannot pretend that I know everything. Each one of you can contribute immensely to the prosperity of this country if you try to do so. Each one of us ought to understand that we are on the run by virtue of the fact that we are producing children everyday, and those children number about 400,000 annually. That is our effort and that effort must be backed by enough food to feed them!

*(Applause)*

When I said that we must introduce primary school milk scheme, people were doubtful as to whether that would succeed. At the time we had about 200,000 litres of milk everyday. Now, we have 900,000 litres of milk; which is more than enough. So, my children are enjoying themselves and it is only fair if we can spend only K£10 million, my sisters and brothers, for feeding these children and they become healthy. Naturally, we will reduce the same amount of money by children not going to dispensaries and clinics to be cured of colds and so on.

*(Applause)*

These are the things people ought to know when producing these statistics. Therefore, as I said earlier on, the National Food Policy involves so many things. If we are to succeed in this scheme then we must make sure that the Ministries of Agriculture and Livestock

Development must help the smaller fellows who work around the country-side to meet the demands. They should be helped!

*(Applause)*

I have not yet seen what I indicated last time that I must see agricultural department people because if they have not been seen in any given area, then people will ask "Where are they?" But they do not want that because they do not want to be seen by people and, therefore, they do not want to be identified. They want to be out of the scene; receive their salaries at the end of the month and go back to their private businesses. Therefore, the output is nil!

*(Applause)*

I should like to thank the Government of Sweden for giving us—the Kenya Government—a grant of K.Sh. 19 million worth of fertilizer to help the small farmers who very much need it. For a long time they have been neglected but we have now come up. We have helped them but I still feel that they should be helped a lot more to produce food. Since we are in the process of re-organizing co-operative societies so that they do not cheat the co-operators, we hope that we will succeed in this venture. I also hope that those who are working, particularly the Commissioner of Co-operatives along with the Minister—

*(His Excellency the President looked around the Front Bench)*

**An hon. Member:** He was here! He has just gone out!

**His Excellency the President (Mr. arap Moi):** They should liaise with other people who are conversant with co-operative societies so that the co-operative societies have a deal, and so that they feel that they own the Co-operative Bank, they are share-holders and that they should take care of it. They should have a sense of "belonging"! Nobody should work as if he is a dictator; "I want this done; I want that done and so on". All of us, from me downwards, are servants of the people!

*(Applause)*

Although I would have liked to take a longer time, I merely wanted to say how pleased I am to note and to see hon. Members being very active in this particular Debate because it augurs well for the future, because the future depends on how much we produce ourselves. I hope we will continue to produce more and more. This year we have produced a lot of food and I am proud that we will have enough food given that no one will transport some of this food outside Kenya.

*(Applause)*

Our policy is to improve the lives of the people in the rural areas because although this Motion covers the National Food Policy, I believe that if we are determined to improve their ways of life genuinely, then every person, including district commissioners, district officers and so on, should make sure that the businessmen in the villages and all over the place are helped. And I may have to suggest that the district commissioners should be responsible in issuing trade licences



**[His Excellency the President]**

to wananchi in rural areas (villages) because trade officers tend to take people to villages when they should really remain around there. I do not want to expound on that one.

*(Applause)*

But I would like to see hon. Members seeing wananchi's problems, not only talking and paying them "lip service" as if you are the champions of their causes. Be champion of their causes in a humble way and help them. How many have you helped, physically?

*(Applause)*

I want hon. Members—if you allow me to talk—to do whatever they can, but as I have said let us live harmoniously. The philosophy of Nyayo which is "Peace, Love and Unity" does not accept hatred!

*(Applause)*

There are others who believe in character assassination and there are others who believe in witch-hunting. Why do you not build up your own wealth through proper means rather than hunt? So-and-so because you see him coming up and then hit him with a rungu? You then come out and blame Asians and Europeans and yet you do not want your own fellow Africans to come up. What you should be interested in is to get better genuinely. I want you to acquire wealth genuinely. I want you to acquire wealth genuinely and not through short-cuts.

*(Applause)*

That is the only way we can spread our wealth and see to the future and that is why I said that we must start from known to unknown. People tend to only look at what is known. For instance, in education where do you start from known things? Is it not in *thingira* where youngsters were being taught how to behave and how to grow up properly? the *thingira* of today is primary schools and that is why our youngsters get lost. They are not brought up properly. Their fathers come home late and find them asleep; the next morning they do not see them go off to school. They may even see them only once a week and even when they see them they are usually in a hurry and they tell them to go and see their mothers since they are busy. I think there should be a debate on this matter.

Mr. Deputy Speaker, I do not want to say things which may not be liked by hon. Members but I appeal to them all to be united and to serve this nation faithfully and devotedly, I myself, have given one of them responsibilities and they do not need to fight for positions. Let leadership come naturally just like a mother who

expects a baby in nine months should expect that baby right at that time. If she forces it to come out in six months or even five months, the baby may not be what was expected. So, we want to grow naturally as a nation. I hope some hon. Members will be able to find an opportunity to visit other countries and see for themselves what is happening there so that they can come home and see what we are doing in a better light. I am not saying that we are the best but I say that by African standards we are the best. But we need to do more; we need to be patriots; we need to love our country and we need to avoid tribalism at all costs.

*(Applause)*

Those youngsters at the University of Nairobi have nowhere else to go except to be integrated within our society and have jobs and do things for this country regardless of where they come from. I need your help in this matter and I ask you to preach this wherever you go so that our people can live in peace. The unity we have is just based on this, and the wananchi are happy. With these very few remarks, Mr. Deputy Speaker, I wholeheartedly support the Sessional Paper No. 4 of 1981.

#### POINT OF ORDER

##### *Early Adjournment of the House in honour of the President*

**The Minister for Local Government** (Mr. ole Oluotiipitip): I think hon. Members will realize that this is a very greater honour to us all. Now that our beloved President has concluded his speech. Would it not be in order for me to move that the House be now adjourned as a sign of respect to him? We could then leave those very good remarks for today and continue with the debate tomorrow.

*(Applause)*

**Hon. Members:** Put the question!

**Mr. Deputy Speaker:** Order! Well, I will leave it to the hon. House to decide on the matter.

*(Question, that the House be now adjourned, put and agreed to)*

#### ADJOURNMENT

**Mr. Deputy Speaker:** Hon. Members, the House is now adjourned until tomorrow, 2nd December, 1981, at 9 a.m.

*The House rose at ten minutes past Six o'clock.*

**Wednesday, 2nd December, 1981**

The House met at Nine o'clock.

[*Mr. Deputy Speaker in the Chair*]

PRAYERS

ORAL ANSWERS TO QUESTIONS

No. 333

FOREIGN FIRMS EMPLOYING NON-CITIZEN SECRETARIES

**Mr. Muthura** asked the Minister of State, Office of the President, why foreign firms were allowed to bring into the country people to work as secretaries when we have plenty of local people qualified in such areas.

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

No foreign firms based in Kenya are allowed to bring expatriate secretaries into the country. However, under exceptional circumstances some foreign international firms which are based in Kenya are allowed to employ qualified and experienced bilingual legal secretaries, and only those available locally as residents can be employed.

These skills as bilingual legal secretaries are still in short supply and are not readily available in the country. The hon. Members may wish to know that there are Kenyan secretaries employed abroad, hence the existence of a few expatriate secretaries in Kenya is not abnormal.

**Mr. Muthura:** Mr. Deputy Speaker, Sir, before these people are allowed to work here, as the Assistant Minister says that some of these people are not available locally, are these jobs advertised so that probably the local people could apply for them before they say that we do not have qualified people?

**Mr. Salatt:** Mr. Deputy Speaker, I would not like to speak on behalf of foreign firms, but I would like to say that those jobs should be advertised accordingly.

**Mr. Kioko:** Mr. Deputy Speaker, the procedure of employing foreigners is well known, and that is that foreigners can only be employed here if we do not have local people—

**An hon. Member:** Speak like a man.

**Mr. Kioko:** I am speaking like a man. That is a very wrong imputation, Mr. Deputy Speaker. I was saying that the procedure of employing foreigners is well known, and that is that before we recruit them, we have got to know whether or not we can get people who are qualified locally. How can we recruit these people and yet we know very well that we are not supposed to employ such people when we have local people of the same calibre as those foreigners who have no jobs? How do we give them work permits?

**Mr. Salatt:** Mr. Deputy Speaker, we do a lot of scrutiny when employing foreigners, but these secretaries whom we are talking about in this question are for foreign firms.

**Mr. Deputy Speaker:** The next question.

**Mr. Midika:** On a point of order, Mr. Deputy Speaker. Could the Assistant Minister accept that he might mislead this House, and the country as a whole, when he says that foreign firms are allowed to employ certain people without scrutiny? I am asking this question because he says that these secretaries are for foreign firms whereas all the firms that employ people here are foreign firms, and those foreign firms have to ask for work permits before they employ such people. So, I do not know whether that answer is not going to mislead the House.

**Mr. Deputy Speaker:** Order, order. That is clearly understood. Let us move on to the next question.

No. 1048

KILIFI RESIDENTS SETTLED AT BURA IRRIGATION SCHEME

**Dr. Chibule** asked the Minister of State, Office of the President, how many people or homesteads or families from Kilifi District have so far been allocated plots in the Bura Irrigation Scheme.

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

210 plots have been allocated to people from Kilifi District, but only eight have so far accepted to move and settle in Bura. This means, Mr. Deputy Speaker, that only eight people have actually been settled.

**Dr. Chibule:** Mr. Deputy Speaker, Sir, what criteria has been used in selecting these people who have been settled or given plots in Bura Irrigation Scheme? What criteria has the administration used in selecting these people who have been given plots?

**Mr. Salatt:** The criteria which we used is that the eight people who accepted to move and settle in Bura were given the plots.

**Dr. Chibule:** Mr. Deputy Speaker, Sir, could the Assistant Minister assure me that if I send people who are landless and are willing to be settled to the district commissioner, they will be settled?

**Mr. Salatt:** They will, Mr. Deputy Speaker.

No. 1050

LAND ADJUDICATION FOR LAMU WEST

**Mr. Cheka** alimuuliza Waziri wa Nchi, Ofisi ya Rais, ni lini wakulima wa Mokowe, Kiongoni, Ndewe na Hindi watapimiwa mashamba yao ili wapate hati za kuyamiliki.

**The Assistant Minister, Office of the President** (Mr. Salatt): Bw. Naibu Spika, naomba kujibu.

Serikali imeanzisha mpango maalum katika Hindi wa kuwapatia wananchi mashamba kulingana na sheria za settlement schemes. Mpango kama huu utaenezwa katika sehemu za Mokowe, Kiongoni na Ndewe. Hati zitatolewa kulingana na sheria za settlement schemes.

**Mr. Cheka:** Bw. Naibu Spika, nikifurahi na jibu la Waziri Msaidizi kuwa wananchi watapata mashamba, lakini sijui kama Waziri Msaidizi ana habari kuwa sehemu hizi nilizotaja zina watu ambao wamekuwa na mashamba yao kwa miaka mingi na mashamba hayo yamestawi, na kwa hivyo, sasa ukiwaambia kuwa utawaondoa mahali hapo na kuwapeleka mahali pengine wataiacha miti ambayo walipanda katika mashamba hayo? Sijui itakuwa vipi juu ya miti yao. Kwa hivyo, sijui kama Waziri Msaidizi atafikira au kuona kuwa wanapimiwa mashamba pale pale walipo kwa wakati huu ili waweze kupata hati za kuyamiliki.

**Mr. Salatt:** Bw. Naibu Spika, Mbe. Cheka ananiuliza kama nina habari juu ya jambo ambalo ametaja, na ningependa kumjibu kwa kusema kuwa nina habari kuhusu jambo hilo.

**Mr. Yeri:** Bw. Naibu Spika, swali ni kwamba ni lini wale wananchi wanaoishi katika sehemu hizo ambazo zimetajwa watapimiwa mashamba yao ambayo, kwa wakati huu, wanatumia lakini hayajapimwa. Kwa hivyo, anaweza kutueleza ni lini watapimiwa mashamba hayo ili waweze kupata hati za kuyamiliki?

**Mr. Salatt:** Bw. Naibu Spika, nikifafanua kuhusu swali hili, ningependa kusema kuwa linazungumza juu ya ardhi ya Serikali. There is Government land and Trust land, na hiyo aina mbili ya ardhi ni tofauti. Lakini kuhusu swali la Mhe. Cheka, nimelijibu kwa kusema kwamba tunaendelea sasa kufanya mpango wa kuwawezesha wananchi kupata hati za kumiliki ardhi hii ambayo ni ya Serikali.

**Mr. Yeri:** Bw. Naibu Spika, sisi tunafahamu wazi kwamba katika Wilaya ya Lamu ardhi yote ni ya Serikali, na wananchi wote ni wa Serikali. Kwa hivyo, kitu tunachotaka kujua ni lini ile ardhi inayokaliwa na wananchi itapimwa ili waweze kupata hati za kumiliki kama watu wengine wala sio habari ya Government land and Trust land. Hiyo peke yake ndiyo tunayotaka kusikia habari yake.

**Mr. Salatt:** Bw. Naibu Spika, kuhusu swali hilo, nimesema kwamba kwa wakati huu tunaendelea kufanya mpango wa kuwawezesha watu kuapata vyeti vya kumiliki ardhi; tunaendelea kufanya hivyo, au tunaendelea kufanya kama vile Mhe. Yeri anavyotaka.

**Mr. Cheka:** Bw. Naibu Spika, kutokana na jawabu la Waziri Msaidizi, tunafurahi kuwa watu watapata vyeti vya kumiliki ardhi, lakini ningemuomba Waziri Msaidizi afafanue kama ule mpango wa Magogoni Scheme na mpango wa Hindi Scheme utakuwa pamoja na mpango huu, au utakuwa mbalimbali. Nasema hivyo kwa sababu mambo yaliyoko sasa ni kuwa kuna mpango wa Hindi Scheme na mpango wa Magogoni Scheme, lakini hizi sehemu ambazo kwa wakati huu zina wenyeji hazijaguswa au kutajwa. Kwa hivyo, tungetaka tuhakikishiwe kama watu wanaoishi katika sehemu hizo watapimiwa mashamba yao ili waweze kupata hati za kuyamiliki.

**Mr. Salatt:** Bw. Naibu Spika, wale watakoishi katika settlement schemes kama Hindi, Mokowe, Kiongoni na Ndewe watapatiwa hati za kuyamiliki mashamba kulingana na sheria za settlement schemes. Yaani wale watakoonufaiika kutokana na mipango ya Serikali ya

kuwapatia wananchi makao mbayo inaendelea sasa watapatiwa hati za kuyamiliki mashamba.

**Mr. Cheka:** Jambo la nidhamu, Bw. Naibu Spika. Sijui kama Waziri Msaidizi anaelewa kuwa sehemu za Ndewe, Mokowe na Kiongoni ni mbali na ile scheme ambayo Serikali inakusudia kuanzisha. Hizi ni sehemu ambako watu wamekuwa wakiishi zaidi ya miaka 100, na sasa ni kwao, lakini haziko katika mipango ya makao kwa wakati huu. Je, watu wanaoishi katika sehemu kama hizo watafanyiwa nini? Nasema hivyo kwa sababu maisha ya watu wanaoishi katika ardhi hiyo yanategemea miti ambayo walipanda katika ardhi hiyo.

**Mr. Salatt:** Bw. Naibu Spika, nilikuwa nimekwishazungumza juu ya jambo hili, na ningependa kuchukua nafasi hii kumwambia Mhe. Cheka kwamba wale watu ambao wamekuwa wakiishi katika ardhi hiyo tangu zamani watafikiriwa kwanza.

**Mr. Deputy Speaker:** Mr. Okondo's question.

**Mr. Munyasia:** Jambo la nidhamu, Jambo langu la nidhamu, Bw. Naibu Spika, ni juu ya yale ambayo yamesemwa na Waziri Msaidizi kwamba wale watu ambao wamekuwa wakiishi huko watafikiriwa kwanza. Je, ni haki kwake kusema hivyo na hali tunajua kwamba balloting system ndiyo inayotumiwa wakati watu wanapopatiwa ardhi katika settlement schemes? Kwa balloting system ndiyo inayotumiwa kwa kuwapatia watu ardhi katika settlement schemes, watu hao watafikiriwa kwa njia gani?

**Mr. Deputy Speaker:** Mhe. Munyasia, umekwishakaa hapa kwa siku nyingi, na kwa hivyo, unajua what a point of order is. That is a supplementary question, lakini kwa bahati mbaya hukupata nafasi ya kuuliza hapo mbeleni. Let us move on to the next question which is of Mr. Okondo.

No. 1056

#### COMPENSATION FOR DISPLACED LANDOWNERS AT HAKATI

**Mr. Murila,** on behalf of Mr. Okondo, asked the Minister of State, Office of the President when the former landowners of Hakati would be paid compensation for their land which was acquired for the development of Hakati Divisional Centre.

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

Due to the period involved in investigation establishing payment has not been completed. I will brief the House on the matter immediately the records are rectified.

No. 892

#### TRADE LOANS FOR NAKURU TRADERS

**Mr. Wamwere** asked the Minister for Commerce—

- how many traders in Nakuru District had been given trade development loans in the 1980/81 Financial Year;
- how many of them were from Nakuru North; and
- how many traders from Nakuru North had qualified for the trade development loans for the year 1981/82.

**The Assistant Minister for Commerce (Mr. Ivuti):** Mr. Deputy Speaker, Sir, I beg to reply.

(a) There were no traders issued with trade development loans in Nakuru District during the year in question. It was not possible for the board to meet and consider loan applications during that period because of insufficiency of funds. The board had only K.Sh. 400,000 in its account and we concentrated our efforts in collecting loan repayments from defaulters.

I would like to take this opportunity to appeal to the hon. Member to ask the loan defaulters in his constituency to repay the loans because the money we loan is a revolving fund. As at the end of 1980/81 Financial Year, the defaulted amount was reduced to K.Sh. 80,000.

(b) Since no loans were issued in Nakuru District, there were subsequently no loans issued to traders from Nakuru North Constituency.

(c) The Nakuru Board will meet on 9th December, 1981 to consider loan applications from the whole district including the constituency of the hon. Member. To date we have received and vetted 60 applications from Nakuru North Constituency which will be presented to the board when it meets on the 9th of this month.

**Mr. Muthura:** Mr. Deputy Speaker, Sir, the Assistant Minister has said that there were not enough funds for those people to be loaned money during the 1980/81 Financial Year. Can he confirm to this House that when the district joint loans board meets on 9th December, 1981 the people who applied between 1980 and 81 will be given the first priority?

**Mr. Ivuti:** Mr. Deputy Speaker, Sir, the question of anybody being given the first priority does not arise because if someone had applied the first time and did not meet certain conditions and then someone else applies later and meets all the conditions, then there is no reason why we should not give him the money if he has fulfilled all the conditions.

**Mr. Kioko:** Mr. Deputy Speaker, Sir, I thought that when it comes to the question of loans, every case is supposed to be decided on its own merit. What connection do we have with the defaulter? Is it that other people cannot be given loans because there are other defaulters?

**An hon. Member:** Yes; where would they get money from?

**Mr. Ivuti:** Mr. Deputy Speaker, Sir, hon. Kioko is an experienced businessman.

**An hon. Member:** He is also the Chairman of the Public Accounts Committee!

**Mr. Ivuti:** Yes, he is the Chairman of the Public Accounts Committee; I accept the correction!

The money we loan to the applicants is a revolving fund. So, if people withhold repayments then, we cannot have money to give to other applicants.

**Mr. Wamwere:** Mr. Deputy Speaker, Sir, we have been told that in the year when the board could not give out loans as it had in its account K.Sh. 400,000.

I am wondering what is the minimum amount of money needed by the board for it to be able to give out loans because this looks to me like a lot of money. It could have been given out to a few applicants!

**Mr. Ivuti:** Mr. Deputy Speaker, Sir, Nakuru District is a large one with many applicants, and we thought that it was not fair to consider a sum of K.Sh. 400,000 to be given to a few applicants. It was far too low, and it would have been a joke to do that!

**Mr. Wamwere:** On a point of order, Mr. Deputy Speaker, Sir, I asked "what is the minimum amount of money needed before loans can start being given out?"; what is the minimum amount of money required?

**The Assistant Minister for Livestock Development (Mr. Shikuku):** On a point of order, Mr. Deputy Speaker, Sir, Do you think that is a point of order? That is a supplementary question! When will the hon. Members learn?

**Mr. Wamwere:** Mr. Deputy Speaker, Sir, I had asked this question; it was evaded and this is why I stood up on a point of order.

**Mr. Deputy Speaker:** Order, Mr. Wamwere! That was not a point of order, and I rule you out!

**An hon. Member:** Ask more supplementary questions!

**Mr. Midika:** On a point of order, Mr. Deputy Speaker, Sir, Would you not agree that the hon. Members who have been here for a long time might also not be angels because the hon. Shikuku did not listen to the first question. The first question was not answered. So, the hon. Member rose on a point of order to ask why the question was not answered. So, can you, Sir, kindly assist us in helping hon. Shikuku to revise his Standing Orders because he has forgotten them?

*(Applause)*

**Mr. Deputy Speaker:** I can only help hon. Shikuku by requesting him to give lectures may be on points of order because that was not a point of order, honestly; it was a supplementary question!

*(Applause)*

**Mr. Wamwere:** Mr. Deputy Speaker, Sir, let me therefore ask a supplementary question: "What is the minimum amount of money needed by the board for it to be able to start giving out loans to people who have applied because to me it looks as if K.Sh. 400,000 could have been given to a few traders?"

**Mr. Ivuti:** Mr. Deputy Speaker, Sir, according to my Ministry, we have no stated minimum; the minimum is determined by the amount of money we have in our kit as compared to the number of applicants, and at that time, the applicants were far too many compared to the amount of money we had in our kit.

**Mr. Wamwere:** Mr. Deputy Speaker, Sir, if they have no minimum and they had K.Sh. 400,000 in their kit and they did not give out this money to the people who had applied for loans, can we be told why it was not possible for this money to be given at least to some or a few of those who had applied for loans during that year; just a few, at least two, three or five?

**Mr. Ivuti:** Mr. Deputy Speaker, Sir, we could not give out this small amount of money because we had hoped that defaulters would respond to our constant calls for repayment.

**Mr. Midika:** Mr. Deputy Speaker, Sir, would the Assistant Minister confirm whether or not that committee can meet even if there are, say, Sh. 10.00 and the only person who qualified gets it?

**Mr. Ivuti:** That would be a waste of time, Mr. Deputy Speaker!

**Mr. Wamwere:** Mr. Deputy Speaker, Sir, can we be told how many times did the board meet within the year in question? Did it ever meet at all to consider whether or not to give out the loans; and how many times?

**Mr. Ivuti:** Mr. Deputy Speaker, Sir, obviously, we did not meet. The board did not meet because the chairman could not call a meeting while there was no money.

**Mr. Wamwere:** Mr. Deputy Speaker, Sir, I think the Assistant Minister should now be very honest with the House; that they did not give out money because the board did not meet but not because there was no money in the kit because they had K.Sh. 400,000. So, can we be told why the chairman did not call a meeting of the board to consider loans for that year; the real reason?

**Mr. Ivuti:** Mr. Deputy Speaker, Sir, the real reason why the board did not meet was before the chairman and the secretary who is the district trade officer can convene a meeting, they must be convinced that there is reasonable amount of money to be dished out as compared to the number of applicants. That is the "real reason" and I am trying to give it out.

**Mr. arap Koech:** Mr. Deputy Speaker, Sir, I wanted to know why this money was sent to Nakuru. If it was the feeling of the Ministry that it was not enough. Why was it sent there and not given to the traders?

**Mr. Ivuti:** Mr. Deputy Speaker, Sir, the Ministry did not send K.Sh. 400,000 there, rather, that was the money repaid by some of the people who had been given loans in the previous years by the board. So, the Ministry did not send any money to Nakuru.

**Mr. Muthura:** Mr. Deputy Speaker, Sir, is the Assistant Minister telling this House that in a certain district, if some of the people who have been loaned the money do not pay back the money, that those who have applied for loans will not be given the money?

**Mr. Ivuti:** Mr. Deputy Speaker, Sir, I am trying to make it clear to the hon. Members that this is a revolving fund, and therefore if people who have been given loans decide to become selfish, then we do not have money to be dishing out to the districts every time. So, it becomes imprudent that hon. Members of Parliament, including hon. Muthura and myself, should appeal to our people to repay the loans.

No. 1023

#### TAKE-OVER OF GATUNGA AND MATIRI HARAMBEE SCHOOL

**Mr. Wakiondo** asked the Minister for Higher Education—

- (a) whether he could consider taking over Gatunga and Matiri Boys Harambee Secondary Schools since their performance in the K.J.S.E. and K.C.E. examinations had been very good; and
- (b) if not, whether he could then supply them with qualified teachers and enough equipment.

**Mr. Deputy Speaker:** The Minister for Higher Education not here?

**An hon. Member:** Hon. Shikuku, reply; this is collective responsibility!

No. 811

#### INDISCRIMINATE SALARY SCALES FOR SISAL ESTATES' EMPLOYEES

**Mr. Mwachofi** alimuuliza Waziri wa Wafanyakazi—

Ni kwa nini mishahara ya wafanyakazi wa mashamba ya mkonge hailingani na sheria za mishahara ya Serikali kwa vile—

- (a) Wazungu hulipwa mishahara ya juu kuliko Wafrika wa daraja moja nao;
- (b) mwezi mmoja una zaidi ya siku 31; na
- (c) makanika alipwa Sh. 6.10, na wengine Sh. 9.15, na Sh. 8.90 na Sh. 7.50 kwa siku.

**The Assistant Minister for Labour (Mr. Echakara):** Bw. Naibu Spika naomba kujibu.

Mishahara ya wafanyakazi wa mashamba ya mkongé hulipwa kulingana na mkataba kati ya chama cha wafanyakazi cha mashamba, yaani Kenya Plantation and Agricultural Workers' Union na chama cha waajiri wa wafanyakazi wa mkongé, yaani Sisal Employers' Group. Mishahara hii huwa juu ya kiwango cha chini kilichowekwa na sheria, yaani Regulations of Wages, Agricultural, Industry, Order.

(a) Siyo kuwa Wazungu walipwe mishahara mkubwa kuliko Wafrika wakiwa daraja moja. Ikiwa Mhe. Mbunge ataeleza kwenye taklifu hiyo au panapofanyika hivyo, basi nitachunguza na kuchukua hatua kali sana inayofaa.

(b) Mwezi mmoja una siku sizizozidi 31, na kwa hivyo, sina habari vile Mhe. Mbunge anavyouliza lakini niko tayari kuchunguza kama akinipa taabu iliyoko.

(c) Malipo hutegemea ujuzi na daraja ya mfanyakazi. Kama nilivyosema hapo awali, basi nitaweza kuchunguza haya yote na kuchukua hatua ifayo kama Mhe. Mbunge akinionyesha taabu zilizomo. Ahsante.

**Mr. Mwachofi:** Bw. Naibu Spika, tukiangalia kwanza sehemu ya (b) ya swali hili ambayo inasema mwezi mmoja una zaidi ya siku 31, Waziri Msaidizi hajui kwamba wafanyakazi katika mashamba ya mkonge huwa na kadi ambapo mtu akienda kazini ndiyo ile siku inawekwa tiki (tick). Hivyo ni kusema kwamba siku za Jumapili hazihesabiwi, na pili, mtu akiwa mgonjwa hasesabiwi siku. Kwa hivyo anahitajika kufanya kazi wakati mwingine hata siku 40 ndiyo awe amemaliza mwezi wake. Je, Waziri Msaidizi hana habari juu ya hayo?

(Shangilio)

**Mr. Echakara:** Bw. Naibu Spika, kuna tofauti kati wafanyakazi ambao wameajiriwa kwa njia ya kudumu, yaani permanent employees, na wafanyakazi ambao si wa kudumu, yaani casuals.

**An hon. Member:** Wafanyakazi wa kibarua!

**Mr. Echakara:** Ndio ni wafanyakazi wa kibarua. Wafanyakazi wa kibarua, kama hawafanyi kazi siku fulani, hawalipwi mshahara, lakini mfanyakazi wa kudumu, ni kosa kwa tajiri yeyote kutomlipa huyu kwa siku yoyote ambayo hajafanya kazi ikiwa siku kama hivyo ni ya Jumapili, au ni sikukuu yoyote. Hii ni kwa sababu kisheria, ukiajiriwa kuwa mfanyakazi wa kudumu, ni lazima kila siku ya mwezi inesabiwe. Kama Mhe. Mbunge ana hakika na anaweza kuhabitisha hapa Bungeni kuwa watu fulani hawalipwi kulingana na swali hiki nikto tayari kuchunguza na kumvadhibu mwajiri yeyote anayevunja sheria.

**Mr. Omido:** Bw. Naibu Spika, Waziri Msaidizi anasema kuwa kama wafanyakazi ambao ni wa kudumu na kuna wengine ambao ni vibarua, na kwa hivyo hawa vibarua huipwa na vile contract yao ilivyo. Je, Waziri Msaidizi anafahamu kuwa katika mashamba, na sio ya mkonge tu, wafanyakazi hufanya kazi hata zaidi ya miaka 10 hata 20, na bado wanafikiriwa kama vibarua? Je, hii ni haki, na Waziri anaweza kuchukua hatua kuhakikisha kuwa mfanyakazi wa aina ile anafanywa wa kudumu ili aweze kuzipata hizo siku nyingine, kwa kuwa nina hakika mameyaona mambo haya? Nina hakika kuwa siku ya Jumapili mfanyakazi wa kibarua halipwi; mfanyakazi huyo akiwa mgonjwa halipwi, na hali amefanya kazi mahali hapo kwa miaka hata 30. Je, Waziri Msaidizi anaweza kusema nini juu ya jambo hilo?

**Mr. Echakara:** Bw. Naibu Spika, jambo hili linani- sumbuu sana kwa sababu wafanyakazi wengi hawafahamu ukweli, yaani haki yao. Kwa kweli, leo ukiona kuwa mwajiri fulani amewaachisha watu fulani kazi, asubuhi yake, akitangaza kuwa anataka wafanyakazi, wengi watamimika kule kutafuta kazi. In other words, if I may explain in English—

**The Assistant Minister for Livestock Development (Mr. Shikuku):** No! No!

**Mr. Echakara:** Ninaweza kuchanganya lugha kulingana na Standing Orders.

**Hon. Members:** No! No!

**Mr. Echakara:** Ndio. Bw. Naibu Spika, ninaomba usaidizi wako kutokana na makelele ya Wabunge.

Bw. Naibu Spika, ninataka kueleza hivi; kuwa kuna wafanyakazi ambao wanavumilia bila kumwambia mtu yeyote kuwa wamefanya kazi kwa miaka 20 kama vibarua. Na hatuna sheria inayoweza kutulazimisha ili mwajiri kama huyu aweze kuwaajiri watu ambao watakuwa wakifanya kazi ya kibarua ikiwa anatumia sheria. Hii ni kwa sababu sheria inasema kuwa mfanyakazi akifanya kazi kwa siku 30 consecutively, bila kuchelewa, basi automatically anakuwa mfanyakazi wa kudumu. Na kuna waajiri wengine ambao huwaajiri watu kwa siku 29, na siku ya 30 anavunja mkataba; anamwambia mfanyakazi arudi nyumbani, na halafu baadaye anamwajiri siku ya pili ama ya tatu. Kama mwajiri anafanya hivyo, ni kuonyesha kuwa hana imani na wafanyakazi wake, lakini yule mfanyakazi huwa anavumilia hali hiyo.

Bw. Naibu Spika, ninawaomba Wabunge wenzangu wawaeleze watu wao kuwa sheria iko; mtu akiajiriwa kufanya kazi miezi miwili mfukulizo na huyo mwajiri atumie sheria hiyo kumnyanyasa, tafadhali umsaidie yule mfanyakazi ili apate haki yake.

**Mr. Mwachofi:** Jambo la nidhamu, Bw. Naibu Spika; Waziri Msaidizi analikwepa swali lililoulizwa na Mhe. Omido; bado hajalijibu. Jibu ambalo amelitoa halilingani kabisa na swali la Mhe. Omido. Alikuwa amelilizwa kama hajui au kama ungekana kuwa wafanyakazi wengi ambao wamefanya kazi hata kufikia miaka 30 bado wanaendelea kuwa wafanyakazi wa vibarua; na ikiwa anaelewa amefanya jambo gani kuhakikisha kuwa hawa watu hawaendelei kunyanyaswa? Bado hajalijibu swali hilo.

**Mr. Deputy Speaker:** Order! Order! Ninaamini kuwa Waziri Msaidizi amelijibu swali la Mhe. Omido kwa sababu Mhe. Omido mwenyewe hana lalamiko. Amedhiika.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Jambo la nidhamu, Bw. Naibu Spika. Ningependa utueleze hapa kinaganaga juu ya hizi nidhamu. Nilifundishwa katika Bunge hili na aliyekuwa Spika wa Bunge, Bw. Humphrey Slade, kuwa kama Waziri ameeleza; kama alivyoeleza jinsi hawa watu wanvyoendelea na inakuwa miaka mingi kutokana na uvumilivu wao; na kuwa Wabunge wawaeleze watu wao wasiendeleo kufanyiwa hivyo, na wakifanyiwa hivyo wasaidiwe wasinyanyaswe na matajiri—Nidhamu yangu ni hii: ni haki kwa Mhe. Mbunge kusimama kwa jambo la nidhamu Waziri Msaidizi alijibu, na haki sio lazima akubaliane na mwulizaji wa swali, na kama mwulizaji hakubaliani na Waziri Msaidizi ni wajibu wake kuuliza, na sio kusimama kwa jambo la nidhamu? Hivi tulifundishwa na Bw. Humphrey Slade, kuwa mtu anafaa kuuliza maswali mpaka apate kile anachotaka. It is out of order.

**Mr. Deputy Speaker:** Order! Mhe. Mwachofi alikuwa na haki kusema kuwa hakusikia ama hakufahamu, lakini Mhe. Omido hakulalamika kuwa swali lake halikujibiwa, na kwa hivyo, swali la Mhe. Mwachofi halikuwa nidhamu.

**Mr. Yeri:** Jambo la nidhamu. Bw. Naibu Spika. Nidhamu yangu ni kulingana na swali ambalo Waziri Msaidizi amesema kuwa ikiwa Mhe. Mbunge angethibitisha hapa Bungeni kuwa wafanyakazi wanatendewa vitendo hivyo viovu, yeye anaweza kuchukua hatua.

[Mr. Yeri]

Hapo Mhe. Omido akathibitisha kuwa hata kuna watu wengine wengi wanaofanya kazi kwa zaidi ya miaka 20. Kwa hivyo, yeye hakujibu kwa kuwa jambo hilo lilikuwa limehibitishwa, na kutuambia sasa atachukua hatua gani kusaidia.

**Mr. Deputy Speaker:** Order! Nafikiri kuwa hatuwezi kudiifutia swali hili kwa njia ya nidhamu. Jambo ambalo ingetaka tu ni maswali na baadaye tuendeele mbele.

**Mr. Midika:** Bw. Naibu Spika, swali langu ni hili: Waziri Mdogo sana alijibu kwamba—

**Hon. Members:** Jambo la nidhamu, Bw. Naibu Spika.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** How can the hon. Member make such a joke?

**Mr. Midika:** Bw. Naibu Spika, yeye ni Waziri Msaidizi.

Waziri Msaidizi alijibu kwamba anajua hatuna sheria—na nilimsikia vizuri sana aliposema, "Hatuna sheria"—na ni kweli alihakikisha kwamba hatuna sheria kwa sababu hivi majuzi tulipoleta Hoja hapa na kuuliza kuwa sheria igeuzwe ili mambo mengine yarekebshwe wadikataa.

**Mr. Echakara:** Jambo la nidhamu. Bw. Naibu Spika. Nidhamu yangu ni kwamba ningependa kuuliza uongozi wako katika jambo hili. Je, ni kweli kwamba Mhe. Mbunge huyu alileta Hoja hapa na mimi au Wazara yangu ikaikataa? Amesema hivyo, nami nataka athibitishwa kwamba alileta Hoja hapa na tukaikataa.

**Mr. Midika:** Bw. Naibu Spika, ubaya ni kwamba Waziri Msaidizi hakunisikiliza vizuri, na kama ange-nisikiza vizuri angejua nilikuwa hata sijamaliza kuuliza swali lenyewe. Nilikuwa nasema kuwa kulingana na mambo tunayoyaona hapa, tulileta Hoja hapa hivi majuzi ambayo ilikuwa inahusiana na mabadiliko ya sheria kuhusu mambo ya nyumba za wafanyakazi, naye nafikiri anakumbuka jambo hili, halafu wakaribadili Hoja hiyo—

**An hon. Member:** Nani hao?

**Mr. Midika:** Yeye na Waziri wake.

Basi, Bw. Naibu Spika, waliribadili Hoja hiyo, na sheria ambayo tulitaka kubadilisha ni sawa na sheria hii amayosema hatuna. Je, ikiwa yeye, kama Waziri Msaidizi, anajua mambo hayo yanafanyika, Wazara imefanya nini ili kuona sheria hii imegeuzwa, na watu hao waajiriwe kama wafanyakazi wa kudumu baada ya miezi mitatu? Je, amefanya nini?

**Mr. Echakara:** Bw. Naibu Spika, mpaka sasa hatuoni sababu ya kufanya hivyo, lakini nimewaomba Wabunge hapa kwamba wakiwa na ushabidi wa kutosha juu ya jambo hili, basi, watuletee ushabidi huo. na tutachukua hatua.

No. 1023

#### TAKE-OVER OF GATUNGA AND MATIRI HARAMBEE SCHOOLS

**Mr. Wakiondo** asked the Minister for Higher Education—

(a) whether he could consider taking over Gatunga and Matiri Boys Harambee Secondary Schools since their performance in the Kenya Junior Secondary Education and Kenya Certificate of Education examinations has been very good; and

(b) if not, whether he could supply them with qualified teachers and enough equipment.

**The Minister for Higher Education (Mr. Kamotho):** Mr. Deputy Speaker, Sir, I apologize for having come late due to some other affairs beyond my control. However, I beg to reply.

Mr. Deputy Speaker, Sir, we are not able to take over Matiri and Gatunga Boys Harambee Secondary Schools this year, and neither are we in a position to be able to give teachers to these two particular schools. This is because, first of all, we have a very big shortage of qualified teachers in the Ministry, and at the same time, we do not have enough funds to take over all the Harambee secondary schools which have the minimum requirements for take-over in 1982. But these schools will be considered at a later date for assistance, as money and teachers become available.

**Mr. Wakiondo:** Mr. Deputy Speaker, Sir, I appreciate the answer given by the Minister, but would it not be in order for the Minister to consider these two schools, since he knows very well that they are in a very remote area, and in such areas, parents are very poor, and they cannot afford to continue maintaining these schools, as they established them in 1975? Could he consider giving them even the equipment?

**Mr. Kamotho:** Mr. Deputy Speaker, Sir, as I said, in 1982 we are not at all able, due to very limited finances which we have, to give these two particular schools assistance. But at a later date, when the situation improves, and the hon. Member and the management committees of these schools follow the normal channel of applying for Government assistance to the provincial higher education office in his own province, then, assistance will be considered accordingly.

**Mr. Wakiondo:** Mr. Deputy Speaker, Sir, the boards of governors of these schools have already applied for Government assistance, and I remember very well conversing with the Minister and giving him a letter early this year for him to visit these schools. The boards of governors have met and forwarded the requirements through the Higher Education Officer at Meru and the Provincial Higher Education Officer at Embu.

**Mr. Kamotho:** Mr. Deputy Speaker, Sir, the Higher Education Officer, Meru, could not have been there before July this year and therefore, it could not be early this year; it must be the latter part of the year. Therefore, Sir, the application might still be with the officer in Embu, and as soon as they are able to visit and inspect the schools and ascertain that what the management committee is telling us, and what the hon. Member is telling us is true, then, consideration for assistance will be forthcoming at a later date.

No. 1017

## COMPENSATION FOR ROAD ACCIDENT VICTIMS

Mr. Munyasia asked the Attorney-General—

- (a) if he was aware that on 9th September, 1977, two vehicles numbers KG 1531 and KNG 239 were involved in an accident along Mombasa/Nairobi Road, causing the death of a Mr. Syanda Mutheke and others;
- (b) whether these vehicles were insured; and
- (c) how many of those who died were compensated by the insurance companies of the vehicles involved.

The Attorney-General (Mr. Kamere): Mr. Deputy Speaker, Sir, I beg to apologize for not having been here when the question was called; nevertheless, I beg to reply.

(a) Yes, I am aware that on 19th September, 1977, two vehicles, numbers KG 1531 and KNG 239, were involved in an accident along Mombasa/Nairobi Road, causing the death of Mr. Syanda Mutheke and others.

(b) Since none of the vehicles involved in the accident belong to the Government, I am not aware whether those who were killed were compensated by the insurance companies or not.

(c) As the court ruled that no inquest was necessary, the police have closed their file on the case, and they have had no cause to correspond with my office on the matter.

Thank you, Sir.

Mr. Munyasia: Mr. Deputy Speaker, Sir, arising from the reply by the Attorney-General, and given the fact that he did admit that he knew about the accident referred to in this question; and that it involved the deaths of many people, in fact, about seven people died, including Mr. Syanda Mutheke; what assistance could his office give to those whose relatives lost their lives?

An hon. Member: Do not be serious!

Mr. Munyasia: No, I am not serious.

Now, what assistance can the Attorney-General give to the families of these seven people who lost their lives in that accident, because they are homeless, and they cannot follow up this matter unless they are assisted by the Government?

Mr. Kamere: Mr. Deputy Speaker, Sir, the supplementary question asked by the hon. Member is a difficult one. We have no charitable institutions which could take up the matter to assist the survivors of the accident or the children and the wives of the people who died in the accident. It is normally known, and it is common knowledge that the motor vehicles are insured. I could only ask whether the hon. Member has investigated the insurance companies of the motor vehicles involved in the said accident, and tell me how far he has gone with them. As I have said, the Government was not involved. Had the Government been involved, obviously I could have investigated. But this is a matter between citizen and citizen.

Mr. Kisuya: Mr. Deputy Speaker, Sir, since more than seven people died in the accident, and that the inquiry was closed, was the inquiry closed because the vehicles involved in the accident belonged to policemen?

Mr. Kamere: Mr. Deputy Speaker, Sir, the answer to that supplementary question is no. We do not connive with the guilty parties, whether they are Government officers, Ministers or Members of Parliament. We do not say that somebody should not be prosecuted. Therefore, I have already indicated that the vehicles involved in the accident did not belong to the Government, and if they belonged to the Government, the hon. Members do know that they could sue the Attorney-General on behalf of the Government, and the matter would be taken care of.

Mr. Wakiondo: Mr. Deputy Speaker, Sir, arising from the humble answer given by the Attorney-General, we have been briefed that these citizens died their silent deaths and the Attorney-General and the police did not investigate the matter to know exactly what to do with those who lost their lives. These people were not Government officers but they were good citizens of this country. Could the Attorney-General, therefore, allow the inquest to continue to find out exactly whether these two vehicles were insured?

Mr. Kamere: Mr. Deputy Speaker, Sir, I consider I have adequately answered the question of the hon. Member. I have also given the hon. Member an opportunity to investigate as to who were the insurers of the vehicles, then sue their avenues. If the hon. Member is so poor not to have money to hire a lawyer—although we are not very much interested in hiring the lawyers all the time—he could still sue under the Paupers Conditions. All the avenues in this country are open to the hon. Members and to the ordinary mwananchi.

Mr. Munyasia: Mr. Deputy Speaker, Sir, arising from the reply given by the Attorney-General that the people of deceased could hire a lawyer, is he aware that the family of the late Mr. Syanda Mutheke hired a lawyer way back in 1977 and up to date, nothing has been done? Although the lawyer was paid money, he has done nothing at all. So, in this connection, what steps can the Attorney-General take—if he is approached—against this very lawyer who has done nothing after taking money from the family of the deceased?

Mr. Kamere: Mr. Deputy Speaker, Sir, it is very interesting to know that there had been a lawyer involved in the matter. However, the hon. Member did not disclose those facts when he put the question up, for had he done so, I would have written to that lawyer to know what conditions, or how far he had gone with the matter. The hon. Member kept me in the dark in the matter and, therefore, the answer I have given is more reasonable. Therefore he has to blame the lawyer and not the Attorney-General. The Attorney-General does not act in the dark.

Mr. Deputy Speaker: Let us move on to the Question by Private Notice. Mr. Wasike-Ndombi.



## QUESTION BY PRIVATE NOTICE

REINSTATEMENT OF NICHOLAS MUKWABA BY  
PROVINCIAL ADMINISTRATION

**Mr. Kisuya:** Mr. Deputy Speaker, Sir, on behalf of hon. Wasike-Ndombi I would like to ask the Minister of State, Office of the President, the following Question by Private Notice:

**Mr. Deputy Speaker:** Order! Order! Order! We do not do that kind of thing! If the hon. Member is not here, then that question will remain unanswered. Next Order.

**Mr. Yeri:** Jambo la nidhamu, Bw. Naibu Spika. Nidhamu yangu ni kwamba, kwa wile Mhe. Wasike-Ndombi yuko nje ya Kenya—yeye yuko ng'ambo kwa wakati huu—na kwa sababu pengine hakukujulisha, je, haliwezi kuwa jambo la busara ikiwa Mhe. Kisuya anaweza kuuliza swali hilo kwa njia ya Mhe. Wasike-Ndombi? Hii ni kwa sababu Mhe. Wasike-Ndombi yuko nje ya Kenya kwa wakati huu.

**Mr. Deputy Speaker:** Tutangoja mpaka Mhe. Wasike-Ndombi atakaporudi. Akisharudi atakuja kutuona ofisini na tutaangalia tuone ni kitu gani ambacho tuna-weza kufanya ili kumsaidia.

**Mr. Omido:** Jambo la nidhamu, Bw. Naibu Spika. Wiki jana, Waziri Msaidizi wa Maji alipokuwa akijibu swali ambalo niliuliza hapa kuhusu Bw. Liyosi, wiki iliyotangulia, aliliahidi Bunge kwamba angekuja kutoa Ministerial Statement katika Bunge hili. Je, yeye yuko tayari kutoa hiyo Ministerial Statement sasa?

**An hon. Member:** Ni Ministerial Statement juu ya nini?

**Mr. Omido:** Ni juu ya habari ya Bw. Liyosi.

**Mr. Deputy Speaker:** Ni Waziri Msaidizi gani ambaye aliahidi kufanya hivyo?

**Mr. Omido:** Ni Waziri Msaidizi wa Maji, Bw. Kiptanui.

**Mr. Deputy Speaker:** Order! Kama Waziri Msaidizi alitoa shadi ya kwamba atatoa jibu wiki hii, bado tuna wakati. Next Order.

*(Question dropped)*

## MOTION

## TARMACKING OF KITUI-KIBWEZI ROAD

THAT, in view of the fact that Kitui-Kibwezi Road is an important highway linking Eastern Province districts and near North-Eastern districts with Mombasa, this House urges the Government to consider to tarmac it when funds are available to reduce the unnecessary transport expenses and to accelerate development between these areas.

*(Mr. Munyasia on 25th November, 1981)*

*(Resumption of debate interrupted on 25th November, 1981)*

**Mr. Deputy Speaker:** I think hon. Kanindo will continue.

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

**Mr. Deputy Speaker:** If he is not here then, somebody else will speak. Mr. Kahengeri.

**Mr. Kahengeri:** Bw. Naibu Spika, mimi nimesimama kuzungumza juu ya Hoja hii. Ninafathamua ya kwamba katika nchi hii tumepatiwa nafasi ili tujaribu vile tuwezavyo kutegeza nchi hii kwa njia yoyote; ikiwa ni ujenzi wa barabara, kilimo, mijengo au njia nyingine yoyote ambayo naweza kuwanufaiisha wananchi wa Kenya ambao, kwao, nchi hii iliumbwa ili waweze kuishi ndani yake kwa furaha.

Bw. Naibu Spika, tunajua kwamba Wilaya ya Kitui ni sehemu moja ya muhimu ya nchi hii. Watu wa Kitui wamekubaliana na maagizo yote ya wananchi wa Kenya ya kufanya kazi kwa nguvu; kulima na kutoa watu kutoka mahali pamoja mpaka pengine kwa minajili ya faida ya nchi ya Kenya. Kwa hivyo, yeyote ambaye anaona ni haki kwa nchi ya Kenya kuendelea na kufaa kuwa nchi ya muhimu kama nchi nyingine ambazo zimekwishaendelea hana budi kabisa kuunga Hoja kama hii mkono kwa sababu ni wajibu wake kuona kwamba nchi yetu nzima imefaidi watu wake. Nikitoka mfano mmoja, ningependa kusema kwamba watu wanaotoka Kitui na mbao wangependa kabisa kwenda hadi Mombasa kufanya kazi ya muhimu itakayowaletea watu wa nchi hii faida kubwa si vizuri wawe wakilazimika kwanza kusafiri umbali wa karibu mwa 100 kutoka Kitui kuja Nairobi, na halafu kuteremka na kwenda kufanya kazi yao ambayo wangependa kwenda kufanya Mombasa. Ukipiga hesabu ya matumizi ya watu hawa, itakusadikisha kweli kwamba watu wa Kitui, ambao wamefikia umri kama wangu sasa na ambao wamekuwa wakisafiri mwendo huu kwenda kufanya kazi yao Mombasa, wamepata gharama kubwa sana kufikikia sasa. Kwa mfano mwingine, watu kutoka sehemu za Garissa au Tharaka, ambao wanataka kwenda kufanya kazi Mombasa wanalazimika kuja mpaka hapa Nairobi ambapo wanapata barabara safi ya kwenda Mombasa, na hiyo inawagharimu pesa nyingi sana kwa sababu hiyo ni njia ndefu sana.

Kwa hivyo, ikiwa tunataka kuharakisha maendeleo ya nchi hii, ni lazima tuangalie nchi hii katika kila sehemu ambapo tunajua kuna faida na manufaa kwa wananchi wanaoishi huko na wale ambao wanaweza kupitia huko na tuweke tami katika barabara kama inavyoulizwa na Hoja hii. Wale watu ambao hawajatembea katika sehemu ya Kitui ni lazima wafahamishwe kwamba Kitui ni mahali pafupi sana ukipitia njia ya Kitui South, pande za Mutomo na kwenda kabisa mpaka kuja kuchukua barabara ya Mombasa katika upande wa Kibwezi. Kwa hivyo, bila shaka, yeyote aliye na wajibu wa kuona kwamba nchi hii inaendelea katika kila pembe ni lazima aonyeshe kwamba hatuwezi kufikiria tu mahali ambapo pamekwisha kuendelea mbele.

Ninasema hivyo kwa sababu tunajua vizuri kwamba siku nyingi zilizopita, kabla ya kuanza kufanya kazi ya kujenga Mji wa Nairobi ambapo sasa kila mahali ni pasafi; maji yake ni masafi, barabara zake ni safi na nyumba zake ni safi, palikuwa mbuga kubwa kama mahali pengine popote katika nchi hii yetu. Kwa hivyo, ni juhudi tu na mapenzi ya kufanya kazi ambayo yanaweza kutufanya kuendelea mahali pengine popote ambapo mpaka sasa tunaona kuwa hapajaendelea.

[Mr. Kahengeri]

Tukifanya kazi kwa juhudi na mapenzi, mwishowe kila mahali patakuja kuwa pasafi kama vile Nairobi ilivyo sasa.

Bw. Naibu Spika. ningependa pia kusema kwamba Wizara ya Uchukuzi na Mawasiliano ni lazima ifahamishwe kwamba si watu wengi sana ambao wangetaka kuweka motokaa zao katika njia ambayo haijatengenezwa vizuri. Kwa hivyo, lile dai la kusema kwamba njia fulani haina magari mengi, na kwa sababu hiyo haifai kuwekwa lami. ni la kupotosha sana katika maendeleo ya mahali fulani kwa sababu watu wengi huogopa kwendasha magari yao katika njia mbovu kwa shaka kuwa yataharibika. Ingawa inasemekana kwamba barabara hii ni ndefu sana. kama tungejua ni muhimu kwendeshwa kazi zetu mahali kama hapo. tungekuwa tukiveka barabara hiyo lami sehemu kidogo kidogo kila mwaka na kufikia wakati huu. labda kazi ya kuweka barabara hiyo lami ingekuwa imekwisha.

Sina shaka kwamba hata ikisemekana kwamba tunaangalia vile barabara hii invyoweza kutuletea faida katika uchumi wa nchi hii, Kitui ni wilaya ambayo ina manufaa sana kwa nchi hii kwa njia ya uchumi. Ninaposema hivyo ninamaanisha kwamba katika Wilaya ya Kitui wananchi wa huko wanapanda maembe mengi na pia wanapanda mbaazi na mavuno yao yanakuwa mengi sana. Wilaya ya Kitui inajulikana kwa utoaji wake wa nyama, na umefikia wakati ambapo kila wakati kila saa, dakika na nukta, nchi hii inafikiria habari ya mapato ya chakula. Hata mpaka sasa katika Bunge hili, tuncendelea kufikiria ni namna gani tunavyoweza kuvuna mavuno mengi ya kutosha katika nchi yetu. Kwa hivyo, ni muhimu tuwe tukitengeneza njia za kwenda katika sehemu kama hizi zinazotoa mapato kama haya ili yawe yakiweza kupelekwa katika masoko na mastoo ya Serikali yanayohifadhi chakula kinachowafaidi watu wa Kenya. Kwa hivyo, vile Hoja hii inavyotuliza ni utengeneza njia inayoelekea katika mahali kama hapa ambapo panastawishwa mifugo ya nyama na maziwa na vile vile vyakula vya kila aina, ili mazao haya yawe wakikendeshwa kwa njia iliyo rahisi. Hoja hii ni wazi kwa yeyote ambaye amefungua macho yake ili kuangalia vile maendeleo ya nchi hii yanavyoendeshwa. hana haja hata kidogo kupinga Hoja ya kuweka lami katika barabara ya Kitui, inayotoka Mkoa wa Kaskazini-Mashariki kupitia Kitui hadi Mambosa.

Kwa hayo machache. naomba kuunga Hoja hii mkono.

Mr. Abuya Abuya: Ahsante sana, Bw. Naibu Spika. kwa kunipatia nafasi hii ili nami nitoe maoni yangu juu ya Hoja hii. Maneno yangu yatakuwa mafupi.

Jambo ambalo ningependa kuiomba Wizara ya Uchukuzi na Mawasiliano ni kuhakikisha kwamba wakati barabara kama hii inapowekwa lami, ni lazima itengenezwe sawasawa. Ukiangalia barabara zote ambazo zimejengwa na kuwekwa lami nchini, utaona kwamba ziko katika hali mbaya sana. Barabara hizi hurabika mara kwa mara. Kwa hivyo, ningeiomba Wizara ihakikishe kwamba ile maintenance unit inarekebisha barabara kila wakati.

Pia, Bw. Naibu Spika, wakati wa ujenzi wa barabara hizi, husemekana kwamba contractors, au wenye kandarasi, hutoa kitu kidogo ili pakiwapo na sehemu moja ya barabara ambayo haikutengenezwa vizuri—

Mr. Michoma: On a point of order. Bw. Naibu Spika, ninasikitika sana kumkatiza Mhe. Abuya Abuya, lakini katika hotuba yake amezungumza juu ya kitu kidogo kinachotolewa. Je, tunaweza kujua kitu kidogo hiki ni nini ili Bunge liweze kujua kama ni rushwa. au ni kiinua mgongo? Can he elaborate on that?

Mr. Abuya Abuya: Bw. Naibu Spika. ningetaka kuendelea kwa kusema kwamba ni lazima Wizara ihakikishe kuwa barabara zinazojengwa hali yake inafikia kiwango kinachotakikana. Hata hivyo, nikimjibu Mhe. Mbunge mwenzangu, ningetaka kutoa mfano wa barabara ya kutoka Sotik kwenda Kisii. Barabara hiyo ilijengwa na baada ya mwaka mmoja iliharibika, na hili ni jambo linalostabili kuangaliwa. Ni kwa nini barabara iliharibika baada ya kutumiwa kwa anuda mfupi? Mhe. Michoma anajua kwamba barabara hiyo haikutengenezwa kufikia kile kiwango kinachotakikana. Inasemekana kwamba wale wenye kandarasi na wakaguzi wa barabara walikubaliana kuwa zile pesa ambazo zingetumiwa kwa barabara hiyo zigawanywe baina yao. Vile vile, inasemekana—

The Minister for Transport and Communications (Mr. Kosgey): On a point of order. Mr. Deputy Speaker, Sir, I am rising on a point of order because I feel that the hon. Member is making a very serious allegation in connection with the services rendered by the contractors in this country. Can he substantiate the allegation he has just made that on the Sotik/Kisii road there was a conspiracy to put the money elsewhere?

Mr. Abuya Abuya: Bw. Naibu Spika, ikiwa barabara ilijengwa na ikaharibika baada ya mwaka mmoja au miaka miwili, surely there must be something wrong.

The Minister for Transport and Communications (Mr. Kosgey): Mr. Deputy Speaker, the hon. Member said specifically that the contractors and the supervisors made arrangements to put the money elsewhere. Can he substantiate that remark or else he should withdraw unconditionally?

Mr. Abuya Abuya: Bw. Naibu Spika. ninafikiri nime-thibitisha. Tunaelewa sana jambo hili—

(Several hon. Members rose)

Mr. Deputy Speaker: Order! Order! Mhe. Abuya Abuya, unajua kwamba ni lazima tuseme maneno hapa Bungeni ambayo tuko tayari kuyathibitisha. Hatuwezi kuendesha kazi yetu hapa Bungeni basing on hearsay. Ninafikiri taabu uliyonayo ni kwamba huwezi kuthibitisha matamshi ambayo umeyasema. Ingekuwa vizuri kama ungeyaondoa maneno hayo na kuendelea.

Mr. Abuya Abuya: Bw. Naibu Spika, kwa sasa nitayaondoa maneno hayo, lakini baadaye nitayathibitisha.

The Assistant Minister for Livestock Development (Mr. Shikuku): On a point of order. Mr. Deputy Speaker. Kama Mhe. Mbunge amekubali kuyaondoa matamshi yake ni heri afanye hivyo bila kuweka neno "lakini". Hakuna cha "lakini" ila ni kuyaondoa matamshi yake kabisa na kuyasahau.

**Mr. Abuya Abuya:** Bw. Naibu Spika, ninaomba kuyaondoa matamshi hayo.

(Applause)

Nikiendelea, Bw. Naibu Spika—

**The Assistant Minister for Livestock Development (Mr. Murgor):** On a point of order. Bw. Naibu Spika, ninaomba maongozi yako hapa. Mhe. Abuya Abuya alisema “inasemekana” na wala hakusema hufanyika, au ameona ikifanyika. Sasa kama mtu amesema “inasemekana” bila kusema kwa ukweli kwamba alikiona kitu hicho, itakuwaje mtu huyo athibitisha wakati anaposema tu kwamba “inasemekana”?

**Mr. Deputy Speaker:** Order! Order! Mhe. Murgor, umkuwa nasi hapa Bungeni kwa miaka mingi. Ingawa Mhe. Mbunge amesema “inasemekana”, mimi sijawahi kuyesikia mambo hayo, na ninaamini kuwa Waheshimiwa Wabunge wengi hawajasikia jambo hilo. In any case, ni lazima tuendeshe mambo yetu hapa Bungeni kwa njia inayoheshimiwa, and there will be no other alternative.

**Mr. Abuya Abuya:** Ingawa, Bw. Naibu Spika, nilikuwa nikisema kwamba “inasemekana”, ninakubaliana na maongozi yako. Hata hivyo, ningetaka kusema kwamba kuna overseers—yaani, wakaguzi wa barabara—wengine ambao wameachishwa kazi kwa sababu ya kutofanya kazi yao kwa njia ya uaminifu. Katika sehemu yangu overseer mmoja alifutwa kazi kwa sababu alipatikana na vifaa vya ujenzi wa barabara nyumbani kwake. Jamaa huyu alipatikana akiuza mafuta ya diesel kwa watu wenye matingatinga, na sasa amefukuzwa kazini. Ninampongca Bw. Waziri kwa vile anavyochungulia kuona kwamba pesa za Serikali hazitumiwi vibaya.

Bw. Naibu Spika, nikiendelea ningetaka kusema kwamba barabara ya kutoka Nakuru kwenda Kericho hadi Kisii iko katika hali mbaya sana. Ningetaka kusema kwamba—

**Mr. Munyasia:** On a point of order. Mr. Deputy Speaker, is the hon. Member in order to generalize the Motion when we are talking specifically about Kitui-Kibwezi Road? Why is he “dancing” around by mentioning Nakuru, Moyale and the rest?

**Mr. Abuya Abuya:** Bw. Naibu Spika, nilikuwa nikitoa mfano kwa Mhe. Mbunge.

**Mr. Deputy Speaker:** Order! Ingekuwa vizuri, Mhe. Abuya Abuya kama tungezungumzia Hoja vile ilivyo. Ni heri tujaribu vile tuwezavyo kutoa maoni ya kweli juu ya barabara ya Kitui-Kibwezi. Unaweza kutoa mifano hapa na pale lakini mazungumzo yako yawe juu ya barabara hii.

**Mr. Abuya Abuya:** Bw. Naibu Spika, ingawa ninakubaliana na maongozi yako, nilikuwa nikitoa mfano kwa kuhimiza kwamba ikiwa barabara ya Kitui-Kibwezi itajengwa, ni heri ijengwe kwa njia ya kudumu ili isiwe kama ile barabara ya kutoka Nakuru kwenda Kericho hadi Kisii.

Pia, ningetaka kuwahimiza wale watu wanaopewa kandarasi wahakikishe kwamba wafanyakazi wanalipwa

mishahara inayowawezesha kuwatumia jamii zao. Wafanyakazi wa barabarani hawalipwi mishahara inayolingana na kiwango kilichowekwa na sheria. Tunaona kwamba nyumba za wafanyakazi hawa ni mbaya sana na ningependa kwamba wakati wanapojenga barabara wapatiwe nyumba nzuri ili hali yao ya maisha iwe bora. Pia, ningependelea kwamba barabara hii ya Kitui-Kibwezi ikijengwa watu wa sehemu hiyo waajiriwe kazi hiyo ya ujenzi.

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

**The Assistant Minister for Water Development (Mr. Kiptanui):** Jambo la nidhamu, Bw. Naibu Spika. Kwa vile inaonekana kwamba Waheshimiwa Wabunge wamekwishazungumza kwa kirefu na tunajua barabara hii vizuri sana, ningependa kupendekeza kwamba mwenye kuleta Hoja hii hapa ajibu sasa.

**Mr. Deputy Speaker:** Imebakia dakika chache tu kabla ya masaa yaliyotengwa kwa Hoja hii kuisha na nitamuuliza mwenye kuleta Hoja ajibu 10.25 a.m. Kwa hivyo, kwa muda huo mfupi uliobaki, Mbunge mmoja anaweza kutoa maoni yake.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Jambo la nidhamu, Bw. Naibu Spika. Ninafahamishwa kwamba Hoja hii ilifanyiwa marekebisho lakini sijui kama sisi tunazungumza juu ya marekebisho hayo au juu ya marekebisho pamoja na Hoja yenyewe. Nasikia marekebisho yamefanywa lakini Hoja hii ingali vile vile ilivyokuwa katika Order Paper. Kwa hivyo, sijui ukuliza swali tutakuwa tukipitisha nini kwa vile nasikia marekebisho yalipitishwa ingawa hayaonekani katika Order Paper.

**Mr. Deputy Speaker:** Ningependa kuwaomba msamaha kwa niaba ya wafanyakazi wa Bunge kwa sababu wale waliokuwa wanapiga chapa mambo haya hawa kuona kuwa kulikuwa na marekebisho. Hata hivyo, mimi mwenyewe nimesharekebisha yale maneno ya Hoja niliyo nayo. Kwa hivyo, ningependa nanyi mrekebisha yenu kwa kutoa neno “seriously” na pia yale maneno “as a matter of urgency” na badala ya haya muingize “when the funds are available”. Maneno yaliyobakia ni kama yaliavyo katika Order Paper.

**Mr. Michoma:** Bw. Naibu Spika, sina budi kukushukuru kwa kunipatia nafasi nami nitoe maoni yangu machache juu ya Hoja hii.

Kwanza, namshukuru Mhe. Munyasia kwa kuleta Hoja hii katika Bunge hili kwa sababu sisi ambao tumewahi kupitia barabara hii tunajua kwamba ni muhimu. Ningependa kusema kwamba sisi Waheshimiwa Wabunge tusipotembelea sehemu nyingi za nchi hii, hata jambo lolote likiletwa katika Bunge hili hatutaweza kulizungumzia kwa sababu maneno yote yatakuwa tu kama hadithi tunayotolewa. Mimi mwenyewe nimewahi kupitia barabara hii mara tatu ninapotembelea Kitui na nimeona ni muhimu sana kwa biashara na utalii.

Pia, ningetaka kumshukuru Waziri kwa kuifanyia Hoja hii mabadiliko na kwa kuikubali.

Kwa vile noana wakati wangu umekwisha, Bw. Naibu Spika, naunga mkono kwa hayo machache.

**Mr. Munyasia:** Mr. Deputy Speaker, first of all I would like to thank the Minister for Transport and Communications for the able way in which he amended this Motion. I, personally, accept the amendment. However, I think it would be fitting for the Minister to consider giving this road priority when tarmacking roads in Kenya during the 1982/83 Estimates because that part of the amendment that says, "when funds are available" could mean 50 years from now or even 100 years. Nobody knows when the funds will be available; only God knows. Therefore, I would like to ask the Minister to kindly consider tarmacking this road because, as I said earlier, this road will cover Eastern and North-Eastern parts of Central Province and Nanyuki and Laikipia in Rift Valley Province. This will be a short way to Mombasa and the people of these areas will not have to travel through Nairobi.

Mr. Deputy Speaker, when the Minister was replying to this Motion, he said that the volume of traffic on this road at the moment does not warrant the tarmacking of this road. How can you determine the volume of traffic when the road is in the worst condition? As I said earlier, during the rainy season there are two drifts which prevent motorists from getting to Mombasa. Sometimes they are delayed there for two or even three days because these two drifts, Mbiliu and Ndalani, fill up with water and nobody can pass through.

Therefore, it will only be fair for the Ministry to consider this Motion as amended but not to rely on "when funds are available" because, as I said earlier on, they can even come back here after 30 or 50 years and still say that they are short of funds and have been unable to get any loans and are, therefore, unable to tarmac the road.

Mr. Deputy Speaker, Sir, I would also like to thank those hon. Members who contributed in support of this Motion because there really is need for this road to be tarmacked. The Member for Makuyu, hon. Wacira, said that this road will be very economical for the transportation of the crops grown in Eastern Province like coffee, tea and miraa and even livestock. It will also reduce the fare expenses of those wananchi who spend a lot of money travelling through Nairobi to Mombasa; they now pay K.Sh. 120 but if this road is tarmacked they will only pay K.Sh. 60 or K.Sh. 50. Therefore, the Ministry will have helped those wananchi by cutting their fare by half. When I was moving this Motion, I said I knew very well that the Minister is a young man who is very energetic and has got the welfare of the wananchi at heart. He is a man who is helpful and not malicious and is ready to serve this nation. Therefore, I appeal to him to make sure that, God willing, when we meet next year and I go through the estimates of his Ministry I will find that this road has been given priority in his plans. That day I and my people will thank the Minister. At this juncture, I would like to take this opportunity to wish the Minister a happy Christmas and long life until we meet next year. I would also like to invite him to come to Kitui District to witness for himself what I have talked about this road. We shall physically travel together on the same road to Kibwezi, and then when we meet next

year, we shall, the two of us, bow to each other at the door because he will have known what I was talking about.

With those few remarks, Sir, I beg to move.

*(Question of the Motion as amended put and agreed to)*  
*Resolved accordingly:*

THAT in view of the fact that Kitui-Kibwezi Road is an important highway linking Eastern Province districts and Near North-Eastern districts with Mombasa, this House urges the Government to consider to tarmac it when funds are available to reduce unnecessary transport expenses and accelerate development between these areas.

#### BANNING THE USE OF DEPO-PROVERA

**Mr. Wamwere:** Bw. Naibu Spika, naomba kupendekeza Hoja ifuatayo:

KWAMBA ikiwa sasa ni dhahiri kwamba dawa ya kuzia uzazi ya Depo-Provera si salama kwa afya ya wanawake wanaolitumia Bunge hili linapendekeza kwamba kutoka sasa dawa hii isiruhusiwe tena kutumiwa na wanawake wa nchi hii.

Dawa hii ilipigwa marufuku kwa matumizi ya kuzuia uzazi katika nchi ya Marekani na Zimbabwe hivi majuzi. Katika kutoa Hoja hii, ningetaka kwanza kusisitiza kwamba mpaka sasa dawa hii inahesabiwa kama dawa ambayo iko katika taratibu ya kujaribiwa ili kuonekana kama inafaa kutumiwa au la. Pia, ningetaka kusema kwamba sielewi vile dawa hii imekuwa ikitumiwa katika nchi hii kwa sababu dawa hii— Ukiniruhusu nitanakili kidogo kutoka kwa kitabu ambacho kina ushahidi mwingi juu ya madhara ambayo yanatokana na utumizi wa dawa hii—ilianza kufanyiwa utafiti mwaka wa 1968 na kampuni ya Upjohn wakitumia wanyama kama mbwa na tumbili. Utafiti huo ulikuwa ule wa mbwa uchukue muda wa miaka saba kwanzia huo mwaka wa 1968, na huo mwingine wa tumbili uchukue muda wa miaka kumi.

Kabla ya matokeo ya utafiti huu kutokea, dawa ilikuwa inatumia nchini kwetu. Hili ni jambo la kutia wasiwasi kwa sababu huwezi kuelewa vije dawa hii itatumika kwa wanawake wetu ikiwa kule inakotengenezewa imezuiwa isitumiwe, na bado matokeo ya uchunguzi kama dawa hiyo ni salama au si salama hayajotokea.

Kwa sababu hiyo, ningetaka kusema kwamba dawa hii ni hatari na haifai kutumiwa nchini tena. Kufikia mwaka wa 1978, tarakimu zinaonyesha kwamba kiasi cha wanawake 19,914 walikuwa wanatumia dawa hii ambayo imezuiwa pahali ambako ilitengenezewa. Ningetaka wakati tunapojadili swala hili, tukumbuke kwamba tunazungumza juu ya maisha na afya ya wake zetu, mama zetu, binti zetu na watoto wetu kwa jumla. Kwa hivyo, tusije tukalichukua swala hili kama swala rahisi. Ni swala la muhimu sana nchini.

Bw. Naibu Spika, ningetaka kumnakili mtaalamu ambaye amefanya utafiti mwingi kuhusu madhara yanaoyeletwa na matumizi ya dawa hii, ili kila mmoja wetu katika Bunge hili ajue kwamba tunazungumzia dawa ambayo ni hatari. Nikimnakili Bw. Minkin ambaye

[Mr. Wamwere]

alifanya kazi na Idara ya U.N.I.C.E.F. katika nchi ya Bangladesh kwa muda mrefu, anasema hivi juu ya madhara ya dawa hii:

"Initially, when I heard of Depo-Provera, I too thought it might provide promise in small carefully administered programmes. But as I studied the literature and gained access to unpublished and trade secret data, I realized that the drug was not safe.

Although many population control agencies have varied interpretations of the data on Depo-Provera, they often present opinion as if it were fact. Agencies like the IPPF, WHO and AID have chosen to ignore the bulk of scientific evidence on Depo-Provera." Ushahidi huo ni kama ifuatavyo:

"Breast cancer in beagle dogs tested with high and low doses; a very sensitive animal—beagle dog—liver cancer with low doses;

Endometrial cancer in rhesus monkeys; a cancer unheard of in this species prior to Depo-Provera testing;

A marked increase in breast and cervical cancer rates in Chiang Mai, Thailand, where Depo-Provera has been most widely used;

Lowered resistance to infections including viral infections, diabetic stress, loss of hair, hyperventilation, acute depression, marked weight loss or gain, menstrual abnormalities, sterility;

Inhibition of bone growth and possible interference with the normal development of reproductive organs in breast-fed children exposed to Depo-Provera; and

It should be noted that the concentration of Depo-Provera in the breast milk is as high as that circulating in the mother's blood."

Bw. Naibu Spika, nakili hiyo inatonyesha madhara yanayopatikana kwa jumla. Lakini ni muhimu kulisitiza kwamba madhara ambayo ni hatari zaidi ni kule kuugua ugonjwa huu wa cancer na wanawake ambao wanatumia dawa hii.

Pia ningetaka kunakili matamshi ya mfanyakazi mmoja wa Umoja wa Mataifa ambaye alitumia Serikali ya Bangladesh barua akihadharisha juu ya matumizi ya dawa hii. Mfanyakazi huyo alisema hivi:

"Depo-Provera has generally been used in areas where follow-up is difficult and development of cancer resulting from this sort of drug usually takes 10 to 20 years. I know that Depo-Provera is popular and effective but the drop-out rates are high and I do not think the small increment in fertility control which will result from use of this drug justifies the possibility that we might be responsible for an epidemic of uterine cancer in 10 to 20 years from now. Such an epidemic would be a disaster, not only for the women involved but also for the credibility of population control programmes."

Bw. Naibu Spika, mfanyakazi huyo akiendelea alisema hivi pia:

"In fact a woman who gets Depo-Provera may not develop cancer for 10, 20 or 30 years. The crop is coming. What is disturbing is that in Chiang Mai, Thailand, among women who have been located, who have endometrial cancer, some of those women are much younger than expected."

Bw. Naibu Spika, wanawake wetu sio tofauti na wanawake wa nchi ya Thailand. Wakati huu, ni ukweli unaodhahiriwa kwamba visa vya wanawake kuugua ugonjwa wa cancer vimeongezeka sana hospitalini mwetu.

[Mr. Deputy Speaker left the Chair]

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

Swali ambalo ni lazima kila mmoja wetu ajiulize ni kama ongezeko la ugonjwa wa cancer, kwa kusema kweli, halisababishwi na utumizi wa dawa hii ya Depo-Provera ambayo kwa muda mrefu imekuwa ikitumiwa kisiri na wanawake ambao hawajui kwamba dawa hiyo ni hatari kwa afya yao; wanawake wengine ambao wanataka kupanga mambo ya uzazi kisiri wasipojulikana na mabwana zao, lakini nyumaye wanaugua ugonjwa huu na hawawezi kusema wameutoa wapi.

Bw. Naibu Spika wa Muda, labda wale watakoipinga Hoja hii watatwambia kwamba matokeo ya utafiti uliofanyiwa wanyama hayawezi kulinganishwa na matokeo ya utafiti ambayo yanangojewa kufanyiwa wanawake. Lakini pia, ushahidi ulioko unaonyesha kwamba madhara hayo yaliwapata mbwa na tumbili yanawapata binadamu. Katika kitabu hiki cha ushahidi ambao ulitolewa kwa Bunge la Marekani na wataalamu ambao walikuwa wakiishawishi Serikali ya Marekani kupiga marufuku dawa hii kwa matumizi ya kuzuia uzazi, kinasema hivi:

"The continued use of Depo-Provera for birth-control is unjustified and unethical. A healthy woman on Depo-Provera prematurely ages and she takes on the characteristic profile of a postmenopausal woman who is at high risk of developing endometrial carcinoma. Her uterus atrophies, she stops ovulating and is sterile. Most women stop menstruating, but many experience excessive bleeding, some requiring D and Cs and hospitalization. Intermittent bleeding from the vagina commonly occurs after the first few injections. A significant proportion develops abnormal glucose tolerance, curves or becomes diabetic."

"The immunosuppressive effect while making women more vulnerable to infections, seems also to promote malignancy, that is, cancer".

Bw. Naibu Spika wa Muda, hili jambo la D and Cs ni wazi kabisa, kwa yeyote ambaye amekuwa akijaribu kuona kwamba afya ya akina mama nchini hii inalindwa, kwamba linadhahirisha kwamba kuna hatari miongoni mwa wanawake wetu wanaoitumia dawa hii. Nasema hivyo kwa sababu visa vya D and Cs kufanyiwa wanawake wetu ni vingi sana katika hospitali zetu na hii ni ajabu sana. Mimi nimeanza kuelewa kwamba wanawake wengi ambao hufanyiwa D and Cs, huenda ikawa wamekuwa wakiitumia dawa hii.

[Mr. Wamwere]

Bw. Naibu Spika wa Muda, hatari ya dawa hii sio tu kwa wanawake wanaoitumia, lakini pia inawahusu sana watoto wetu. Nasema hivyo kwa sababu kama tunavyoelezwa na wataalamu, mwanamke akiitumia dawa hii wakati ananyonyesha mtoto, dawa hii hutoka kwa damu yake na kuingia katika maziwa yake na mtoto akimnyonya huyo mama wakati angali ana maziwa, dawa hiyo inamwingia mwilini na kupunguza ukuaji wa sehemu mbalimbali mwilini. Mtaalamu katika mambo haya anasema hivi kuhusu kuhusiana kwa dawa hii na uleaji wa watoto ambao mama zao hutumia dawa hii:

"In the case of birth defects, progesterone, the class of drug that Depo-Provera belongs to is associated with cardiovascular defects. It is very difficult to find cardiovascular defects because as you follow them over time, the incidence increases, so that by the age of five you have a fairly good idea of the kind of situation you are dealing with."

"Finally, all arguments about the suitability of Depo-Provera during lactation collapse when child growth and development are taken into consideration. Daily microgram doses of the contraceptive are carried in the breast, milk for three months or longer after injection."

Halafu anauliza maswali haya:

"Does the harm caused by the drug pass from the mother to her nursing infant? Does Depo-Provera damage the hypothalamus and higher centres in the brain? Does it retard bone growth or produce skeletal abnormalities? Does it lower resistance to infection and interfere with the normal development of the sexual organs during infancy, causing a threat of cancer later in life? The promoters of the drug have not asked these questions, yet they claim that Depo-provera is safe. Do you, Sir, believe them? Would you give this contraceptive to your child, to any child or to tens of millions of women and children?"

Bw. Naibu Spika wa Muda, haya ni maswali ambayo ni lazima kila mmoja wetu ajiulize. Hatari ya dawa hii imetambulika hasa na lile shirika la Umoja wa Mataifa linalojihusisha sana na mambo ya afya ya watu duniani linaloitwa World Health Organization. Mtu mmoja ambaye alikuwa akifanya utafiti juu ya dawa hii aligundua taarifa moja iliyokuwa imeandikwa juu ya madhara yaliyogunduliwa katika dawa hii na akasema hivi:

"I have seen a confidential World Health Organization Report which clearly states that there has been a marked increase in the incidence of breast and cervical cancer in Chiang Mai, Thailand. I found this shocking."

Bw. Naibu Spika wa Muda, isitoshe, inaelezwa wazi kwamba ukweli juu ya madhara ya dawa hii ni jambo moja ambalo kampuni inayoitengeneza imekuwa iki-ficha serikali za kigeni ambazo zimekuwa zikinunua dawa hii ili zisije zikaelewa—

The Assistant Minister for Livestock Development (Mr. Shikuku): On a point of order, Mr. Temporary Deputy Speaker, Sir. Mhe. Wamwere amenakili report

fulani ya World Health Organization, lakini hakutujulisha ni report ya wakati gani ili mtu akitaka kuyafuata haya maneno aende akajionee na yeye alisema ripoti hii ni confidential. Anaweza kutuambia ni ya mwezi gani na mwaka gani ili wengine wetu waweze kuipata katika library?

Mr. Wamwere: Bw. Naibu Spika wa Muda, mambo haya yote ninayonakili yako katika kitabu hiki na baada ya kumaliza hotuba yangu nitakiweka Mezani mwa Bunge ili kila Mbunge hapa apate nafasi ya kukipata na kukisoma ili aelewe kwamba hili ni jambo la hatari. Juu ya kuficha siri juu ya madhara ya dawa hii, ningetaka kusema—

Mr. Michoma: On a point of order. Ni kweli kwamba Mhe. Mbunge anayeendelea kuzungumza anatoa hotuba nzuri, lakini tungetaka yeye ataje jina la kile kitabu na ni nani ambaye amekitunga ili tuweze kuendelea vizuri.

Mr. Wamwere: Bw. Naibu Spika wa Muda, nataka kuendelea kwa sababu muda ni mfupi sana. Nitakiweka kitabu hiki Mezani mwa Bunge na chenye kinaitwa, "Hearings before the sub-committee on international economic policy and trade of the Committee on Foreign Affairs—House of Representatives—96th Congress, Second Session, 5th to 12th June and 9th September, 1980".

Bunge ambalo lilikuwa likijadili suala hili hili ndilo liliona kwamba dawa hii haifai. Kwa bahati nzuri hawakuwa na Dr. Wameyo wa kuipinga Hoja hiyo. Nikiendelea, ningetaka kusema kwamba huyu mtaalamu anaendelea kusema hivi:

"I would like to commend the interagency working group for its effort to ensure that birth-control drugs and devices bought with our tax dollars are safe and effective. But a real—

The Assistant Minister for Health (Dr. Wameyo): On a point of order, Mr. Temporary Deputy Speaker. The hon. Member has said that they did not have hon. Dr. Wameyo "wa kuipinga Hoja hii". Can he substantiate that I am going to oppose the Motion? I am asking this because I have not spoken so far.

Mr. Wamwere: Bw. Naibu Spika wa Muda, nimeondoa hayo maneno. Nikiendelea, ningetaka kusema kwamba yule mtaalamu aliendelea kusema:

"..... But a real flaw in the proposed Presidential Action is the loophole that allows drug companies like Upjohn to withhold safety test data from foreign government and citizens in the United States and abroad.

For example, Sir, Upjohn Company kept it secret for three years that one of its test monkeys had developed cancer and the company failed to notify foreign governments and to the best of our knowledge, the Food and Drug Administration that abnormal curvature of the spine occurred in monkeys treated at all dosage levels."

Bw. Naibu Spika wa Muda, bila shaka, kuna watu ambao wataitetea dawa hii, lakini wanapoitetea, ningetaka Bunge hili lielewe kwamba sasa imedhihirika kuwa

[Mr. Wamwere]

Upjohn, ambayo ni kampuni inayoiuza dawa hii, imefanya kampeni kubwa sana ya kuwafanya watu kukubali kununua dawa hii kwa niaba ya Serikali zao.

Bw. Naibu Spika wa Muda, ushahidi uliotolewa kwa Bunge la Marekani unasema hivi:

"You may be shocked to know that Upjohn admitted to the Securities and Exchange Commission in 1976 that between 1971 and 1976 it paid over \$4 million in bribes to employees of foreign Governments and hospitals. During this period, sales of Depo-Provera increased dramatically."

Bw. Naibu Spika wa Muda, hilo ni jambo muhimu sana ambalo lingefaa Bunge hili liweke kichwani mwake wakati tunapojadili Hoja hii, kwa sababu kama wengine wanahongwa, tusije tukafikiria kwamba hapa ni malaika watupu ndio waliomo.

Bw. Naibu Spika wa Muda, hata Serikali ya Marekani huzilazimisha Serikali nyingine kununua dawa hii ingawa ni hatari. Mtaalam mwingine anasema hivi:

"There is a considerable scope for the United States to pressure or aid recipient nations to utilize Depo-Provera as a pre-condition for food and development assistance."

Bw. Naibu Spika wa Muda, najua kwamba kutakuwa na watu watakaosimama kutuambia kuwa dawa hii ni salama, na inafaa kutumiwa.

Bw. Naibu Spika wa Muda, kwa kuwa wakati wangu wa kuzungumza umekwisha, ningependa kuipendekeza Hoja hii na kumuuliza Dr. Chibule kuiafiki.

**Dr. Chibule:** Ahsante sana, Bw. Naibu Spika wa Muda, kwa kunipatia nafasi hii ili niweze kuunga mkono au kuiafiki Hoja hii.

Bw. Naibu Spika wa Muda, Waswahili wamesema kwamba panapo moshi hapakosi moto. Tumekuwa na maneno mengi kuhusu hii Depo-Provera. Wengine wanasema ni nzuri; wengine wanasema ni mbaya; na kwingine imepigwa marufuku. Panapo moshi hapakosi moto.

Bw. Naibu Spika wa Muda, vita vya kitaifa vya kisirisiri bado vinaendelea. Ukieleza kwamba Marekani na Urusi wanaangaliana vibaya, ni rahisi kwa mtu kuliadini jambo hilo, lakini ningependa kuliomba Bunge lifikirie kwamba vita vya kisiri vya taifa hili na taifa lile lingine vinaendelea. Sikusema kwamba ati Wafrika wote wanataka Wazungu wote wapotee, ama kwamba Wazungu wote wanataka Wafrika wote wapotee, lakini kuna watu fulani—

**Mr. Kioko:** Jambo la nidhamu, Bw. Naibu Spika wa Muda. Sijui kama unaelewa kwamba Mhe. Dkt. Wameyo ametoka hapa moja kwa moja akienda nje ya Bunge hili bila hata kuonyesha heshima kwa Kiti kwa kuiinamia. Sijui amelewa na mazungumzo haya juu ya dawa ya Depo-Provera ama nini. Je, ni haki kwake kufanya hivyo?

**Dr. Chibule:** Bw. Naibu Spika wa Muda, kama vile ilivyoelezwa kwa kirefu, kwa sababu huu ni utafiti

uliofanywa na watu kadha wa kadha, ningependa kusema kuwa shida inayoletwa na Depo-Provera haionekani leo wala kesho, ni lazima ungojee. Pengine mjukuu wangu ndiye atakayepata ile shida ambayo inaletwa na Depo-Provera—

**Mr. Michoma:** Jambo la nidhamu, Bw. Naibu Spika wa Muda. Jambo langu la nidhamu ni juu ya jambo la nidhamu ambalo lilitolewa na Mhe. Kioko kuhusu kuondoka Bungeni kwa Dkt. Wameyo bila kutoa heshima kwa Kiti kwa kuiinamia. Ningetaka kupata uongozi wako, Bw. Naibu Spika wa Muda, kuhusu jambo hili kwa sababu nafikiria kuwa Mhe. Kioko angesimama kwa jambo hilo la nidhamu kabla Mhe. Dkt. Wameyo hajaondoka nje ya Bunge.

**The Temporary Deputy Speaker (Mr. Mwidau):** Sikumwona Mhe. Dkt. Wameyo akifanya hivyo. Kwa hivyo, endelea, Dkt. Chibule.

**Dr. Chibule:** Bw. Naibu Spika wa Muda, ukweli ni kwamba ikiwa uliyasikia yale yaliyosemwa, utakubaliana nami kuwa baada ya generation ya kwanza ama ya pili tangu wakati Depo-Provera ilipoanza kuja hapa Kenya wale wajukuu wetu hawatakuwa kama sisi. Hii Depo-Provera inaharibu akili na mifupa kidogo baada ya miaka 30. Unataka taifa letu la Kenya liwe namna gani? Vita vya kitaifa vinaendelea kisirisiri, na hii inaweza kuwa mojawapo wa vita hivyo. Watu fulani—sisemi ni wote—kutoka katika nchi ambako dawa hii hutengenezwa wanaita hapa kwa makusudi wakitumia njia zote ili kuwaharibu Wafrika polepole, kwa sababu wanajua kuwa pengine itakuwa shida kuwaua wote katika vita.

Bw. Naibu Spika wa Muda, yote yaliyosemwa yanatokana na utafiti, na mimi nataka kuzungumza juu ya utafiti wangu kama daktari. Mimi ni daktari wa dawa, na tumefundishwa kufanya utafiti. Ukitoa dawa kwa mtu mgonjwa na baadaye umuone baada ya kutumia dawa hiyo, una hamu kujua kama amepoa ama sivyo, na ni shida gani ambayo amepata baada ya kutumia dawa hiyo. Kwa hivyo, utafiti wangu juu ya hii Depo-Provera, tangu ilipotumiwa hapa, na mimi nimekuwa daktari kwa muda wa miaka 12, ni kama ufuatavyo, licha ya yale yaliyosemwa. Yale yaliyosemwa yanahusiana na shida ambazo zitaonekana baada ya miaka kadhaa, lakini ziko shida ambazo zinaonekana papo hapo.

**An hon. Member:** Immediately.

**Dr. Chibule:** Mara moja. Bw. Naibu Spika wa Muda, tunajua—na mimi nazungumza kama daktari—kwamba kila mwanamke mwenye umri wa miaka 13, 14 na zaidi kila mwezi hutokwa na damu; hiyo ni kawaida. Sasa, Bw. Naibu Spika wa Muda, wanawake hao wakitumia hii Depo-Provera, yako mambo matatu yanayo-weza kufanyika; ile damu hupotea kabisa kama kwamba wana mimba na hali hawana mimba. Hiyo inaonyesha kwamba zile hormones za mwili ambazo zinaendesha mwili sawasawa tayari zimekwishaharibiwa. Ikiwa hizo zimekwishaharibiwa, ni kwa nini mwanamke asitoke damu kabisa? Wakati mwingine inaweza kuwa kwamba mwanamke hutokwa na damu kila siku. Badala ya damu kutoka kwa siku tano na kumpa mwanamke

**[Dr. Chibule]**

nafasi ya kupumzika kwa muda wa wiki tano, unaweza kumwona akitokwa na damu kila siku, zaidi ya nusu ya idadi ya watu wanaotumia dawa hiyo wanapata shida hiyo. Unaweza kuwaona wakirudi kwa madaktari na kusema—

**The Minister for Constitutional and Home Affairs** (Mr. Njonjo): On a point of order, Mr. Temporary Deputy Speaker. The hon. Member who is speaking is, of course, a medical practitioner, but could he agree with me that the drug is also used for the treatment of cancer?

**Dr. Chibule:** Bw. Naibu Spika wa Muda, sikubaliani na yale anayosema. Jambo la tatu ni kwamba dawa hii inaweza kuwa sawasawa kwa wanawake wachache. Hivyo ni kusema kwamba kuna wanawake wachache ambao wakipata dawa hii hupata “mwezi” wao sawasawa, lakini wengine wana shida hizo ambazo nimetaja. Kwa hivyo, wakati Wizara itakapojibu Hoja hii, ningiomba itoe utafiti ambao umefanywa hapa Kenya.

Ningemuomba Dkt. Wameyo pia atoe maoni yake kama daktari kama vile ninavyofanya. Hatutaki tuwe katika hali ya kuwategemea watu wengine. Ukiziangalia karatasi hizi, utaona kwamba Wamarekani wamefanya utafiti huko na kutuletea karatasi hizi ambazo sasa zinatusaidia. Sisi pia tunaweza kufanya vivyo hivyo ikiwa tunaweza kusaidiana. Kwa hivyo, nataka Wizara ya Afya na madaktari walioko hapa watusaidie kwa kutoa maoni yao juu ya Hoja hii.

Bw. Naibu Spika wa Muda, sisi tunaelewa ni kwa nini Depo-Provera inaenezwa kwa bidii sana. Hiyo inafanyika kwa sababu mama mmoja akipata sindano moja ya Depo-Provera hawezi kushika mimba kwa muda wa miezi mitatu.

Kuna njia nyingine za kuzuia kizazi, yaani kuzuia akina mama kushika mimba kama vile kumeza tembe kila siku. Hiyo, shida yake ni kwamba, kule kumeza tembe kila siku, mama anaweza kusahau kumeza tembe kwa siku moja au mbili, na akisahau kufanya hivyo basi ni kama ambaye amekosea mambo na anaweza kushika mimba. Pia, kuna njia nyingine nyingi. Lakini hii njia inapendwa na hawa Family Planning Association of Kenya kwa vile ya kwamba ukimdonga ile sindano, basi apende akataa, miezi mitatu ijayo hawezi kushika mimba. Hii ndiyo sababu Family Planning Association of Kenya inataka hiki kitu kiendeleo, na kuna wengine pia nao wanataka hiki kitu kiendeleo. Kwa sababu gani? Ni kwa sababu ukimpa mama pakiti ya zile tembe za kila siku pengine atasahau lakini unapomdonga ile sindano, ikiingia ndani ya mwili basi haitoki, kwa miezi michache. Lakini ijapokuwa Family Planning Association of Kenya inataka kwamba Depo-Provera iendeleo na ijapokuwa kuna wale wengine ambao wanaamini sisi tuko wengi kama sungura na wanataka Depo-Provera iendeleo sisi tuna wajibu wa kuwatoa hadharani wale vibaraka na walafi. Tuna wajibu wa kulilinda taifa hili tukijua kwamba Kenya itakavyokuwa miaka 1,000 kutoka leo itategemea sisi tunafanya kitu gani na tuna wajibu huo. Kwa shauri hilo mimi ninaunga mkono Hoja hii.

(Question proposed)

**The Minister for Constitutional and Home Affairs** (Mr. Njonjo): Mr. Temporary Deputy Speaker, Sir, we have a problem in this country of population and I do not think anybody will dispute this. We have been told that Kenya has the largest birth-rate of children and this is nothing to be proud of because it is a real problem, because the land is not “growing” unlike the children who are being born everyday.

Now, my personal opinion about this Motion is that it is so wide that we cannot accept it. To say that Depo-Provera “si salama kwa afya ya wanawake” is very wide because each patient—wanawake (women)—who use it— This is not accurate because there are some women who are using it and who have no problem at all. It is just like penicillin. There are some people who are allergic to penicillin. For instance, I am allergic to penicillin. So, a doctor will use another drug which does the same job as penicillin instead of giving me a penicillin injection. So, there are some women who are using this drug and it has no effect at all upon them.

I think it was very dangerous for the hon. Member who is a doctor—I suppose—to have said that—

**Mr. Abuya Abuya:** On a point of order, Mr. Temporary Deputy Speaker, Sir. I think the hon. Minister is misleading the House in saying that this drug has effects on some women while others are okay in using it. My point of order is this: When hon. Wamwere was giving a report he said that the majority of women get affected and this drug has been banned in the country where it is manufactured. Is the Minister right to say that we can now use that particular example; is he not misleading the House?

**The Temporary Deputy Speaker** (Mr. Mwidau): Nafikiri hukumfahamu alivyosema. Yeye alisema maneno “si salama kwa afya ya wanawake”, yaani wanawake wote si salama kwa kuitumia. Amesema yeye ni allergic kwa penicillin lakini siyo kusema eti watu wote ni allergic kwa penicillin. Kwa hivyo ingefaa umsikilize vizuri maoni yake.

**The Minister for Constitutional and Home Affairs** (Mr. Njonjo): Mr. Temporary Deputy Speaker, Sir, I do not know when we are going to learn what a point of order is because if the hon. Member does not agree with what I am saying, that is a point of argument. It is not a point of order. He does not even know what a point of order is!

**Mr. Kanindo:** On a point of order, Mr. Temporary Deputy Speaker, Sir. According to the medicine we are talking about, the result or effect is seen after some time and, therefore, the point that the Minister is raising that they do not see it immediately—

**Hon. Members:** That is not a point of order; it is a point of argument! Sit down!

**The Minister for Constitutional and Home Affairs** (Mr. Njonjo): Mr. Temporary Deputy Speaker, Sir, as I was saying, that is a flimsy point of order. If the hon. Member does not agree with me then he will put his points across. What I am saying is that this drug is not harmful to everybody. It may be harmful to one or two people just like penicillin. There maybe a



**[The Minister for Constitutional and Home Affairs]** lot of hon. Members here who are not allergic to penicillin, and I cannot say that penicillin is harmful to everybody!

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

**The Minister for Constitutional and Home Affairs (Mr. Njonjo):** No, you have no information to give me! As a doctor, you gave us the wrong information here! Therefore, I do not want your information because you will misinform me!

*(Laughter)*

Mr. Temporary Deputy Speaker, Sir, what I was saying is that the hon. Member who is a—

**Mr. Orenge:** On a point of order, Mr. Temporary Deputy Speaker. The hon. Member for Kikuyu has made a very categorical statement that the hon. Member, Dr. Chibule, gave us the wrong information. That is a very dangerous assertion, but if he is right, would he substantiate it if the information we were given was indeed wrong?

**The Temporary Deputy Speaker (Mr. Mwidau):** That was his own opinion. He was just expressing his opinion. We will wait until he finishes.

**Dr. Chibule:** On a point of order, Mr. Temporary Deputy Speaker. I feel the hon. Minister owes me an apology or else he proves that I gave false information to the House.

**The Temporary Deputy Speaker (Mr. Mwidau):** I think we should not jump on to another issue. We will wait until he finishes his speech!

**The Minister for Constitutional and Home Affairs (Mr. Njonjo):** Mr. Temporary Deputy Speaker, Sir, what I am saying is that I do not agree with hon. Dr. Chibule. If we pass this Motion as it is now, it will be dangerous because this medicine has been tested, and as I said earlier on, it maybe harmful to one or two women but that does not mean that it should be condemned because of that.

Now, Sir, personally, I will oppose this Motion because this drug has been tested and I am sure it is safe. We are fortunate here in this House because we have a qualified hon. Member who is a gynaecologist. He is a genuine doctor; a genuine gynaecologist and he has practised. He has had a very good practice at the coast and a successful one too. He is more than some of us can claim because if the hon. Member were to leave this House today, he will have a very thriving practice even at the coast as he did before he joined the House. I do not know about the others.

Mr. Temporary Deputy Speaker, I do not know about the other doctors; I do not know whether they will have a good practice, but I do say this: every drug affects people in different ways. We cannot condemn this drug just because one or two cases have been harmful. Every drug will affect people individually; we are all individuals with individual susceptibilities and, therefore, we cannot say that this drug is harmful to every woman in Kenya; even those hon. ladies who are going to speak, and perhaps have used

the drug, can only talk about themselves, as I can only talk about myself as far as penicillin is concerned.

**An hon. Member:** What do you know about it?

**The Temporary Deputy Speaker (Mr. Mwidau):** Order!

**The Minister for Constitutional and Home Affairs (Mr. Njonjo):** I am talking about penicillin! I am sure when the hon. lady will be speaking, she will speak about the drug, perhaps, with personal experience, or generally, as we are all generalizing about this drug. But, I do want to say that as far as this drug is concerned, it is useful and has been used against cancer. Hon. Chibule, the drug has been used against cancer, and it has killed cancer.

**Mr. Abuya Abuya:** Address the Chair!

**The Minister for Constitutional and Home Affairs (Mr. Njonjo):** I do not have to face the Chair to address the Chair. The drug has been used for treatment of cancer; it has also been used to cure menstruation; that is when a woman is having haemorrhage and when this drug is used, the haemorrhage stops.

**Mr. Orenge:** It is used otherwise!

**The Minister for Constitutional and Home Affairs (Mr. Njonjo):** I do not know whether the hon. Member has used the drug, as he is saying it is used otherwise, but I am quoting the hon.—

**The Assistant Minister for Tourism (Mr. Mwithaga):** On a point of order, Mr. Temporary Deputy Speaker. I want to seek your guidance here. Would it really be in order to accommodate the sentiment by the Minister querying whether the hon. Member has used the Depo-Provera in the context that he was speaking about menstruation? Is it really in order?

**The Minister for Constitutional and Home Affairs (Mr. Njonjo):** But the hon. Member did not complain.

*(Laughter)*

So, Mr. Temporary Deputy Speaker, I do want to say that the House must reject this Motion because the drug is beneficial; it has beneficial use to our women. It is stopping birth for those women who are using it, and by saying that, I do not want to say that there are no individual cases where this drug has had an opposite effect. But, generally speaking, the drug has been useful and it should not be condemned.

Therefore, Mr. Temporary Deputy Speaker, I oppose this Motion.

**The Assistant Minister for Tourism (Mr. Mwithaga):** Mr. Temporary Deputy Speaker—

**An hon. Member:** Oppose!

**The Assistant Minister for Tourism (Mr. Mwithaga):** Mr. Temporary Deputy Speaker, I do not have to take dictations from behind me.

Sir, we are discussing a sensitive matter; we are discussing a dangerous matter; we are discussing our people, where we are assuming to be discussing Depo-Provera. In fact, this Motion, although it has been framed vaguely—because the Mover has used the word “ikiwa” which does not seem to seek authority—

**[The Assistant Minister for Tourism]**

is only assuming that it has been proven that Depo-Provera is dangerous. If it was not just assuming, it would be a positive Motion, but the sentiments which all of us should express using this particular Motion must be clear because Depo-Provera has been described by many women writers—

**Mr. Wamwere:** On a point of order, Mr. Temporary Deputy Speaker. I think it is unfair for the hon. Member speaking to claim that this Motion is "assuming" when in Kiswahili, if you say, "Kwamba, ikiwa sasa ni dhahiri", that is not supposing, but it is stating affirmatively.

**The Assistant Minister for Tourism (Mr. Mwithaga):** Mr. Temporary Deputy Speaker, I learnt Kiswahili in the early 1940s; I have used the language all along; I have used the language seriously, and I have written in Kiswahili language. The word, "ikiwa", and the hon. Temporary Deputy Speaker, who is from the Coast knows Kiswahili just too well—If the Member would be a bit patient, although this is not "out-patient", what I am saying might be of benefit to his Motion.

Mr. Temporary Deputy Speaker, I am saying that women writes on Depo-Provera in the world have rejected it totally.

*(Applause)*

They have rejected the drug because they are the victims. Men can speak pros and cons; men will say anything, and men will even discuss politics on the drug, but only a few professionals can discuss the details, but the victims still remain to be the women.

*(Applause)*

Mr. Temporary Deputy Speaker, the women of the world have rejected this drug, and men have continued to impose the drug on women.

**An hon. Member:** You are right!

**The Assistant Minister for Tourism (Mr. Mwithaga):** Mr. Temporary Deputy Speaker, it is a very bad assumption that when you are discussing both equalities and other things, the money sharks in the world who want to continue trading on human bodies can continue against world opinion using the Depo-Provera and selling it and dumping it, especially in the Third World. This is where the drug is being used.

Sir, it has been argued that population growth in the Third World is beyond control; that we are just too many. I dare say that they can be too many elsewhere, but in my family. My family shall continue to be large. I am capable of looking after 15 to 20 children. I am already looking after seven.

**An hon. Member:** Wives?

**The Assistant Minister for Tourism (Mr. Mwithaga):** Seven children and one wife.

**An hon. Member:** How!

**The Assistant Minister for Tourism (Mr. Mwithaga):** Mr. Temporary Deputy Speaker, the hon. Member can come for some experience from me, and I will give him the experience in private.

Now, all I am saying is this: the Depo-Provera is intended to destroy the female organism or to destroy the genitals. And it is intended to do just that in the Third World.

**The Minister for Constitutional and Home Affairs (Mr. Njonjo):** On a point of order, Mr. Temporary Deputy Speaker. Could the hon. Member give us some proof; or some evidence of some statistics; or substantiate that this drug has been used to damage women?

**The Assistant Minister for Tourism (Mr. Mwithaga):** Mr. Temporary Deputy Speaker, I will use the hon. Member's words. He said here that the drug is being used to control population; those are his own words and they are in the HANSARD. Therefore, if the drug is effective in controlling the population growth, then it is a dangerous drug in the Third World.

**An hon. Member:** Yes! Yes!

**The Assistant Minister for Tourism (Mr. Mwithaga):** Now, Mr. Temporary Deputy, Sir, the advocate of the use of Depo-Provera are the rich; they are the elite and the selfish.

The advocates for the drug's marketing are the producers of this Depo-Provera, and they are campaigning all over the Third World to ensure that there is continuity in the market.

Now, Sir, this is like the ordinary discussion we have had about the pills which we have debated on here all along; we have debated on the problems we have got from the pills, but who listens? Look at the work of the Family Planning Association. I have said that the African culture and tradition is family planning, and that is now ignored in our system. We do not have to be given academic details about it.

Against our cultural and traditional heritage, those drugs are being used on our women and on our young girls who are not yet mothers, and they go to the clinics to get them. What happens thereafter is that it has opened the whole country and the world at large to actual prostitution, yet those who are for Depo-Provera are the same people who attack women for being loose or for prostitution or whatever. This particular drug, Depo-Provera, is creating a social disorder and it is also creating a dangerous blood system in the women, because even if we are told that there are some doctors here who are practical and that we must be convinced and agree that whatever they tell us is 100 per cent right, not a single member of any profession in this House has spoken against anything that is pertaining to his profession. No.

**An hon. Member:** What of hon. Njonjo?

**The Assistant Minister for Tourism (Mr. Mwithaga):** Hon. Njonjo spoke against lawyers, but he was only an Attorney-General, and he never practised outside. He never did it.

*(Applause)*

So, if any doctor here would speak against this Depo-Provera we shall regard him as genuine, and everyone else will be pretentious.

**[The Assistant Minister for Tourism]**

We have to protect our womenfolk from this man-made Depo-Provera for money making and for destroying our population growth. Look at Kenya and compare it with different countries in the World. We nail India because the Prime Minister there is controlling between 700 million and 800 million people. They have problems; but which country does not have problems? Britain has 75 million people; Germany has 78 million people; and most countries of Europe and America have big populations too. It does not matter what their economic status is, but they still have the population.

Mr. Temporary Deputy Speaker, Sir, it is obvious in the Third World that the modern warfare fears depend on the population of a nation. Therefore, some of these things are politically motivated because their introduction has political motivation, and the introduction of these drugs—

**An hon. Member:** Who do you think is behind it?

**The Assistant Minister for Tourism (Mr. Mwithaga):** Mr. Temporary Deputy Speaker, Sir, the Minister should ask the question where it belongs.

Sir, I am talking of the motives behind the introduction of these drugs, and let us be honest with ourselves. In this country we never had cancer; where did it come from? In this country we never had, before the advent of the whitemen, tuberculosis; so, where did it come from? I am saying this and it is true because there are statistics.

**The Minister for Constitutional and Home Affairs (Mr. Njonjo):** And we never had deaths!

**The Assistant Minister for Tourism (Mr. Mwithaga):** The deaths we had were very few, and the hon. Member knows this only too well. Let us be honest with each other. We had very few deaths, and our people lived much longer than they do today. The human body has been destroyed by the modern introduction of these drugs which are being experimented on the human body. And there can be nowhere else to practise or experiment these medicines except in the Third World where there is little scientific and technological know-how, because they know that by the time we have proven that we can reject these drugs, we shall have already used them. But today in Europe, America and elsewhere they have rejected this Depo-Provera because they know, by scientific and technological education, what the dangers are. But here, we are trying to be convinced by what we are told, that we agree to have a thing which has been proved to be dangerous.

With those few remarks, Mr. Temporary Deputy Speaker, Sir, I support the Motion.

**Mrs. Asiyo:** Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me the Floor to support this Motion. Last year, when I brought up this question of Depo-Provera in a Question by Private Notice, I was asked to substantiate some of the claims that I had made in this House, and I did so. I laid on the Table of this House two very scientific and well-researched documents by personalities known all over

the world, such as international gynaecologists, obstetricians, physicians and other experts who had taken time to study the effects of this drug. Some of the things I said at that time were repeated today when hon. Wamwere moved the Motion.

Mr. Temporary Deputy Speaker, Sir, if the hon. Members would like to go back to the documents that I laid on the Table last year, they will find out all the data and the necessary information about this particular drug. The only document that I did not have at the time was this for United States Senate Committee for International Economic Policy and Trade, and particular aspects of the report which dealt with the hazardous drugs, such as the Depo-Provera.

Mr. Temporary Deputy Speaker, Sir, as I stand today to talk about this drug, I am a living example of the dangers of that particular drug, and this is why I moved the Motion the way I did it last year.

*(Applause)*

The Ministry of Health know about this because I have had an occasion to discuss this issue, not only with Dr. Wameyo, but also with the Minister himself, and I was perplexed that the hon. Member for Kikuyu—

**The Minister for Constitutional and Home Affairs (Mr. Njonjo):** On a point of order, Mr. Temporary Deputy Speaker, Sir, I do not want to interrupt the hon. lady, but she has just said that she is a living example, or, am I wrong? And I would like her to tell us how she is a living example.

**Mrs. Asiyo:** Mr. Temporary Deputy Speaker, Sir, I am not going to reveal my own personal medical problems to this honourable House.

As I said, Sir, I have had a discussion with Dr. Wameyo in the past, and I have also talked to the Minister for Health and some two other doctors in the Ministry of Health. We are being sold out. Our women and our future are being killed by this drug. That \$4 million thing is not just a saying because it is in this report, and I want to read it again. You may be shocked to hear this because this is the United States Senate Report, and this Senate is a House like this one. It reads as follows:

“You may be shocked to know that Upjohn admitted to the Securities and Exchange Commission in 1976 that between 1971 and 1976, it paid well over \$4 million in bribes to employees of foreign governments and hospitals...”

*(Applause)*

I am only praying and hoping that it is not this part of the \$4 million thing! I am therefore asking the hon. Members of this House who have wives and children, and whose wives are breast-feeding their babies to support this Motion.

Sir, as was said earlier on, and as we all know, in this country, most of our women breast-feed their children, and rightly so. Now, any woman who is on Depo-Provera and who is breast-feeding her child actually administers Depo-Provera on that child. It could be a man or it could be a woman, and I know Dr. Wameyo is not going to refute this because it is in this report, and this is a Government document.

[Mrs. Asiyo]

We are not just talking about some newspaper report; we are talking about one of the biggest powers in the world, the United States; a report from that honourable House, the Senate in Washington.

Mr. Temporary Deputy Speaker, Sir, as has been said, there is nothing conclusive about the drug. I was surprised to hear that the hon. Minister for Constitutional and Home Affairs, who is the Member for Kikuyu, will not support this Motion, yet I know that he has supported very much the promotion of women's well-being in this country.

Mr. Temporary Deputy Speaker, Sir, I would like to say that today there is no minimum age of marriage in Kenya. There is no minimum age of marriage in Kenya because this House refused to enact that Bill—the Marriage and Divorce Bill. Today girls are getting married at the age of nine! I would like Mr. Njonjo to get up and support this Motion, because I know he has always supported the cause of women and children in this country. He cannot, by the same tongue—

Mr. Michoma: On a point of order, Mr. Temporary Deputy Speaker, Sir, I think the Standing Orders of this House do not allow an hon. Member to call another hon. Member "Mr. So-and-so". So, the gracious Lady should have called the Minister for Constitutional and Home Affairs hon. Njonjo and not Mr. Njonjo.

Mrs. Asiyo: I am sorry, Mr. Temporary Deputy Speaker, Sir, I would like to say that the drug is still experimental. It is not conclusive. It has a lot of bad side-effects. The women in this country are innocent and simple. The African woman in the rural areas, who votes most of these gentlemen here into this House, is over-burdened and over-worked. The women in the rural areas are ill and they do not have adequate health services. Therefore, for goodness' sake—

The Assistant Minister for Livestock Development (Mr. Shikuku): On a point of order, Mr. Temporary Deputy Speaker, Sir, The Standing Orders of this House are very clear. Would the hon. gracious Lady address Members in this House as hon. Members and not "these gentlemen"? They are hon. Members!

Mrs. Asiyo: Thank you very much, Mr. Temporary Deputy Speaker, Sir, I will address Members in this House as hon. Members and gentlemen too. My fears, which I expressed last year and which I want to repeat today, are that health services in this country are very inadequate. Those women who get these injections do not have access to medical care that women in the developed countries have. We have had women who have had excessive bleeding. When I talk about excessive bleeding, only one other hon. Member in this House would understand. Only one hon. other Member in this House would understand what I am talking about because she and I know what it means to bleed excessively. No hon. Member in this House who is not a female would understand what I am talking about. For a woman who has bled excessively to have no access to adequate medical care, it can be very bad. I am hoping that for the sake of our women and their health; and for the sake of the future of this country; and for the sake of the formation of the

bones and the teeth and the brain power of the babies who are now being breast-fed on the milk of mothers who are on the Depo-Provera, this House will support this Motion. I know that our Government will have nothing to lose!

The Minister for Basic Education (Dr. Ng'eno): On a point of information, Mr. Temporary Deputy Speaker, Sir.

Mrs. Asiyo: Mr. Temporary Deputy Speaker, I would like to say that I have a lot of information about this matter!

The Minister for Basic Education (Dr. Ng'eno): On a point of order, Mr. Temporary Deputy Speaker, Sir, Is it in order for the hon. gracious Lady to inform the House that breast-feeding mothers use Depo-Provera when we know, as fathers, that when mothers are breast-feeding they do not need any preventive devices?

Hon. Members: You do not understand!

Mrs. Asiyo: Thank you very much, Mr. Temporary Deputy Speaker, Sir.

The Minister for Basic Education (Dr. Ng'eno): I am speaking as a father of six.

Mrs. Asiyo: Mr. Temporary Deputy Speaker, Sir, I would like to inform the hon. Member that it is unfortunate that he has not been privileged to know that women do conceive even three months after delivering their first babies, and they do have their monthly periods even when the babies are being breast-fed. I would like to urge this House to request the Minister for Health to withdraw this drug immediately.

With those few remarks, I beg to support.

Mr. Anyieni: Mr. Temporary Deputy Speaker, Sir, when this Motion was introduced in this House by the hon. gracious Lady who has just spoken, I spoke on it.

An hon. Member: It was a question!

Mr. Anyieni: Mr. Temporary Deputy Speaker, Sir, I would like to request hon. Members both in the Front Benches and the Back Benches to divorce politics from this Motion. This is because if we think this is politics, we will not be able to come out with a proper discussion. This Motion discusses the future of our people who are not in this House today. In my conscience, I would not like to do anything that would interfere with the life of anybody who will come into this world after I have gone. The written information which has been quoted, and particularly that which was quoted by the hon. gracious Lady is a report which was submitted to the Senate of the United States of America—

An hon. Member: Why not to us?

Mr. Anyieni: Mr. Temporary Deputy Speaker, Sir, I would like to say that, that report has not been challenged as being a fake report. Those who are not agreeing should have challenged that quotation by the gracious Lady and said that, that report that the gracious Lady was reading was a fake report.

[Mr. Anyieni]

We are told that Upjohn is a company from Holland which is trading in the United States of America, and that in United States, this drug presented competition to other drugs which are being manufactured in the United States. However, we know better than that. So, we are saying that this Depo-Provera and any other drug which does what Depo-Provera does, should be banned from use in this country.

Mr. Temporary Deputy Speaker, Sir, I would like to say that hon. Members of this House have failed in their duty, and I think hon. Members will excuse me for accusing them. We have had two seminars in Mombasa about family planning, where hon. Members were invited and air tickets paid for them to enable them to fly down there. They were fed for a week. Why are they not able to discuss family planning? Why is it that hon. Members have failed to bring up the question of these drugs and come out with a resolution from such a seminar, and say that this drug is a wrong drug? Why do hon. Members go there and stay there and the question of this drug does not come up?

**An hon. Member:** They do not even go there!

**Mr. Anyieni:** Mr. Temporary Deputy Speaker, Sir, we have never read anywhere that the Members of Parliament who went to Mombasa to discuss family planning agreed on family planning, but they said that Depo-Provera should be withdrawn from the market. Why do Members of Parliament just go there and come back? Now we are waiting for the third family planning seminar in which I am going to participate.

**Mr. Munyasia:** On a point of order, Mr. Temporary Deputy Speaker, Sir. With all due respect to the hon. Member, I would like to say that he is partly right, but during the last seminar on family planning which we attended, the question of Depo-Provera was discussed at length. We did that and there was a report on that.

**Hon. Members:** Yes, we did!

**Mr. Anyieni:** Mr. Temporary Deputy Speaker, Sir, I would have expected my friend, hon. Munyasia to tell me that a resolution was passed by that seminar recommending to the Government that this drug should be withdrawn. I am a supporter of family planning. But is this the only way through which you can uphold family planning? Are there no other methods?

**An hon. Member:** There are!

**Mr. Anyieni:** If this was the only way, Mr. Temporary Deputy Speaker, Sir, then I would say that we have no other way but to continue like that. But there are very many other ways, and hon. Dr. Wameyo knows that there are very many other ways of employing family planning. Therefore, I do not agree with the sentiments expressed by hon. Mark Mwithaga because we are not discussing family planning; we are discussing a dangerous drug.

**The Assistant Minister for Labour (Mr. Echakara):** No! We are discussing a drug.

**Mr. Anyieni:** Mr. Temporary Deputy Speaker, Sir, while I may agree with family planning, I do not agree

that to achieve an effective family planning, we should treat our people with a dangerous drug.

**The Assistant Minister for Labour (Mr. Echakara):** On a point of order, Mr. Temporary Deputy Speaker, Sir. I am seeking your guidance because we are discussing Depo-Provera as a drug, and the hon. Anyieni is saying that we are discussing a "dangerous" drug. Now, have we already come to a conclusion that Depo-Provera is a dangerous drug and, therefore, we should allow the speaker on the Floor to continue like that?

**Hon. Members:** Yes! Yes!

**The Temporary Deputy Speaker (Mr. Mwidau):** Order! Order! His opinion was just to convince hon. Members that the drug is dangerous.

**Mr. Anyieni:** Sir, hon. Echakara should be serious. This is not a matter that we should joke with. I am talking about my own conscience and it will not allow me—

**The Assistant Minister for Labour (Mr. Echakara):** All drugs are dangerous.

**Mr. Anyieni:** When the people who manufacture this drug were subjected to close examination by another House like this one, and they, themselves, agreed that they have paid millions of shillings to salesmen elsewhere in the world to sell the drug, I started suspecting that the people involved in selling this drug in this country are being bribed themselves, to sell the drug here.

**Hon. Members:** Hear! Hear!

**Mr. Anyieni:** Sir, as a true follower of Nyayo—and Nyayo is anti-magendo—when a statement like that has been quoted and someone challenges it, and later on we find that it was a fake statement, I would agree that this drug is all right. But when a drug has been discussed by another House like this one, and the people who were asking these questions were scientists, are we being told that in Kenya today, we have better scientists who have done better research on this drug and found that it is safe for our women's use? This is the question we should be able to ask ourselves.

I would kindly ask and appeal to hon. Members of this House, both on the Front Bench and the Back Bench, that this is not a matter where we should have a Government side and an opposition side; I am the Chairman of a Presidential Commission, but I am not going to be involved in a thing like that. We must go down in history—or I in particular, must go down in history as a man who opposed the use of a drug that poses danger for posterity.

Women who read what we say in Parliament, and those who listen to the radio are not going to accept taking this drug; it is the innocent mother; the innocent lady, who has very many children and does not know what to do who is going to take this drug. This woman will go to the doctor and say, "Oh, doctor, I have too many children; can you assist me?" The doctor will say "Oh, come, I will give you an injection, and you will stop producing the children", and the poor lady does not know the consequences afterwards. It is

[Mr. Anyieni]

these ordinary women who we want to protect; we are not trying to protect ladies like the one who are hon. Members of Parliament because they know better, and they are not going to use this drug. We are protecting the ordinary mother at home; my voter. The majority of the women who voted for me to come into this House do not know how to read or write. If they go to a hospital and see anybody wearing a white robe, they will believe that whatever he or she gives her is the right thing. There are many other ways and drugs through which we can promote family planning.

Mr. Temporary Deputy Speaker, Sir, the quotations which were given to us by hon. Wamwere are periodicals which are written about these drugs and they are not challenged. I challenge those who support the use of this drug to also come up with contradicting authoritative research to tell us that this drug is all right. We know that this drug was being used in Zimbabwe and particularly during the colonial days because the Whites there wanted to spoil the future of African children who were there. As soon as that country attained independence, one of the steps that the Government of that country took was to stop the women from using that drug. That does not mean that the women of Zimbabwe are not promoting family planning; it does not mean so. There are very many other ways through which we can control our population but we cannot, in the process of controlling our population, give our people drugs that are to my mind doubtful. If they are doubtful, we should give the benefit of the doubt to our innocent ladies and stop them from using these drugs.

With those remarks, Sir, I beg to support.

Mr. Orengo: Thank you, Mr. Temporary Deputy Speaker, for giving me this chance to contribute to this Motion.

It defeats me as to what sense we have to oppose a Motion of this nature, particularly when hon. Wamwere has brought before this House a report of the 69th Congress which met between June and September 1980, to specifically discuss this drug. Amongst the people who gave evidence during the hearing of that committee was one of the highest officials of Upjohn, the multinational company which produces the drug. Therefore, if the United States and Britain have stopped the use of the drug because it is dangerous, then what else is left for us, but to follow suit? This drug has been tested on animals like monkeys, rabbits and dogs, dogs and monkeys cannot develop a resistance to this drug; or other wild animals cannot have a resistance to this drug, including human beings in the United States, then I do not know what the women of Kenya are made of in order to be able to resist the dangers of Depo-Provera; if scientifically, it has been proved that any woman who takes Depo-Provera, ultimately, side-effects will take place.

Mr. Temporary Deputy Speaker, Sir, normally, we know in medical terms, that when somebody takes a drug, the medical side-effects may not be seen immediately; they may take 30 to 40 years before being noticed. So, I think it is not good to reason that there are some women who have used—

Mr. Muthura: There is another House there!

Mr. Michoma: On a point of order, Mr. Temporary Deputy Speaker, Sir. Maybe the Ministers are concluding on something with hon. Wamwere, but there is a lot of noise in the House. Could they listen to the views being expressed by hon. Orengo?

Mr. Orengo: Sir, I was saying that the Front Bench should take this report very seriously because it was a report that came out after hearing in the United States Senate. I was also saying that it has been established through medical research that Depo-Provera has got many side-effects, and hon. Wamwere and hon. Asiyo gave us examples of what these side-effects are. One of the side-effects that I have seen in this report is that Depo-Provera, in certain cases, long-term infertility or delay in the return of fertility. A woman who has taken this drug may lose her fertility totally. Therefore, I support the sentiments of hon. Mwithaga very much because to me, the nations of the West have allowed the use of this drug in order to control the populations of the Third World for no other reasons but political motives.

In this report there is a letter written by a group of lawyers to President Carter, when he was then President, and it is dated 5th September, 1980. It is said in that letter that the American principle of human rights does not relate only to protecting the human rights of the citizens of the United States but it also involves the protection of the human rights of those people in the Third World. They were saying that it is wrong for the United States to allow the export of hazardous drugs to the Third World nations when at the same time they refuse their citizens to use those drugs.

Mr. Temporary Deputy Speaker, Sir, it can be seen that nothing will be achieved if this Motion was to be defeated. It is only a few years when we heard of how these multinationals conduct themselves in order to get markets in the Third World. This report says that Upjohn was paying up to \$4 million to foreign governments to make sure that they buy this drug. Even multinationals like Boeing who manufacture arms or aircraft have been known to give bribes to foreign governments in order to buy weapons or drugs from those nations. This point should be taken very seriously. It worries me stiff to believe that the continued existence of the drug could very well mean that part of this money has entered this country. This could be a very, very dangerous situation if a foreign government can use money in order to destroy the future and the health of our children. We cannot entertain that state of affairs. All men of conscience cannot allow the continued use of this very dangerous drug.

Mr. Temporary Deputy Speaker, Sir, it is also noted in this report that Depo-Provera alters the carbohydrate metabolism in one's system by increasing the glucose in the blood and that may cause diabetes. So, it is not only cancer, it is not only dangerous to breast-feeding, but there are also many other side-effects which can be brought about by Depo-Provera. Depo-Provera—I think the hon. the Assistant Minister for Health will bear me out on this—can only be used in a limited way if the level of literacy was high in this nation. If they agree to be administered with Depo-Provera, they

[Mr. Orenge]

should be people who are able to understand that it is dangerous. But most of the people who are treated with this drug in fact are not literate and, therefore, they are not in a position to know the dangerous side-effects of this drug.

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

**Mrs. Gachukia:** I thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to say or express my feelings about the use of Depo-Provera. As we all know, Depo-Provera is not used in the United States—the country of origin—as a contraceptive. It is for this reason that I rise to plead with the Mover of the Motion to agree to an amendment to this Motion so that the Motion reads to the effect that “The Depo-Provera be withdrawn from the Kenyan market as a contraceptive”.

Mr. Temporary Deputy Speaker, Sir, I am still trying to work out that in Kiswahili. In a minute I will be giving you that amendment. I would like it to read:

KWAMBA, ikiwa sasa ni dhahiri kwamba dawa ya kuzuia uzazi ya Depo-Provera si salama kwa afya ya wanawake wanayoitumia, Bunge linapendekeza kwamba kutoka sasa dawa hii isirubusiwe tena kutumiwa na wanawake wa nchi hii kwa minajili ya upangaji wa uzazi.

(Applause)

Depo-Provera is used in the United States and other countries for treatment of other complications like cancer. We do know that quite a few women in Kenya today are being treated for cancer. In fact, according to our medical experts here, cancer of the uterus has become the greatest killer of women in this country. This has been revealed by our medical experts. Therefore, we do want to retain for use by our medical experts any drugs that will help us to fight this killer of women and men, which is cancer.

Mr. Temporary Deputy Speaker, Sir, I am a staunch believer in family planning in so far as it safeguards and assists the health—

**The Assistant Minister for Tourism (Mr. Mwithaga):** On a point of order, Mr. Temporary Deputy Speaker. Hon. Dr. Wameyo went to consult hon. Njonjo—Dr. Wameyo tells us that he is objecting to the Motion but hon. Njonjo wants to support it—

An hon. Member: Is it your business?

**The Assistant Minister for Tourism (Mr. Mwithaga):** I am raising this issue for the sake of guidance. I know what they were doing. Is it in order for a Minister to run away from the other Minister?

(The Minister for Constitutional and Home Affairs (Mr. Njonjo) went back to his seat)

(Applause)

**Mrs. Gachukia:** Mr. Temporary Deputy Speaker, may I continue?

**The Temporary Deputy Speaker (Mr. Mwidau):** Yes.

**Mrs. Gachukia:** Mr. Temporary Deputy Speaker, Sir, as an hon. Member pointed out earlier on, we are not discussing here the pros and cons for family planning. We all know the values of family planning; we also know that family planning has been practised in Kenya and Africa from time immemorial. Certain things have interfered with our traditional customs that safeguarded the health of mothers, the health of babies and also the welfare of the fathers. I am saying so because when a mother gives birth every year, it is not to the joy of the father either. It is not right or possible for a woman to give birth every year and be able to take care of either the baby that she is carrying or the ones that she has already. For this reason, whether we are using drugs or not, this programme should be supported by us all and resulting from the various seminars we have all attended, I am sure we support the national planning programme.

However, Mr. Temporary Deputy Speaker, Sir, this is not to say that we should endorse any drug that is suspected or has been suspected of causing ill health among women. The story among women who have been on Depo-Provera is a sorry one. I thank God that I personally have never been on Depo-Provera and I would never allow anybody to inject me with anything like that. I consider myself privileged in that I am literate, that I am able to read reports that are published here and there. However, this is not the case with the majority of our women. So, we must protect them.

Thank you.

**Mr. Michoma:** Mr. Temporary Deputy Speaker, Sir, I rise to second the amendment. First of all I would like to congratulate hon. Koigi Wamwere to have brought this Motion to this House. The Director of Medical Services, Dr. Koiaange, one time mentioned in the newspapers that this drug is a dangerous one. Even hon. Mrs. Gachukia addressed some women elsewhere and said the same thing. Therefore, I must congratulate hon. Members of this House and also hon. Mrs. Gachukia to have moved an amendment to this Motion. This indicates that we in this House are mature because we are caring for the lives of millions of our people in this country.

This country accepts the family planning programme and, therefore, there is no question about it.

With those few remarks, Mr. Temporary Deputy Speaker, I beg to second the amendment.

(Question of the Motion as amended proposed)

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Jambo la nidhamu, Bw. Naibu Spika wa Muda. Niliona ukisoma rekebisho katika Hoja hii na hapo ukaisoma moja kwa moja lakini lile swali kwamba maneno ya kuongezwa yaongezwe halijawekwa.

**The Temporary Deputy Speaker (Mr. Mwidau):** Lakini hakuna rekebisho; kuna maneno ya kuongezwa tu katika Hoja hii. Hakuna rekebisho kwa vile rekebisho ni kitu kinachofutwa na hapa tunaongeza maneno tu. Kwa hivyo, swali ni kwamba maneno ya kuongezwa yaongezwe.

**Mr. Ambala:** On a point of order, Mr. Temporary Deputy Speaker. When the hon. Gachukia proposed the addition she said she would request the hon. Wamwere if he would accept an amendment to the original Motion. Actually the amendment has altered the original Motion.

**The Temporary Deputy Speaker (Mr. Mwidau):** The Government Responder, Dr. Wameyo, should now speak.

**Mr. Midika:** Jambo la nidhamu, Bw. Naibu Spika wa Muda. Kwa vile rekebisho hili ni la kuongeza maneno katika Hoja hii, nafikiri ingekuwa bora utoe swali kwa Bunge hili kama tumekubali maneno hayo yaongezwe.

*(Question that the words to be added be added, proposed)*

*(Question, that the words to be added be added, put and agreed to)*

*(Question of the Motion as amended proposed)*

**Mr. Ambala:** Thank you very much, Mr. Temporary Deputy Speaker, for allowing me to say a few words on this particular Motion. I am not going to speak for a long time; I will make it very short—

**The Temporary Deputy Speaker (Mr. Mwidau):** Order! Sasa ni wakati wa Government Responder kujibu.

**The Assistant Minister for Health (Dr. Wameyo):** Thank you very much, Mr. Temporary Deputy Speaker. I take this opportunity to pay tribute to the hon. Mover of this Motion because he has given us a chance to debate on Depo-Provera and to know what it is, what it does and its side-effects.

Mr. Temporary Deputy Speaker, the main point that has been talked about has been cancer and because we have fear of cancer, this has occupied so much of the talk on this debate this morning. But with or without Depo-Provera, cancer is with us and will continue to be with us. That is a fact. With or without Depo-Provera, cancer is still with us as long as we still have the human race, the dogs, the cats, the rats, the hyenas and everything else. They will all get cancer without Depo-Provera.

If the hon. Members will give me peace, I am going to give a lecture on Depo-Provera.

**Hon. Members:** No! No! Just tell us the facts; do not lecture us.

**The Assistant Minister for Health (Dr. Wameyo):** I am not reading; I am just talking.

To continue, Mr. Temporary Deputy Speaker, we know many things that cause cancer. We do not know whether Depo-Provera causes cancer in human beings but we know many other things that cause cancer in this country and many of our hospitals are full of patients with cancer. Unfortunately, we have a lot of uncircumcised men with cancer of the penis and if we tell them to get circumcised they do not want to do so although they can get rid of it.

**The Minister for Constitutional and Home Affairs (Mr. Njonjo):** On a point of order, Mr. Temporary Deputy Speaker. Is the hon. Member really telling us that there are uncircumcised men in Kenya, something that I do not believe exists?

**The Assistant Minister for Health (Dr. Wameyo):** Mr. Temporary Deputy Speaker, I do not need to substantiate that because it is information received—

**Hon. Members:** On a point of order!

**The Assistant Minister for Health (Dr. Wameyo):** Unfortunately, it is true that in this country we still have a lot of uncircumcised men who get cancer of the skin of the penis that should normally be cut and yet we have not yet brought a Motion to this House that people should be circumcised to get rid of this—

**The Minister for Constitutional and Home Affairs (Mr. Njonjo):** On a point of order, Mr. Temporary Deputy Speaker. Can the Assistant Minister, for Heaven's sake, tell us who are these people who carry uncircumcised penises?

**The Assistant Minister for Health (Dr. Wameyo):** Mr. Temporary Deputy Speaker, if the hon. Minister does not know, some members of the nilotic group of citizens of this country are not circumcised. A large section of the caucasian group in this country are also not circumcised and a number of the orientals in this country are also not circumcised.

**Mr. Midika:** On a point of order, Mr. Temporary Deputy Speaker. This is a serious matter—

**An hon. Member:** Are you circumcised?

**Mr. Midika:** I am circumcised.

**An hon. Member:** Why are you circumcised! Lay it on the Table!

**Mr. Midika:** Shut up!

**An hon. Member:** Luos are not circumcised! Lay it on the Table!

**Mr. Midika:** Mr. Temporary Deputy Speaker, this is a very serious Motion and I think we are talking about Depo-Provera which is not used on men, unless there is another Depo-Provera which is used on men. Therefore, I think the hon. Assistant Minister should not mislead the House because I do not think the uncircumcised men with cancer have used Depo-Provera to give it to the women they go about with.

**The Assistant Minister for Tourism (Mr. Mwithaga):** On a point of order, Mr. Temporary Deputy Speaker. With due respect to his political conscience, is it fair to this House to introduce an issue which will only take time so that he does not reply to the Motion as it was supposed to be replied to?

**The Assistant Minister for Health (Dr. Wameyo):** Mr. Temporary Deputy Speaker, Sir, I was talking about aetiology of cancer.

**Hon. Members:** No! No!

**The Temporary Deputy Speaker (Mr. Mwidau):** Dr. Wameyo, continue.



**The Assistant Minister for Health (Dr. Wameyo):** Thank you very much, Mr. Temporary Deputy Speaker. I was talking about the aetiology of cancer. We do know that young women who indulge in excessive sexual relationship at an early age end up with cancer of the cervix.

**Mr. Ambala:** On a point of order, Mr. Temporary Deputy Speaker.

*(A number of hon. Members stood up)*

You sit down hon. gentlemen. When the hon. Assistant Minister started speaking, he said that he does not know that Depo-Provera causes cancer but he knows that other things cause cancer and he mentioned specifically that the uncircumcised men make women have cancer.

**Hon. Members:** No; no. He did not say that.

**The Temporary Deputy Speaker (Mr. Mwidau):** Order! Order!

**The Assistant Minister for Health (Dr. Wameyo):** Thank you, Mr. Temporary Deputy Speaker. I am going to speak from a wealth of experience which is both personal and from my friends in the field.

**An hon. Member:** Speak on Depo-Provera.

**The Assistant Minister for Health (Dr. Wameyo):** Yes. What is Depo-Provera?

**An hon. Member:** Manufacturers know.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Give him a chance.

**The Assistant Minister for Health (Dr. Wameyo):** It is 17 alpha hydroxy; 6 alpha methyl; progesterone. The human body is a complicated machine; it can produce saliva, urine, faeces, and it also makes the baby. A human body has got specialized parts. One part in women are the ovaries.

**Mr. K'Ombudo:** On a point of order, Mr. Temporary Deputy Speaker.

*(Hon. Dr. Wameyo remained standing)*

**Hon. Dr. Wameyo** has to sit down. Is it in order for the Assistant Minister to deliberately turn this House into a medical college or institution? We want him to address himself to the Motion and not to belittle the intelligence of the hon. Members here.

**Hon. Members:** Hear! Hear!

*(Hon. Ambala stood up)*

**The Assistant Minister for Livestock Development (Mr. Shikuku):** On a point of order, Mr. Temporary Deputy Speaker. I saw the hon. Member there standing.

**Hon. Members:** No! No! Sit down!

**The Temporary Deputy Speaker (Mr. Mwidau):** Hon. K'Ombudo that was not a point of order.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** On a point of order, Mr. Temporary

**Deputy Speaker.** I think the House is getting rather rowdy and if we are forgetting our Standing Orders, it is wrong for hon. Members to keep on shouting the way they are doing. Some of them who speak so loudly, like hon. Midika, are not fit to be referred to as hon. Members because they have ceased to be that; the way they are behaving. Now I stand to seek your guidance on this. Is there anywhere in the Standing Orders where it is stipulated that hon. Member replying or speaking to this House must speak in a certain manner? The hon. Member is replying. So, is there any need for any hon. Member to tell him how he should reply?

**Hon. Members:** Yes.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** There is nothing.

**Hon. Members:** There is.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Which Standing Order?

**Hon. Members:** On a point of order, Mr. Temporary Deputy Speaker—

**The Temporary Deputy Speaker (Mr. Mwidau):** Order! Order! Sit down. There will be no more points of order. Continue, Dr. Wameyo.

**The Assistant Minister for Health (Dr. Wameyo):** The female human body with its reproductive organ—the ovary which is a specialized unit—produces a hormone called progesterone. You are now talking about banning Depo-Provera—

**An hon. Member:** Ask the manufacturers!

**The Assistant Minister for Health (Dr. Wameyo):** Just a moment, Mr. Temporary Deputy Speaker. Hon. Members must listen to sense.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Hear! Hear!

**The Assistant Minister for Health (Dr. Wameyo):** The human body produces a hormone called progesterone. The progesterone is produced in women and it maintains pregnancy. It is very important. That is the ordinary language that I can talk. The female human body—the ovary—produces a hormone called progesterone. When the woman has laid the egg—I told you that Depo-Provera—

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

*[Mr. Deputy Speaker resumed the Chair]*

**An hon. Member:** Yes, talk about Depo-Provera.

**The Assistant Minister for Health (Dr. Wameyo):** Yes, I am talking about Depo-Provera. Depo-Provera is for lay people.

**Hon. Members:** No! No!

**Mr. Deputy Speaker:** Order! Order! Order! I am not going to allow shouting here. We must make sure that this remains Parliament. Will you continue, Dr. Wameyo?

*(Hon. Dr. Wameyo stood up)*

**Mr. Ambala:** On a point of order, Mr. Deputy Speaker. Sit down, Dr. Wameyo. We are discussing Depo-Provera as a dangerous drug, but hon. Dr. Wameyo comes here and starts lecturing to us on human anatomy which we are not interested in.

**Mr. Deputy Speaker:** Order! Order! It is time the hon. Members knew what a point of order is, and what is not a point of order.

**Mr. Wacira:** Jambo la nidhamu, Bw. Naibu Spika. Mhe. Ambala alipokuwa akisimama kwa jambo la nidhamu, alimwambia Mhe. Mbunge mwingine, "shut up". Hiyo si lugha ya Kibunge na ninadhani kwamba ni lazima ayaondoe maneno hayo.

**Mr. Deputy Speaker:** That is not allowed and I hope it is not going to be repeated. Could you continue, Dr. Wameyo?

**The Assistant Minister for Livestock Development (Mr. Shikuku):** On a point of order, Mr. Deputy Speaker, Sir, I have heard about ten times, hon. Midika shouting at me, "Sit down!" I think this is really out of order. Is he allowed to do this, particularly when he happens to be an old Member in this House? Should he not behave better?

**Mr. Deputy Speaker:** Order, that is a very valid point of order. You are not allowed to order any other hon. Member to sit down. That is my bit.

**Mr. Midika:** On a point of order, Mr. Deputy Speaker. Before you took the Chair, I had been haunted by hon. Shikuku for a long time. Would I kindly ask you, through the Chair, to assist me because if hon. Shikuku continues pin-pointing at me when the whole House is noisy, it might give the impression that I am the only one who is making noise. If hon. Shikuku cared to listen, he would have noticed that the whole House was noisy and everybody else agrees with me about this. However, when the red light is put on, I think it is in order for anybody speaking to sit down, particularly when the Speaker is on his feet. It seems that hon. Shikuku does not know what a point of order is.

**Mr. Deputy Speaker:** It is my responsibility to order any hon. Member standing at the same time when I am on my feet, to sit down. That is my responsibility and nobody else has it. May I now ask the Mover to reply.

**Mr. Wamwere:** Mr. Deputy Speaker, Sir, nitajibu Hoja hii kwa ufupi sana. Kwanza ningetaka kuwashukuru Wabunge wote kwa kuniunga mkono katika Hoja hii. Hata wale ambao hawakupata nafasi ya kuzungumza, nafikiri waliniunga mkono kwa dhati. Pia, ningetaka kuwashukuru Wabunge katika Viti vya Mbebe ambao pia wamekubali jambo hili liendelee. Bw. Naibu Spika, ningetaka kusema kwamba nimekubaliana na badilisho la Serikali kwa sababu badilisho hili limelewa hasa lililokuwa lengo la Hoja hii, kwamba, ingawa dawa hii inaweza kutumiwa kwa kutibu cancer, haifai kutumiwa kwa minajili ya kuzuia uzazi. Ningetaka pia kuwashukuru madaktari ambao kwa muda mrefu wamekataa kutumia dawa hii kwa wagojwa kwa sababu walikuwa na imani kwamba haifai kutumiwa.

Ni hivi majuzi tu ambapo daktari mmoja anayeitwa Wamadre alisema katika televisheni kwamba dawa hii ni hatari na ingefaa kupigwa marufuku.

Bw. Naibu Spika, siwezi kuyasahau mameno yaliso-mwa na Mhe. Anyieni kwamba jambo muhimu ni kwamba Hoja hii itawalinda dada zetu, binti zetu na mama zetu ambao hawajasoma. Nasema hivyo kwa sababu yeyote mwenye elimu anaelewa kilicho kibaya na dawa hii na ni wale ambao hawajui kusoma wana-stahili kulindwa.

Kwa hayo machache, naomba kutoa Hoja.

*(Question of the Motion as amended put and agreed to Resolved accordingly:*

KWAMBA, ikiwa sasa ni dhahiri kwamba dawa ya kuzuia uzazi ya Depo-Provera si salama kwa afya ya wanawake wanayoitumia, Bunge hili linapendekeza kwamba kutoka sasa dawa hii isiruhusiwe tena kutumiwa na wanawake wa nchi hii kwa minajili ya upangaji wa uzazi.

## MOTION

### REVIEW OF COTTON PRODUCER PRICES

**Mr. K'Ombudo:** Mr. Deputy Speaker, Sir, I beg to move the following Motion:

THAT, in view of the fact that cotton production is important to this country, and since at the moment production of this commodity is being hampered by several problems such as inadequate pricing and delayed payments; this House requests the Government to review producer price upwards and to direct that the producer be paid on delivery of cotton.

Mr. Deputy Speaker, Sir, as it is well known, cotton is a very important crop in this country, not only to the individual farmer but also to the economy of this country. At the moment, the price of cotton is very low—

**The Minister for Constitutional and Home Affairs (Mr. Njonjo):** On a point of order, Mr. Deputy Speaker, Sir. Does the hon. Member really have to shout like that? It is really affecting our ears!

**Mr. K'Ombudo:** Mr. Deputy Speaker, Sir, I am not shouting. I am talking at my normal capacity. So, Sir, the price of cotton at the moment, that is first grade cotton, is Sh. 3.60 per kilogramme whereas the second grade cotton is Sh. 1.75 per kilogramme compared to the production cost, this is uneconomical. It is at the moment uneconomical to pay the farmer Sh. 3.60 for the A.R. Cotton. Mr. Deputy Speaker, Sir, according to my estimation, it costs Sh. 8.00 to produce one kilogramme of cotton and yet the farmer is being paid Sh. 3.60. This is purely uneconomical and we are going to discourage these farmers. The end result will be that the country will import cotton; the country will spend its foreign exchange which is scarce to import cotton. I am saying this because our textile industry has to survive. Sir, another factor which is hampering the

[**Mr. K'Ombudo**]

production of cotton in this country is the method of payment. At the moment, Sir, the cotton farmer delivers his cotton to the co-operative society and has to wait for as long over a year. I have several cases in point in Nyakach in a place known as Katito, and at a place known as Kusa, where the farmers delivered their cotton and have not been paid for a year-and-a-half today.

#### ADJOURNMENT

**Mr. Deputy Speaker:** Order, you will continue from there next time. Hon. Members, it is now time for the interruption of Business. The House is therefore adjourned until this afternoon at 2.30 p.m.

*The House rose at thirty minutes  
past Twelve Noon*

**Wednesday, 2nd December, 1981**

*The House met at thirty minutes past two o'clock*

*[Mr. Deputy Speaker in the Chair]*

**PRAYERS**

**ORAL ANSWERS TO QUESTIONS**

No. 1051

**RESETTLEMENT OF KIUNGA PEOPLE DISPLACED BY SHIFTA**

**Mr. Cheka** alimuuliza Waziri wa Nchi, Ofisi ya Rais—

(a) kama ana habari kwamba wananchi wa Tarafa ya Kiunga kwa fujo la maharamia wa shifta walihama wote hata ofisi za utawala zikafungwa katika mwaka wa 1964;

(b) kwa vile wengi waliohama wanataka kurudi, kama atakuwa tayari kuwasaidia warudi nyumbani; na

(c) kama atahakikisha hifadhi ya ardhi vijijini vyao kama Stasheni, Mkokoni, Ashwei, Mvindeneni, Sendeni, na Rubu.

**The Assistant Minister, Office of the President** (Mr. Salatt): Bw. Naibu Spika, naomba kujibu.

Jibu kuhusu sehemu ya (a) ni kwamba tuna habari kwamba wananchi wote wa Kiunga walihama kutokana na fujo ya shifta. Lakini, ofisi za utawala zilifunguliwa tena mnamo mwaka wa 1967.

Jibu kuhusu sehemu ya (b) ni kwamba hatujafahamishwa kwamba wengi wa watu hao waliohama wanataka kurudi, lakini Serikali iko tayari wakati wowote kumsaidia mwananchi yeyote atakayehitaji msaada wake kwa kadiri inayowezekana kufuatana na sheria za nchi hii.

Jibu la (c) ni kwamba Serikali inahakikisha kwamba mali ya kila mtu inahifadhiwa kulingana na uwezo wake na pia kufuatana na sheria.

**Mr. Cheka:** Kulingana na jawabu la Waziri Msaidizi—na ningetaka kumwambia ahsante sana—ana habari kwamba wengi wa watu wetu ambao wamekimbilia Kilifi District kule Ngomeni, Watamu na Malindi, na wengine ambao wako kule Tanzania, wameonyesha kwamba wanataka kurudi kwao, na hata wengine wameanza kurudi, lakini kwa sababu ya shida wanakimbia tena?

Je, Waziri Msaidizi yuko tayari kuwasaidia watu hawa kwa kuwapatia vifaa vya kujenga nyumba zao, kama miti, na vile vile kuwapa ulinzi katika sehemu ya Mvindeneni?

**Mr. Salatt:** Bw. Naibu Spika, nilisema hapo mbeleni kwamba Serikali iko tayari kumsaidia mtu yeyote ambaye anahitaji usaidizi wowote. Ikiwa Mhe. Cheka mwenyewe ana taabu yoyote katika mawakilisho yake juu ya jambo hili, ningependa kujua kutoka kwake ni usaidizi wa aina gani anaohitaji kule ili Serikali iweze kuwasaidia watu wake.

**Mr. Wacira:** Bw. Naibu Spika, Waziri Msaidizi ana-weza kufikiria kujenga army camp katika sehemu hii ili wale watu wakirudi kule wawe wakijua wana ulinzi wa kutosha na kwamba hawatatishwa tena na shifta?

**Mr. Salatt:** Bw. Naibu Spika, nilisema nilipojibu lile swali la Mhe. Cheka kwamba Serikali iko tayari kuwasaidia wale watu ambao wako tayari kurudi. Si kweli kusema kujengwa kwa kituo cha army kutawasaidia hawa watu kwa ulinzi. Nasema hivyo kwa sababu tuko na ulinzi wa kutosha, na tukiona watu wa Mhe. Cheka wanataka kurudi tutawasaidia.

**Mr. Mwachofi:** Bw. Naibu Spika, Waziri Msaidizi anaposema kwamba Mhe. Cheka akimwambia taabu yake Serikali itachukua hatua, ana maana kuliambia Bunge hili kwamba Serikali hii haijui mahitaji ya watu wake?

**Mr. Salatt:** Bw. Naibu Spika, sikusikia swali lake.

**Mr. Deputy Speaker:** Unaweza kulirudia swali lako. Bw. Mwachofi?

**Mr. Mwachofi:** Bw. Naibu Spika, nauliza hivi: wakati mwenzangu Waziri Msaidizi anapomwambia Mhe. Mbunge wa Lamu Magharibi kwamba aeleze ni mahitaji gani watu wake waliyo nayo ndio Serikali ichukue hatua, ana maana kuliambia Bunge hili kwamba Serikali haijui mahitaji ya watu wake?

**Mr. Salatt:** Nafikiri Bw. Cheka, ambaye aliuliza swali hili, ametosheka na jibu langu, na kama anataka usaidizi fulani, yeye mwenyewe ataeleza.

**Mr. Mwachofi:** Bw. Naibu Spika, hata kama Mhe. Cheka ametosheka na jawabu la Waziri Msaidizi, ni kweli kwamba swali hili limeshakuwa mali ya Bunge. Hivyo si kusema Mhe. Cheka akitosheka na jawabu lake maswali mengine hayawezi kuulizwa.

**Mr. Deputy Speaker:** Kwanza, mimi binafsi nafikiri ile supplementary question haihusiani kabisa na swali lenyewe kwa sababu Serikali haiwezi kujua taabu ya kila mtu kabla ya kufahamishwa, na ni lazima ijulishwe. Hata wewe, Bw. Mwachofi, huwezi kujua taabu ya watoto wako sasa hivi mahali walipo.

So, can we please move to the next question.

No. 1057

**HEALTH CENTRE FOR HAKATI**

**Mr. Okondo** asked the Minister for Health when a health centre would be built at Hakati to cater for the increasing population there.

**The Assistant Minister for Health** (Dr. Wameyo): Mr. Deputy Speaker, Sir, I beg to reply.

A health centre will be built at Hakati in the future depending on the availability of funds. It is clearly shown in the current Development Plan that funds have not been allocated for this project.

**Mr. Okondo:** Mr. Deputy Speaker, Sir, arising from the Assistant Minister's reply, is he aware that there is a large number of civil servants at Hakati who are experiencing a tremendous amount of hardships because of lack of Government health facilities?

**Dr. Wameyo:** Mr. Deputy Speaker, Sir, yes, I am aware.

**Mr. Okondo:** Mr. Deputy Speaker, Sir, since the Assistant Minister is aware, would he then agree with me that this question of telling us that there are no funds is not proper? Can he assure us that he is going to bring to this House a request for funds for this health centre to be built?

**Dr. Wameyo:** Mr. Deputy Speaker, Sir, I was not aware that this House makes funds!

**Mr. Midika:** Mr. Deputy Speaker, Sir, I do not know whether the Assistant Minister is just trying to be sarcastic or he does not know what he is saying. The question was: when is he going to make a request for funds? This means that a special request can be made, through this House, by a Member of Parliament for something to be done in a certain area in this country. If he is not aware of that, is he now aware of it?

**Dr. Wameyo:** Mr. Deputy Speaker, Sir, I was asked to bring a request to this House for funds, and what I said was that I was not aware that this House makes funds!

**Mr. Wamwere:** On a point of order, Mr. Deputy Speaker, Sir,—

**Mr. Deputy Speaker:** I think we are now drifting away from the main question. Could we stick to the question please?

**Mr. Wamwere:** On a point of order, Mr. Deputy Speaker. Pamoja na uamuzi wako, sijui kama unato-sheka jibu lililotolewa na Waziri Msaidizi lina lengo la kulidhihaki Bunge hili. Nasema hivyo kwa sababu ni kweli kwamba ili pesa zitumike na Serikali, ni lazima zipitishwe na Bunge hili. Kwa hivyo, anaweza kuulizwa ayaondoc matamshi yake kwa sababu nafikiri yanalidhihaki Bunge hili.

**Hon. Members:** Yes! Ndio! Ondoa! Ondoa!

**Mr. Deputy Speaker:** Order, Order! What the hon. Assistant Minister did say was that he was not aware of the fact that the House does approve funds here, and I am sure he has now been made aware of it.

**Mr. Okondo:** Mr. Deputy Speaker, Sir, my question was not whether this House funds or not. The House cannot make funds, and no one can make funds. I asked, Mr. Deputy Speaker—and please, let this not be taken as a joke—whether the Assistant Minister would bring a request to this House for funds. I did not ask anything about making funds. Therefore, would he bring a request for funds to this House for this project to be built?

**Dr. Wameyo:** Mr. Deputy Speaker, Sir, we recently brought requests for funds for the Ministry and the funds given are just enough for the service we have, but when we get more funds we will definitely build Hakati Health Centre because we have got it in the Development Plan.

**Mr. Okondo:** Mr. Deputy Speaker, Sir, I do not think my question has been fully answered by the Assistant Minister. Would he assure the House that he will bring a request for funds to this House? This is my question.

**Mr. Deputy Speaker:** Order! Your question is in connection with Hakati, and I think you have been

given a very satisfactory reply by the Assistant Minister. Next question.

No. 1025

PREVENTION OF TRANSMISSION OF DISEASES TO LIVESTOCK BY WILDLIFE

**Mr. Wakiondo** asked the Minister for Environment and Natural Resources whether in view of the fact that farmers bordering game parks often find their livestock infected with diseases emanating from wildlife, he could build dips and provide other forms of prevention of transmission of diseases along the borders of game parks.

**The Assistant Minister for Environment and Natural Resources (Mr. Adichareh):** Mr. Deputy Speaker, Sir, I beg to reply.

The Ministry is aware of the problems of livestock interaction with wildlife in some areas in the dispersal areas of natural parks and national reserves. The Ministry has from time to time released funds to county councils neighbouring such national parks and national reserves to assist in building cattle dips among other development projects in the respective districts.

The answer to part (b) of the question, Mr. Deputy Speaker, is that other forms of prevention of transmission of diseases would perhaps imply providing veterinary services, which do not come under this Ministry of Environment and Natural Resources.

**Mr. Mbarire:** Mr. Deputy Speaker, Sir, since wana-nchi have done the best they could in building cattle dips, and also pay for water and the acaricides applied in these cattle dips, would the Ministry of Environment and Natural Resources assist these people to build more cattle dips and also supply them with the necessary acaricides for the cattle dips, in order to prevent their livestock from dying of these diseases?

**Mr. Adichareh:** We have given assistance in building dips in those areas. However, the provision of drugs is not the responsibility of my Ministry but the responsibility of the Ministry of Livestock Development. For instance, in areas with high agricultural potential, such as Meru, the Ministry has embarked on putting up game proof defences to keep off the animals from the cultivated land. There are a total of 52 cattle dips under construction in the country as recommended by the district development committees, two of which are in Meru District.

**Mr. Kanindo:** Mr. Deputy Speaker, Sir, arising from the Assistant Minister's reply, I would like to know what the Ministry is going to do with the wild dogs which bite the domestic dogs, thereby spreading diseases? I am asking this question because although the domestic dogs are treated, wild dogs continue straying and spreading the disease. What are you going to do in order to control this kind of problem?

**Mr. Adichareh:** Mr. Deputy Speaker, Sir, if there are some wild dogs in any given area that bite the domestic dogs, or livestock, then this matter should be reported to the Ministry. Thereafter the Ministry will try either to kill or control them, or to do whatever is necessary.

**Mr. Wakiondo:** I would like to thank the Assistant Minister for his reply. However, he has stated that the Ministry has given some assistance to construct 52 dips, and only two dips have been built in Meru District. Would he tell us where these two dips are located in Meru? I am asking this question because in Meru there is no dip in any of the areas adjacent to the national park. These wild animals come to my place and spread diseases to the domestic animals. Would the Assistant Minister, therefore, tell us where these dips are situated?

**Mr. Adichareh:** Mr. Deputy Speaker, Sir, I do not know exactly the place where these dips are situated, but I will try to get the information and give it to the hon. Member concerned.

No. 1068

#### DISPOSAL OF RADIOACTIVE WASTE

**Dr. Chibule,** on behalf of Mr. Bwana, asked the Minister for Environment and Natural Resources—

- (a) what is his Ministry's policy with regard to the disposal of solid and liquid radioactive waste being generated in several research laboratories in Nairobi; and
- (b) whether he has the details of the various radioactive compounds being used in research with regard to the problems of storage and disposal of waste.

**The Assistant Minister for Environment and Natural Resources (Mr. Adichareh):** Mr. Deputy Speaker, Sir, the answer to the question is very long, but I will try to read it.

**Mr. Speaker, Sir, I beg to reply.**

(a) The Government's policy with regard to the disposal of solid and liquid radioactive waste is to monitor and control all aspects connected with the above substances through the Ministry of Health under powers provided in the Radiation Act (Cap. 243) vested in the Director of Medical Services as the administrator. In addition, the Radiation Act (Cap. 243) established the Radiation Board, with licensing powers. Use of radioactive material in Kenya is not widespread since we are not involved in the production of nuclear energy or nuclear weapons, which are the major activities requiring the use of large amounts of radioactive chemicals. However, there are three main methods used to dispose of radioactive wastes. These are:

1. dilute and disperse
2. delay and decay
3. concentrate and contain.

(b) The Ministry is aware that current storage and disposal are being undertaken by various users using different methods of storage and disposal. Storage of radioactive materials poses the greatest problem. So far no method of permanent storage has been accepted. Current methods include underground tanks and holes; concrete tanks, laboratory safe depositories and warehouses. Radioactive chemicals in Kenya are used in very small quantities in various processes dealing with

medical activities, such as medical x-rays and radio-isotopes for diagnosis and treatment of diseases; research activities in various fields such as agrochemistry, veterinary medicine, chemical engineering and industrial ex-rays for detection of flows in various industrial systems. Radioactive energy also comes from colour television, microwave ovens, radar system, et cetera. We are exposed to radioactivity from natural sources, such as cosmic rays, soil rocks, et cetera. Ordinary elements and chemical compounds are capable of being irradiated or transformed into radioactive material if they are in contact with radioactive chemicals. Water is a good example. Radioactive chemicals used in Kenya in very small quantities include lithium, aluminium hydride, iodine, some active ingredients in agrochemicals, uranium, plutonium, cesium and tritium.

**Dr. Chibule:** Mr. Deputy Speaker, Sir, I wish to thank the Assistant Minister for his long and exhaustive answer. I would like to ask him one supplementary question. Can he assure this House that the Government will not allow Kenya, or its environment, to be used as a dumping ground for the radioactive waste that is now causing a lot of embarrassment in countries like America and others?

**Mr. Adichareh:** Mr. Deputy Speaker, it is the duty of the Kenya Government to see that Kenya is not turned into a dumping ground. We shall make sure that it will not be used as a dumping ground.

No. 1069

#### IMPROVED BUS STOPS—UPLANDS—KINANGOP

**Mr. P. T. Mungai** asked the Minister for Transport and Communications—

- (a) whether he is aware that some bus stops on the Uplands-Kinangop Road are so badly positioned that people cannot use them; and
- (b) whether he is prepared to have others constructed at more convenient places.

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

The three pairs of bus-bays along the Uplands to Longonot Road were positioned according to the demand at the time of construction, taking due consideration of the safety aspects such as sight distances, accesses and nearby junctions. If these bus-bays today appear to be wrongly positioned, I believe that this is as a result of the development which has taken place since the construction of the road and the fact that the matatus tend to stop wherever a passenger wants to get off regardless of whether this happens to be next to a bus-bay or not.

**Mr. P. T. Mungai:** Mr. Deputy Speaker, Sir, arising from the reply given by the Assistant Minister, if he is aware that the three pairs that are there today, and which are used by the matatus and the buses, were badly positioned? Is he prepared to have others constructed at better and convenient places?

**Mr. Lotifiyo:** Mr. Deputy Speaker, Sir, for the information of hon. Member, the Uplands-Longonot Road will in future form one part of the Mombasa-Lagos Trans Africa Highway. The existing road needs strengthening in order to cope with the expected increase in traffic load. The Ministry will, as part of this work, look into the questions of location and safety of the existing bus-bays and will consider the need for any modification as well as the need for additional bus-bays.

**Mr. P. T. Mungai:** Mr. Deputy Speaker, I thank the Assistant Minister for this reply.

**Mr. Deputy Speaker:** Next question. Mr. Wamwere.

**An hon. Member:** Bw. Wamwere, unalala!

**Mr. Wamwere:** Mr. Deputy Speaker, Sir—

**Mr. Orengo:** On a point of order. Mr. Deputy Speaker, Sir. Last time—I think about two weeks ago—the hon. Member for Kikuyu refused the hon. Member for Nakuru North to sit near him. He was saying that they do not agree. However, I can now see the hon. Member for Kikuyu sitting near the hon. Member for Nakuru North. Do we assume that peace has now been established between the two hon. Members?

(Applause)

**Mr. Deputy Speaker:** Order! I am sure they are now great friends.

(Applause)

**Mr. Wamwere:** You are right, Mr. Deputy Speaker. I and the hon. Minister are now great friends, and more so since this morning.

(Laughter)

No. 905

#### GRADING OF EMPLOYEES OF BETHANY FLOWER INDUSTRY

**Mr. Wamwere** asked the Minister for Labour—

- what pay scales exist for disabled C.P.E. and K.C.E. holders working for Bethany Flower Industry in Nakuru;
- on what basis the workers are promoted; and
- whether these workers are employed on permanent basis after completion of their probationary period; and whether they are unionized.

**Mr. Deputy Speaker:** No one from the Ministry of Labour?

Next question Mr. Sifuna.

No. 1064

#### NON-DIRECTOR EXPATRIATES IN KENYA

**Mr. Orengo,** on behalf of Mr. Sifuna, asked the Minister for Labour—

- how many non-director expatriates there are in Kenya;
- how many of these are managers, secretaries and accountants; and
- how many expatriates were replaced as at 30th June, 1981.

**The Assistant Minister for Industry (Mr. Wariithi):** Mr. Deputy Speaker, on behalf of the Minister for Labour, I beg to reply.

(Applause)

I would like to thank the hon. Members for the welcome they given me this afternoon. This shows that they value my presence in this House. I appreciate their good wishes and prayers, which I am sure they have extended to me in this trying period.

Now, the answer here, Mr. Deputy Speaker, is that this question is very wide. If you look at it, you will see that it is asking the Ministry of Labour to provide the number of non-director expatriates in Kenya. That means going through more than 500 private and public companies and parastatals so that one can know who are the managers, secretaries and accountants to be able to answer this question. The question was received by the Office of the President this morning at 11.00 o'clock, and during that short period we have not been able to gather the material required. We are aware that we may be adjourning very soon. We are prepared to give an appropriate answer as soon as possible or, if necessary, give a written answer. I think we have a procedure whereby when an answer is lengthy, as this one is likely to be, we give a written answer. On behalf of the Office of the President I can undertake that we will give an answer when we get the material—if it is available before the House resumes, we will give a written answer to the hon. Member.

Thank you, Mr. Deputy Speaker.

(Question deferred)

No. 816

#### SALARIES OF CATTLE DIP ATTENDANTS

**Mr. Mwachofi** alimuuliza Waziri wa Ustawi wa Mifugo ni kwa nini wasimamizi wa majosho (dip attendants) hulipwa mshahara kima kimoja (kikundi cha kazi "A") bila kujali viwango vyao vya elimu, kama ni C.P.E., K.J.S.E. au E.A.C.E.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Bw. Naibu Spika, ninaomba kujibu.

Wale watu ambao tunawaajiri kazi kama dip attendants yaani, wale watu wanaosimamia majosho—ni watu waliohitimu elimu ya Darasa la 7, au masomo mengine yaliyo sawa na yale ya Darasa la 7. Mshahara wao ni wa kazi wanayofanya lakini sio kwa kadiri ya masomo yao. Hata hivyo, mtu akiwa na masomo ya juu hutafuta kazi yenye malipo ya juu. Kama wengine walio na masomo ya K.J.S.E. na E.A.C.E. wakiona kuwa hawawezi kupata kazi inayofaa madarasa hayo—na hivyo ndivyo ilivyo—huja katika Wizara yetu na kuomba waajiriwe kazi ya dip attendants.

Watu wengine walio na masomo ya Kidato cha IV na cha Kenya Junior Secondary wakiona kwamba hawawezi kupata kazi inayolingana na masomo yao huja katika Wizara yetu na kusema kwamba wanataka wafanye kazi ya dip attendants, na sisi huwafahamisha kwamba kazi hii ni ya watu wa Darasa la 7, lakini kwa sababu ya shida wao husema "Nina shida nyi-nyi, sijali habari ya Kidato cha IV naitaka kazi hii

**[The Assistant Minister for Livestock Development]**

hii iki niweze kupata sabuni". Basi, tunamwajiri mtu kama huyo baada ya kumjulisha kwamba hatalipwa mshahara wa Kidato cha IV bali atalipwa mshahara wa Darasa la 7, kwa sababu kazi hii ni ya mtu wa Darasa la 7. Kwa hivyo, wale wanaojiriwa kazi kama dip attendants wanaajiriwa kwa kupenda kwao, na kwa sababu ya shida zao ambazo sisi pia tunazifahamu. Kwa hivyo, hivyo ndivyo mambo yalivyo.

**Mr. Mwachofi:** Bw. Naibu Spika, jibu la Waziri Msaidizi ni la kushangaza sana kwa kuwa hata yeye mwenyewe anafahamu kwamba katika Wizara mbali za mbali Serikali hata ile Wizara yake yenyewe, kuna watu wa viwango tofauti ya masomo ambao wanafanya kazi aina moja na wanalipwa tofauti tofauti kufuatana na vile walivyosoma. Kwa hivyo, anaposema hivyo, Bw. Naibu Spika, nafikiri analipotosha Bunge. Hata hivyo, ningependa kumuuliza ni kwa nini jambo hili liko hivyo kwa hawa wasimamizi wa majosho na hali haliko hivyo katika kazi nyingine.

**Mr. Shikuku:** Ikiwa Mhe. Mbunge huyo angependa ukweli, ambao ni kitu ambacho kingefaa akipende kwa sababu ukweli ni Mungu, ningependa kumwambia kuwa ukweli ni kwamba tuna shida. Hilo silo jambo la kuchekewa. Tuna shida. Ikiwa mtu ana kiwango fulani cha masomo, na tuseme tuna kazi ya cleaner katika Wizara yetu, au tumahitaji mtu wa kufagia choo au maofisi, na kuna gredi kama hizo katika Serikali na elimu inayohitajika kwa kazi hiyo, lakini hapa tumempata mtu mwenye elimu ya juu ambaye hapati kazi inayolingana na elimu yake na, kwa hivyo, amesema "Basi, potelea mbali habari ya elimu, mimi nataka mashahara huo wa 2 shillings ingawa uko chini"—sasa, Mhe. Mbunge huyo anataka kutuambia kwamba ni heri tumfukuze mtu kama huyo? Anataka tufanyaje? Ukweli ni kwamba yule aliyen shida anasema anataka hivyo, lakini tunamwambia hii ni kazi ya mtu wa Darasa la 7 na, kwa hivyo, hatutampa mshahara wa Kidato cha IV. Kwa hivyo, ameichagua huyo yeye mwenyewe. Ikiwa amekwishachagua kufanya hivyo, Mhe. Mbunge anataka tufanye nini? Je, tumfukuze kazini? Hapana, hatuwezi kufanya hivyo.

**Mr. Okondo:** Mr. Deputy Speaker, arising from the Assistant Minister's reply, could he re-assure the House that salaries for the various jobs would go according to the category of a job and not according to the category of qualification?

**Mr. Shikuku:** Bw. Naibu Spika, nimelieleza vizuri jambo hilo. Kwa hivyo, sijui kama anataka nilieleze jambo hilo tena katika lugha ya Kiingereza. Nimesema ni shida za mtu ambazo zinaweza kumfanya ajiriwe katika kazi ambayo haiingani na masomo yake. Katika Serikali, hata kwa kazi nyingine kama hizi za ukarani, hivi majuzi nilipokuwa nikiwatafutia watu kazi niliambiwa kwamba elimu ya mwisho ambayo inaweza kumfanya mtu achukuliwe kufanya kazi ya ukarani ni Division III ya East African Certificate of Education au Kenya Certificate of Education. Hawakubali Division IV. Jambo kama hilo ndilo linalofanyika. Lakini mtu wa Division III akiona kwamba hawezi kupata kazi ya ukarani, na kuna kazi ya dip attendant, anaweza kuja kwako na kusema, "Mimi sijali hivyo, nipeni hii kazi ya dip attendant

ili niweze kupata sabuni". Haya ndiyo mambo tunayoyafanya kwa sababu Serikali ya Nyayo ni ya kuangalia shida za mtu. Kwa hivyo, kwa vile mtu huyo amekubali kuajiriwa kazi kama dip attendant, tunampa kazi hiyo. Lakini ikiwa Wabunge hawataki mtu kama huyo aajiriwe kazi kama dip attendant kwa sababu ana qualifications za juu, basi, ni heri Wabunge hao wamtafutie kazi inayohitaji qualifications za juu wala sio kuuliza maswali hapa.

**Mr. Wacira:** Jambo la nidhamu. Bw. Naibu Spika, nidhamu yangu ni kwamba inaonekana kuwa Mhe. Waziri Msaidizi alipotosha Bunge.

**Mr. Mwachofi:** Kabisa!

**Mr. Wacira:**—Nasema hivyo kwa sababu haya mambo ambayo anasema kuwa wao huwaambia wale wanaotafuta kazi hawawaambia in writing. Ikiwa kuna ukweli wowote juu ya jambo hilo, tumgumuomba Waziri Msaidizi atuonyeshe ni barua zipi ambazo ameandika kwa wafanyakazi kama hao akiwajulisha juu ya mambo hayo. Nasema hivyo kwa sababu katika sheria zinazohusiana na wafanyakazi, yaani labour laws, huwezi kumwambia mfanyakazi kitu verbaliy, you must put it in writing. Could the Assistant Minister table the letter showing that?

**Mr. Shikuku:** Bw. Naibu Spika, kusema ni rahisi lakini sisi watu wengine tutioko hapa tunataka kufuata maneno ya kweli. Hata wakati mtu kama huyo anapandikwa kazi, hupeva barua inayoonyesha kwamba amejiriwa katika gredi fulani. Habari ya kuandika barua haina maana kwa sababu watu wanapojiriwa kazi huambiwa ambayo watakuwa wakifanya ni ya watu wa Darasa la 7 na wala sio ya wale wa Kidato cha IV, na mishahara ambayo watakuwa wakipata ni ya watu wenye masomo ya Darasa la 7. Mambo haya yako katika maandishi. Ikiwa Mhe. Mbunge anataka niende niende karatasi hivyo, nitafanya hivyo.

**An hon. Member:** When?

**Mr. Shikuku:** Bw. Naibu Spika, akitaka nitaitela karatasi hiyo hapa hata kesho, na akishaisoma atasisama hapa na atubu dhambi zake!

**Mr. Wacira:** Jambo la nidhamu, Bw. Naibu Spika—

**Mr. Deputy Speaker:** Order, order! Mimi nafikiri Bw. Waziri Msaidizi amejibu vizuri kufuatana na vile swali lenyewe linavyotaka na, hivyo, sijui ni taabu gani iliyoko tena.

**Mr. Mwachofi:** Bw. Naibu Spika, majibu yote ya Waziri Msaidizi yanahitafiana na vile mambo yalivyo, kwa sababu tangu swali hili litumwe kwa Wizara miezi mitatu au miwili iliyopita kuna hatua ambazo zimechukuliwa katika sehemu za mashabani. Hivyo ni kusema mishahara imeanza kutofutishwa; wale ambao walikuwa wakilipwa mishahara ya chini wameanza kufanyiwa vizuri.

**An hon. Member:** Hajui hivyo!

**Mr. Mwachofi:** Kwa hivyo, nataka kujua ni kwa nini ilikuwa hivyo, na kama atalihakikishia Bunge hili kwa mba mambo hayo yatatengenezwa haraka iwezekanavyo kwa kila mtu.



**Mr. Shikuku:** Bw. Naibu Spika, kama kuna dip attendants ambao mishahara yao imepandishwa, ningependa kujua jambo hilo. Pia, kama ni hivyo, nitashukuru. Lakini kama minavyofahamu, ukweli ni kwamba mishahara ambao mtu hulipwa kama dip attendant unalingana na kazi anayofanya na masomo aliyohitimu, sio kwamba ikiwa mtu anayetoka katika chuo kikuu anataka kuwa cleaner, au anataka kufanya kazi ya cleaner, ambayo hailingani na masomo yake ya chuo kikuu, na kupata mishahara unaolingana na masomo yake—basi, hiyo ni shauri yake.

**Mr. Mbarire:** Jambo la nidhamu, Bw. Naibu Spika—

**Mr. Deputy Speaker:** Order, order, Bw. Mbarire. Bw. Mwidau.

**Mr. Mwidau:** Bw. Naibu Spika, jambo langu la nidhamu ni hili. Mhe. Waziri Msaidizi amesema hapa kwamba kesho ataitela ile karatasi, halafu Mhe. Wacira atutubu dhambi zake. Sasa, nataka kujua ni dhambi gani zilizofanywa na Mhe. Wacira ambazo anatakiwa kutubu.

**Mr. Shikuku:** Bw. Naibu Spika, hili ni jambo ambalo ni rahisi sana kwangu. Dhambi alizotenda ni zile za kujifanya kama hajui. Hizo ni dhambi, na ataziungama kesho.

*(Several hon. Members rose in their places)*

**Mr. Deputy Speaker:** Order, order, hon. Members! Najua Mhe. Shikuku anajua Kanuni zetu za Bunge, na kwamba si haki kumdhanja Mhe. Mbunge mwenzako. Kwa hivyo, ninaamini kwamba ataliondoa neno hilo.

**Hon. Members:** Ondoa neno hilo!

**Mr. Deputy Speaker:** Order, order. Bw. Martin Shikuku, ninaamini unajua kufuatana na Kanuni zetu za Bunge ni makosa kumdhanja mtu kuwa amefanya dhambi. Kama kutakuwa na tashwishi, tutaithibitisha baadaye, lakini kumdhanja Mbunge in advance ni makosa.

**Hon. Members:** Ondoa neno hilo.

**Mr. Shikuku:** Bw. Naibu Spika, ningependa kupata uongozi wako juu ya jambo hili—

**Hon. Members:** La, ondoa neno hilo kwanza!

**Mr. Shikuku:** Bw. Naibu Spika, kama Waheshimiwa Wabunge hawawezi kujionyesha kwamba ni Waheshimiwa kwa kupiga kelele, sitaliondoa neno hilo, na nitaona ni kitu gani ambacho wanaweza kufanya kwangu.

**Mr. Wacira:** Jambo la nidhamu, Bw. Naibu Spika—

**Mr. Deputy Speaker:** Order, order! Mimi sioni ugumu wowote juu ya jambo hili na, kwa hivyo, sijui ni kwa nini Wabunge wana mood kama hiyo. Ijapokuwa najua tunataka kwenda katika likizo ya Christmas, ningetaka kumuuliza Mhe. Shikuku ayaondoe yale aliyoyasema, kwamba Mhe. Wacira angetubu dhambi zake.

**Mr. Shikuku:** Bw. Naibu Spika, mimi ningependa kuyaondoa maneno hayo kufuatana na uamuzi wa Kiti, lakini ikiwa Wabunge wataendelea kupiga kelele kama vile wanavyo fanya, basi, sitayaondoa kabla hawajaacha kupiga kelele.

**Hon. Members:** Ondoa maneno hayo!

**Mr. Deputy Speaker:** Order, order! I am sorry, Bw. Martin Shikuku, sikutaki uzungumze na Wabunge, au kutoa masharti yoyote kwa sababu jambo hilo liko kati yako na mimi.

*(Laughter)*

**Mr. Shikuku:** Kama ni hivyo, Bw. Naibu Spika, basi, nayaondoa maneno hayo kwa sababu umesema hivyo. Ahsante sana, Bw. Naibu Spika. Lakini ningewaomba Wabunge wawe watu walio na heshima wala sio kupiga kelele kama watoto.

**Mr. Wacira:** On a point of order—

**Mr. Deputy Speaker:** Order, order. Could we move to the next question. Mr. Muthura's question.

**Mr. Abuya Abuya:** On a point of order, Mr. Deputy Speaker—

**Mr. Deputy Speaker:** I am sorry, I am no longer going to entertain any further points of order. Mr. Muthura's question.

No. 334

#### DIFFERENCES IN IMPRISONMENT TERMS IN THEFT CASES

**Mr. Muthura** asked the Attorney-General why a person who steals K.Sh. 1 million should be jailed for a maximum of three years and the other one who steals a goat, valued at about K.Sh.100, be jailed for a maximum of seven years.

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

I would like to invite the hon. Member not just to look at the provisions of sections 275 and 278 of the Penal Code, but to consider in greater details the circumstances that might surround each particular offence. The question of sentence is the question which is entirely for the courts to decide within the parameters laid down by the legislature—

**Mr. Wacira:** Jambo la nidhamu, Bw. Naibu Spika. Ningetaka kupata uongozi wako juu ya jambo hili. Inaonekana Mhe. Shikuku ana tabia ya kujigamba na kujinyeta katika Bunge hili. Kwanza anasema kuwa watu wana dhambi na kisha anaanza kujiinua kama yeye peke yake ndiye jogoo hapa. Bw. Naibu Spika, hayo yanaonekana kama madharau.

*(Applause)*

**Mr. Deputy Speaker:** Order, order, hon. Members. Mimi sijaona tabia yoyote ambayo inamfanya Mhe. Shikuku kufikiria kwamba yeye peke yake ndiye jogoo hapa, lakini he may be entitled to that kind of thinking.

**The Assistant Minister for Livestock Development (Mr. Murgor):** Jambo la nidhamu, Bw. Naibu Spika. Mimi pia ningependa kupata uongozi wako juu ya jambo kama hilo. Je, unatosheka ni haki kwa Mhe. Mbunge mmoja kuendelea kuzungukazunguka hapa na pale hapa Bungeni? Wakati Waheshimiwa Wabunge wengine wanapozungumza, yeye anazungukazunguka hapa na pale hapa Bungeni akikohoa. Je, unatosheka na tabia hiyo?

**Mr. Deputy Speaker:** Order, hon. Members! Can we hear the Attorney-General please?

**Mr. Kamere:** Mr. Deputy Speaker, Sir, let me continue with my reply to the hon. Member.

Now, unlike some other jurisdiction, we in Kenya specifically provide different offences of dishonesty, depending upon all the surrounding circumstances. In addition to "simple theft" there is theft of postal matter, theft of motor-vehicles, theft of—

**Mr. Kamuren:** On a point of order, Mr. Deputy Speaker, Sir. Hon. Shikuku is walking around the Chamber. He has walked behind you and he is coughing but he has no cough. Are you satisfied with his behaviour?

**The Minister for Constitutional and Home Affairs (Mr. Njonjo):** On a point of order, Mr. Deputy Speaker, Sir. I think there seems to be some hilarity, maybe in anticipation of what we are going to do tomorrow; to adjourn for Christmas Recess. But quite clearly, if we leave hon. Shikuku alone, because he is not offending anybody at all, we can continue with our business. I think this Motion on the Depo-Provera this morning is upsetting everybody! However, I appeal that we should go on with the business of the House and leave hon. Shikuku alone!

*(Laughter)*

**Mr. Kanindo:** On a point of order, Mr. Deputy Speaker, Sir. I think all of us here are going to start behaving like the hon. Shikuku, whose behaviour is embarrassing to the House, especially now that the hon. Minister is commenting that hon. Members are hilarious. He is commenting on the Motion on the Depo-Provera, because the Motion was passed although he was against it; I mean the Motion which we were discussing this morning.

**Mr. Njonjo:** Mr. Deputy Speaker, Sir, I take great exception to what the hon. Member has said because I supported the Motion. In fact, I introduced the amendment to the Motion, and hon. Wamwere will bear me out.

I proposed the amendment which was passed by this House, and if the hon. Member was sleeping or eating sugar-cane, then I am not responsible for that.

*(Laughter)*

**Mr. Deputy Speaker:** Order, hon. Members! Can we hear the Attorney-General in silence!

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

**Mr. Deputy Speaker:** Order, hon. Kanindo! You must wait until you catch my eye! Huwezi kusimama tu ovyo ovyo. Ni lazima useme "jambo la nidhamu", na halafu nikukubalie. Hivi ndivyo tunavyoendesha mambo yetu hapa katika Bunge. So, can we have the Attorney-General, please!

**The Assistant Minister for Livestock Development (Mr. Murgor):** On a point of order, Mr. Deputy Speaker, Sir. We have a number of doctors here. Can they not be of help to hon. Shikuku with his cough, which is very offending to the House?

*(Applause)*

**Mr. Deputy Speaker:** Order! Order! I think they will go to the aid of the hon. Member. Can we hear the hon. Attorney-General, please!

**An hon. Member:** Dr. Wameyo, hurry up, please!

**The Assistant Minister for Health (Dr. Wameyo):** Give him Depo-Provera!

*(Laughter)*

**The Attorney-General (Mr. Kamere):** Thank you, Mr. Deputy Speaker. Shall we continue now from where I stopped? As I was saying, in addition to "simple theft", there is also theft of postal matters, theft of motor-vehicles, theft of fishing gear, theft from a dwelling house, theft by a person in public place, theft by a servant and many others. All these offences carry heavier maximum sentences than simple thefts.

In addition, there are many other offences often alike to the theft: forgery, false accounting or stealing by false pretences and so on, all of which carry heavier punishments than three years' imprisonment. I, on my part, Sir, find it difficult to imagine a set of circumstances where a person stole, say, K.Sh. 1 million and did not commit one of the many other offences which I have mentioned above.

There is another point to be made here, Sir. Although the minimum prison sentence for stock theft is seven years, there are other alternatives open to court apart from imprisonment. A court may make a probation order or conditionally discharge an offender where it considers it appropriate in the circumstances. Thank you, Sir.

**Mr. Muthura:** Mr. Deputy Speaker, Sir, without considering the two types of theft and sentences imposed, since this law was enacted by white settlers in those days to protect their livestock, is the Attorney-General personally satisfied that there is any justification in sending somebody to jail say, for seven years for stealing just a goat?

**Mr. Kamere:** Mr. Deputy Speaker, Sir, a goat, a hen, a cat, or a dog for that matter is a more valuable commodity to a mwananchi than the hon. Member's hundreds or millions of shillings which may be in the bank. So, it is the personal value; what value you attach to a property or a piece of property. We attach too much value to some of these things, which cannot be assessed in terms of cash, and that is why the sentence should not be commensurate to the offence but, rather, to deter any person who dares to steal your chicken, your goat or your cow, for that matter, because it may be that that is all you have in this world.

**The Minister for Constitutional and Home Affairs (Mr. Njonjo):** Particularly among the Baluhyas!

**Mr. Omido:** Bw. Naibu Spika, Mhe. Mkuu wa Sheria ameeleza kwamba kuna makosa tofauti tofauti na mahakimu wanayo haki ya kuamua kesi jinsi wanavyoona. Swali hapa ni kwamba kuna watu ambao wanaiba kama shilingi milioni moja na wengine wakaiba mali ambayo dhamani yake ni shilingi mia moja na kifungo kwa yule mtu ambaye ameiba Sh. 1 million, yaani hawa wezi wa kuvunja mabenki, na yule mtu ambaye ameiba Sh. 100 ni tofauti kabisa. Kwa hivyo, yule mtu ambaye ameiba pesa nyingi zaidi ndiye hufungwa kifungo

**[Mr. Omido]**

kidogo zaidi, na yule mtu ambaye ameiba mali ya thamani ndogo zaidi ndiye hupewa kifungo kikubwa zaidi. Pia tunajua kwamba katika nchi hii yetu kwa mujibu wa sheria huwezi kulaumu korti zetu. Korti zetu zimelindwa; siyo kama Ulaya ama Uingereza na mahali pengine ambapo raia wanaweza kupiga kelele kwamba hakimu ameama vibaya. Je, Mkuu wa Sheria aonaje juu ya hayo, na anaweza kufanyaje juu ya hayo kwa sababu ni maneno ya kweli na hakuna uwongo hapo?

**Mr. Kamere:** Mr. Deputy Speaker, Sir, it is unfortunate that the hon. Members in this House, who make the laws, are doubting the incompatibility of the sentences. What is punished by the court is the mensrea. "Mensrea" means the intent to commit an offence. Whether you commit an offence of a small thing or a big thing, the sentence is for the offence you have committed.

**Mr. Michoma:** Bw. Naibu Spika, kutokana na jibu la Mkuu wa Sheria, kwa Kiafrika kuna watu ambao hunajisi ng'ombe na mbuzi. Watu kama hao wakienda kortini huachiliwa. Je, ni kifungo gani wangeweza kupewa? Ni adhabu kama wale wanaovunja mabengi ambayo ingefaa wapewe? Kwa hivyo, Mhe. Kamere anaweza kufikiria jambo hili; na hata wanaonajisi kuku pia waadhibiwe vikali?

**Mr. Kamere:** Mr. Deputy Speaker, Sir, I do not know how to explain it, but I would appreciate if the hon. Members will bear with me and appreciate the fact that we in court punish the guilty mind; whether it is for a million shillings, a goat or a chicken for that matter. It is the guilty mind because the mind which a man forms when committing an offence is the one which we are punishing. Therefore, if you steal, say, Sh. 1 million, you are lucky to get three years; if you steal a chicken you go in for seven years— But all this, as I have said in my answer, depends very much on the circumstances and the conditions because you may steal, say, Sh. 1 million and then you are caught even before you have spent the money. Then you only have to tell the honourable court that since the Sh. 1 million was found you need not go to jail. But you will have to go to jail because you have a guilty mind.

**Mr. Michoma:** Jambo la nidhamu, Bw. Naibu Spika. Nilisema "kunajisi", yaani kulala na kufanya mapenzi na ng'ombe, mbuzi na kuku!

**Mr. Deputy Speaker:** Order, Mr. Michoma! Can we now move on to Question No. 905?

No. 905

#### GRADING OF EMPLOYEES OF BETHANY FLOWER INDUSTRY

**Mr. Wamwere** asked the Minister for Labour—

(a) what pay scales exist for disabled C.P.E. and K.C.E. holders working for Bethany Flower Industry in Nakuru;

(b) on what basis the workers are promoted; and

(c) whether those workers are employed on permanent basis after completion of their probation period and whether they are unionized.

**Mr. Abuya Abuya:** On a point of order, Mr. Deputy Speaker. The point I would like the hon. Attorney-General to clarify is "how does he measure the "intent"?"

**Mr. Deputy Speaker:** Order, Mr. Abuya Abuya! Let us move on to Question No. 905. If you want to know that, you can always get in touch with him and he will explain it to you.

**The Assistant Minister for Labour (Mr. Echakara):** Mr. Deputy Speaker, Sir, I beg to apologize; and I beg to reply.

(a) Consolidated basic wages for disabled employees of Bethany Bookshop who are engaged in the production of flamingo feather flowers range from K.Sh. 458 to K.Sh. 820. The scales are not based on one's academic qualifications. Over and above these wages workers are paid a monthly productivity bonus on an individual basis. The management of the company are currently reviewing the pay structure with a view to basing the entry point on academic qualification.

(b) Promotion is purely on merit basis.

(c) Every employee serves a probation period of six months after which he/she is placed on permanent terms.

(d) Employees are free to be members of a union, and two of them are members of the Domestic and Hotel Workers' Union, for which hon. Yeri has interest.

**Mr. Midika:** Mr. Deputy Speaker, Sir, I think the answer from the Assistant Minister is good, but he says the workers are paid bonus or bonuses on individual productivity basis. Would he agree with me that some people are more disabled than others? So, if they are paid on productivity basis and one person has only one arm, how can he compete with a person with two arms?

**Mr. Echakara:** Mr. Deputy Speaker, Sir, all these people I am talking about are disabled. Now, definitely, there are some of them who are more disabled than others, and most of them produce more than others. Therefore, they are given bonuses on individual basis as such.

Now, Sir, may I request hon. Member to say "thank you" to Bethany Bookshop because they are the only people who have created employment specifically for the disabled people—and I challenge any hon. Member of Parliament who has employed a disabled person in his/her own enterprise. So, to question this company is being ungrateful to an organization that is interested in the people most of us or all of us may not be interested. But I request hon. Members to bear with Bethany Bookshop and to say "thank you" to them. Thank you, Sir.

**Mr. Wamwere:** Mr. Deputy Speaker, I think the last reply by the Assistant Minister was unnecessary and superfluous in the sense that all of us do appreciate the good job that is being done by Bethany Bookshop and we do not need to be told to be appreciative by the Assistant Minister; this we can do on our own. But more important is my wanting to know when this reviewing of scales, so that they can be based on academic qualifications, will be put into operation.

**Hon. Members:** Is there no answer to that question?

**Mr. Wamwere:** On a point of order, Mr. Deputy Speaker. I have asked a question and I do not see why this question should not be answered. I am asking when this review will come into operation so that these workers can be paid as per their academic qualifications. When is it going to come into operation?

**Mr. Echakara:** I do not know, Mr. Deputy Speaker.

**Mr. Wamwere:** Mr. Deputy Speaker, can the hon. Assistant Minister be asked by the Chair to ask Bethany Bookshop to speed up the process so that these people can start being paid as per their academic qualifications?

**Mr. Echakara:** Mr. Deputy Speaker, Bethany Bookshop has employed disabled people. They consider these disabled people as they come. Their primary function is to help the disabled, and it is not up to them to find out whether the disabled person is a graduate, an E.A.C.E. holder or a C.P.E. holder. It is on that basis that I have said that we should first of all say "thank you" to Bethany Bookshop, for considering the disabled. I have also said that their salaries range from K.Sh. 458 to K.Sh. 820. This is what they have told us. In simple terms, this means that these disabled people are paid on the basis of their productivity and also on their qualifications. This is what I have said, and if the hon. Member would like these people to be employed on the basis of their academic qualifications, I would like him, with your permission, to go and assemble them in groups of "A" level holders, "O" level holders and C.P.E. holders and give the list to Bethany Bookshop because they have no time to do this, and all they are interested in is to help these people.

**Mr. Deputy Speaker:** Order! Can we now move on to Questions by Private Notice since we are running short of time? Mr. Ogero, will you ask your question?

**Mr. Wamwere:** On a point of order, Mr. Deputy Speaker!

**Mr. Deputy Speaker:** No more points of order, please. Ask your question, Mr. Ogero; we are running short of time and we are already more than 30 minutes late.

#### QUESTIONS BY PRIVATE NOTICE

##### THEFT IN FIVE PRIMARY SCHOOLS IN MUGIRANGO

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

- (a) Is he aware that on the night of 4th November, 1981 five primary schools in West Mugirango Constituency in Kisii District were raided by thieves who took away property worth K.Sh. 12,204?
- (b) Has any step been taken to recover these properties and have any culprits been apprehended?

(c) What steps is the Ministry taking to stop this ugly situation from happening again?

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

(a) We are aware that six primary schools were broken into on the night of 4th and 5th November, 1981 in West Mugirango and property worth K.Sh. 14,821 was stolen.

(b) Police immediately mounted investigations the moment the matter was reported to the police station. These investigations are still continuing.

(c) The culprits have so far not been found.

(d) Police patrols are being undertaken in the area and schools have been advised to employ night watchmen.

Mr. Deputy Speaker, it seems as if this theft was planned by local people because all the six schools were raided during one night and property worth very little stolen. I do not know whether these culprits will be found because it seems as if they were just local people who broke into the schools.

**Mr. Ogero:** Mr. Deputy Speaker, it is now nearly a month since these schools were broken into and the property stolen. When was the report taken to the police station so that they could not get these culprits almost immediately? I ask this because I know that nearly all these schools surround Nyamira Police Station because they are within Nyamira Urban Area. They are all actually within the urban area, and by now the police should have got the culprits and even recovered some of this property.

**Mr. Kuguru:** Mr. Deputy Speaker, the report about the primary schools that were broken into went to the police on the morning of the 5th November. If it was the schoolboys who broke into the schools and stole books, I have said that it may be hard to trace them. As I said, police are still investigating, but it is going to be hard to find any schoolboy or local man who went to the schools and stole the property. I have also given information to the House that nobody has been arrested and we do not know how soon they may be arrested because if you steal a small thing like a book, you could easily throw it away if you knew you were going to be caught. Therefore, I cannot give a date when we expect to catch these culprits; they may not even be found.

**Mr. Deputy Speaker:** Let us now move on to the next question.

##### DELAYED PROPERTY-DAMAGE COMPENSATION IN ROAD CONSTRUCTION TO MR. IMUKUO

**Mr. Deputy Speaker:** Is Mr. Karauri not in? Let us go on to Mr. Omido's question then.

*(Question dropped)*

## UPWARD ADJUSTMENT OF WAGE-GUIDELINES

**Mr. Omido:** Bw. Naibu Spika, naomba kumuuliza Waziri wa Wafanyakazi Swali Maalum lifuatalo:

(a) Je, anaweza kuruhusu vyama vya wafanyakazi kurekebisha mikataba ya sasa ili kuwapatia wafanyakazi nyongeza ya asilimia 15 ikiwa ni pesa ambazo wamepoteza kutokana na kupungua kwa thamani ya pesa zetu?

(b) ikiwa jibu ni la, anatambua kwamba matajiri na wafanya biashara walipandisha bei za vifaa vyao ili kufidia kupunguka kwa thamani ya shilingi?

(c) ni kwa njia gani wafanyakazi watafidia kupunguka kwa thamani ya pesa zao?

**The Assistant Minister for Labour (Mr. Echakara):** Bw. Naibu Spika, naomba kujibu.

(a) Mhe. Mbunge wa Bahati, Bw. Omido, anafahamu vyema kwamba kupunguzwa kwa thamani ya shilingi ya Kenya kilitokea kwanza mwezi wa Februari, 1981 kwa kiasi cha asilimia 5, na tena Septemba, 1981 kwa asilimia 15. Hatua hii ililazimishwa na hali mbaya ya uchumi nchini, ambayo ililetwa na msukosuko wa uchumi ulimwenguni. Pengine Mhe. Mbunge anataka kujua kwamba hali yetu ya akiba ya pesa za kigeni ilipunguka sana, kutoka K£193 milioni mwishoni wa Januari mpaka K£115 milioni Septemba mwaka huu. Kufuatana na hayo, ilikuwa ni lazima pesa zetu kupungua thamani ili kuzuia uagizaji wa bidhaa zilizo humu nchini, na pia kupambana na hali mbaya ya matumizi ya pesa katika nchi na wakati huo huo kuimarisha tena hali nzuri ya usafirishaji wa bidhaa nchi za ng'ambo ili kurahisisha ugawaji wa pesa kutoka nchi za nje.

Bw. Naibu Spika, kutokana na tarakimu za bei za matumizi, inafahamika kwamba katika 1980 gharama ya maisha ilipanda kwa kila mfanyakazi kwa asilimia 12.8 ikilinganishwa na asilimia 8.4 ya 1979. Katika muda huo ulipaji wa ridhaa, kama ilivyoafikiwa baina na matajiri na vyama vya wafanyakazi ilifikia kiwango cha asilimia 11.5 mnamo 1980 ikilinganishwa na asilimia 11 katika 1979. Katika miezi 10 ya kwanza katika 1981, wakati thamani ya shilingi ilipopungua, gharama ya maisha ilipanda kwa asilimia 0.9 hadi asilimia 9.1. Hii ni kuonyesha kuongezeka kwa gharama ya maisha katika 1981 ilikua asilimia 10.9. Kiwango cha ridhaa kilichokubaliwa katika miezi sita ya kwanza ya 1981 kilifikia asilimia 7 kwa mwaka. Tukilinganisha haya, inaonekana kwamba gharama ya maisha haikupanda kwa sababu ya upungukaji wa thamani ya pesa, na 1981 hauonekani utakuwa mwaka mbaya wa matumizi kupita kiasi. Kwa hivyo, ni makosa kwa Mhe. Mbunge kutaka ridhaa ya asilimia 15 kwa sababu ya upungukaji wa thamani ya pesa zetu. Serikali itategemea malipo ya ridhaa kupitia Mahakama ya Viwanda na mawasiliano ya pamoja, ambapo kuongezeka kwa gharama ya maisha kunachunguliwa kwa makini zaidi na kulinganishwa na uchumi wa nchi.

(b) Kama ilivyoelezwa mbeleni, madhumuni ya kupunguzwa kwa thamani ya pesa ni kutotilia nguvu uingizaji wa bidhaa humu nchini ili kulinda pesa zetu za kigeni na kutia moyo usafirishaji wa bidhaa nchi za nje.

Inajulikana wazi kwamba mkaguzi wa bei alirubusu kuongezeka kwa bei baada ya kuchunguza bei ya utengenezaji wa bidhaa kuwa ni miongoni mwa mambo mojawapo ambayo si lazima kuwa yalisababisha upunguzaji wa thamani ya pesa.

Kwa upande mwingine, Serikali inafahamu ongezeko kwa bei hivi majuzi kwa bidhaa kama za mafuta. Ingefaa ifahamike kwamba mgongano wa kuongezeka kwa bei ya bidhaa waonekana wazi katika kiwango cha hali ya maisha kila mwezi. Inaonekana matajiri na wale wanaowakilisha wafanyakazi watachunguza jambo hili kwa makini—Mhe. Mbunge ni mmoja wao—wakati watakapokuwa wakijadiliana na kuchunguza maafikiano ambayo yamekuwa tayari. Kwa hivyo, kuhusu wale wafanyakazi ambao hawahusiki na mikataba ya kukubaliana, Serikali itachunguza hali yao ya kazi wakati unaofaa iwapo ni lazima.

(c) Serikali itaendelea inavyowezekana kuzuia kuongezeka kwa bei ili kuwawezesha wafanyakazi kumudu ununuzi wa bidhaa—

**The Minister for Constitutional and Home Affairs (Mr. Njonjo):** On a point of order, Mr. Deputy Speaker. I do not want to interrupt the Assistant Minister, but there has been a practice in this House that whenever a question is too long the answer should be provided; it is laid on the Table or given otherwise because this does not take a long time, and perhaps the Assistant Minister may consider that this is what he should do.

**Mr. Echakara:** Bw. Naibu Spika, nilikuwa tu karibu kumaliza.

Serikali itaendelea inavyowezekana kuzuia kuongezeka kwa bei ili kuwawezesha wafanyakazi kumudu ununuzi wa bidhaa. Wakati huo huo, uwezo wa kununua bidhaa utaimarishwa na ukaguzaji wa masharti na hali ya kazi kati ya matajiri na wafanyakazi pamoja na Serikali kama itakavyokuwa kufuatana na mujibu uliowekwa. Ahsante.

**Mr. Omido:** Bw. Naibu Spika, sikufuata jawabu la Waziri Msaidizi kabisa. Lakini, hata hivyo, Swali langu linasema thamani ya shilingi imepungua kwa asilimia 15, na ni wazi matajiri na wafanyabiashara wamerekebisha bei zao ili kuweza kufidia hiyo thamani ya pesa ambayo sasa imepungua. Wafanyakazi, wakati huo huo, ambapo thamani ya pesa zao imepungua, wanatakikana pia waweke mkono zaidi ndani ya mifuko yao ili waweze kufidia hii asilimia 15 ambayo imeongezeka kwa hali ya maisha. Kwa hivyo, inaonekana mfanyakazi amepoteza asilimia 30. Je, ni haki kwa Waziri Msaidizi kusema Serikali haifikirii kufanya kitu kwa wakati huo, kwa sababu mikataba kati ya wafanyakazi na matajiri inaruhusu tu ile hali ya maisha ya kawaida iangaliwe wanapojadiliana juu ya habari ya mikataba wakati ambapo wanaitengeneza upya? Hiki ni kitu ambacho kimetokea kwa ghafula, na wafanyakazi na vyama vya wafanyakazi hawakukitazamia. Ni kwa sababu gani Waziri Msaidizi wa Wafanyakazi hawezi kukubali vyama vya wafanyakazi vifungue majadiliano mara moja, halafu wenyewe ikiwa watakubaliana kungojea iwe shauri yao? Tungetaka wao wafungue majadiliano mara moja.

**Mr. Echakara:** Bw. Naibu Spika, nimesema katika jibu langu kwamba Serikali inalichunguza jambo hili. Mimi ninashangaa kwa sababu Mhe. Omido amekuwa Chairman-General wa Cotu mpaka mwaka huu na anajua wakati ambapo vitu kama hivi vinapotokea ni mipango gani Serikali inayofanya. Mara kwa mara matajiri na wawakilishi wa wafanyakazi hukaa pamoja na Wizara ya Wafanyakazi kuchunguza hali ya maisha. Kwa hivyo, hapa mimi siwezi kuwatosheleza Wabunge wenzangu kwa jibu kama hili because it is more technical. I cannot say more on a question like this, and my hon. friend here should realize that it takes more time than just this.

#### NUMBER OF FORM I CLASSES IN THE COUNTRY

**Mr. Khasakhala:** Mr. Deputy Speaker, Sir, I beg to ask the Minister for Higher Education the following Question by Private Notice after adding an amendment. After the amendment it should read "How many are for boys and how many are for girls?" It was in the original question.

How many Form One places will be available in Government Harambee and Private Schools in 1982, and how many are for boys and how many are for girls?

**The Minister for Higher Education (Mr. Kamotho):** Mr. Deputy Speaker, Sir, I beg to reply.

The breakdown that the hon. Member is asking for is not readily available, but I think he can get it tomorrow. I will give it to him tomorrow. I know he has another question coming up tomorrow, which is asking exactly what he wants to get in this question.

In Government secondary schools in 1982 we will be offering 40,320 places in Form I. This is far beyond the number of places provided in the current Development Plan. The current Development Plan indicates that we should take no more than, I think, 34,670 students, but we will be offering 40,320 places.

As for harambee secondary schools, I cannot be able to give an exact figure because, as you know, we have a lot of fluctuations there. In some places parents are just unable to continue and, therefore, they discontinue. Therefore, I can only give the figure as of 1981, to be an approximate Form I places, which is 60,000. In private schools, just like in Harambee schools, you cannot be able to predict the future because some schools will be closing down and others will be opening up. Therefore, the figure is approximately 20,000 for the private schools. The total for 1982 is 120,320. I am sure it is plus.

#### MINISTERIAL STATEMENT

##### ELABORATION OF REPLY TO QUESTION ON DISMISSAL OF MR. LIYOSHI

**The Assistant Minister for Water Development (Mr. Kiptanui):** On a point of order, Mr. Deputy Speaker. I rise to give a reply I had promised on a question which was not satisfactorily answered. The House wanted to get some clarification from our Ministry. This is on Question No. 976/81.

The claim by Mr. Joash Lovi Liyoshi that he was employed by the Ministry of Water Development in December, 1978 and laid off on 30th April, 1981, without having been paid any salary for the whole of that period is unsupported by facts. A careful scrutiny of the leaving certificate that was issued to Mr. Liyoshi reveals that two years from 30th April, 1981 goes back to 30th April, 1979. It does not go back to 1978 as alleged. This letter, like many others, is, therefore, fictitious, and at best erroneous, and it is, therefore, the subject of investigation by my Ministry. For the information of this—

**Mr. Abuya Abuya:** On a point of order, Mr. Deputy Speaker. Can you protect us from a group of hon. Members sitting on the other side who are making noise? We cannot hear what the hon. Member is telling us.

**Mr. Deputy Speaker:** First of all, the hon. Member was on a point of order. So, I wish you had waited until he had finished.

**Mr. Abuya Abuya:** On a point of order, Mr. Deputy Speaker. We cannot hear—

**Mr. Deputy Speaker:** Order! Order! He is on a point of order. Secondly, I am satisfied that there is no noise in the House; maybe just a lively conversation here and there.

**The Assistant Minister for Water Development (Mr. Kiptanui):** This was subject to investigations by my Ministry. For the information of this hon. House, the Ministry has already investigated many other such documents, which have led to some people being taken to court.

On 30th October, 1980, the Director of Water Resources Department in the Ministry, acting on accounting/authorized officers' instructions, issued a letter of termination of appointments to all employees of the Ministry recruited irregularly, and to which reference has already been made in this hon. House. These instructions were contained in letters addressed to all provinces in the country.

In the case of Kakamega, the letter was received on 6th November, 1980. This letter clearly states that those appointed temporarily on or after 1st July, 1980 should have their appointments terminated with effect from 1st November, 1980. Their last date of service was therefore, 31st October, 1980. Mr. Liyoshi happened to fall in that category by virtue of his appointment as a water guard in that province. I will now lay before this hon. House document No. 1. Since hon. Fred Omido laid a document on the Table, I will also lay on the Table document No. 1.

*(Mr. Kiptanui laid the document on the Table)*

**Mr. Kioko:** On a point of order, Mr. Deputy Speaker.

**The Assistant Minister for Water Development (Mr. Kiptanui):** But I am not a point of order.

Water guards are employed in Job Group A, at a salary of £300 to £453 per annum, being the job group for subordinate staff. The salary scale shown in his fictitious leaving certificate, of £531, to £774, is in Job

**[The Assistant Minister for Water Development]** Group D; entry into which requires "O" level, Third Division, and above, and is also the grade for clerical officers and equivalent ranks.

On the same day these directives were received, that is 6th November, 1980, the senior water bailiff for Western Province wrote an urgent letter to all the water bailiffs in the provinces drawing their attention to the circular issued by the Director of Water Resources Department terminating all temporary appointments. This matter was brought to the notice of all those concerned, and Mr. Liyoshi was one of them. I will now lay document No. 2 on the Table.

*(Mr. Kiptanui laid the document on the Table)*

Mr. Liyoshi's claim that he was working with the Ministry for two years is false because he does not appear anywhere on other pay-rolls except that of October, 1980, and he was paid accordingly as a casual worker (Document No. 3), which shows the payment of that month. The Ministry is not, therefore, responsible for payment of salary for any other days that Mr. Liyoshi claimed to have worked.

Any other documents produced by Mr. Liyosi showing that he worked for the Ministry cannot be accepted by my Ministry and will be subject to investigation according to law.

Mr. Deputy Speaker. Sir, finally, I would like to point out that in my reply to Question No. 976/81, asked by the Member for Bahati, Mr. Fred Omido, I may have created the erroneous impression that Mr. Joash Liyoshi was not employed in my Ministry at all. The correct interpretation of my reply is that the Mr. Joash Lovi Liyoshi, who is supposed to have been employed in December, 1978 and laid off in 1981 was never employed in the Ministry for that period. However, one, Mr. Joash Lovi Liyoshi, was employed as a water guard from 1st October up to and including 31st October, 1981, on which date his appointment was terminated along with others.

## MOTIONS

### ADOPTION OF SESSIONAL PAPER NO. 4 OF 1981: NATIONAL FOOD POLICY

THAT this House adopts Sessional Paper No. 4 of 1981 on National Food Policy, laid on the Table of this House on 5th May, 1981.

*(The Minister for Agriculture on 7th October, 1981)*

*(Resumption of Debate interrupted on 1st December, 1981)*

**Mr. Kioko:** On a point of order, Mr. Deputy Speaker. Sir, I am sure you are aware that hon. Members have debated this Motion for the last two weeks or so, and all the matters and issues that are being raised—

**Hon. Members:** No! No!

**Mr. Kioko:** Yes, that is all right, but I am allowed to do that.

**Mr. Deputy Speaker:** Order! Order! Continue, hon. Kioko.

**Mr. Kioko:** Sir, I was saying that if you listen to the debate, you will find that the information that is being brought up by hon. Members is the same information that has been carried on in the Sessional Paper, in most cases.

**Hon. Members:** Oh, no! We will speak!

**Mr. Kioko:** Yes, that is all right. To reiterate the same statements, we have even seen the concern of our Head of State, when he was here yesterday. He said everything possible so that hon. Members could know where we stand. Can I, therefore, be allowed to move that the Mover be now called upon to reply?

**Hon. Members:** No!

**Mr. Deputy Speaker:** Order! Order! Hon. Members, of course the decision rests with you. I will only put the question.

*(Question that the Mover be now called upon to reply, put and agreed to)*

**The Assistant Minister for Agriculture (Mr. Marita):** Mr. Deputy Speaker, Sir, I wish to thank hon. Members—

**Mr. Abuya Abuya:** On a point of order, Mr. Deputy Speaker, Sir. I would like to have some clarification here. Due to the fact that the provincial seminars on food policy are still going on, and a lot of Government funds have been spent, is it wise to conclude the debate on this Sessional Paper before we incorporate the ideas and whatever resolutions that will be passed by the seminars in the provincial headquarters? Is that in order?

**The Assistant Minister for Livestock Development (Mr. Shikuku):** The House has decided that.

**Mr. Deputy Speaker:** Order! Order! It is important for you, hon. Members, to know the way we conduct our debates here. But, in any case, I share your opinions. I am sure what the provincial commissioners will do is to pass over all the information and suggestions to the Ministry to be implemented.

**The Assistant Minister for Agriculture (Mr. Marita):** Mr. Deputy Speaker, Sir, I wish to thank hon. Members who have—

**Mr. Omido:** Jambo la nidhamu, Bw. Naibu Spika. Jambo langu la nidhamu ni kwamba, hata jana tulipokuwa tukijadiliana juu ya hii Sessional Paper Mtukufu Rais alingia hapa na akatoa maoni yake kama Mbunge wa Baringo ya Kati. Ninakumbuka alipokuwa akiongea jana alisema anafahamu kuna mabadiliko yatakayolewa juu ya hii Sessional Paper. Sasa, kweli ni haki kupitisha hii Sessional Paper leo bila kujua vile mabadiliko ambayo yangeletwa yangukuwa?

**Hon. Members:** Hear! Hear!

**Mr. Deputy Speaker:** Order! Order! The hon. Member was on a point of order. What is important is that the decision that the Mover be now called upon to reply has been taken by the House. Can we allow hon. Marita to continue?

**[The Assistant Minister for Water Development]** Group D; entry into which requires "O" level, Third Division, and above, and is also the grade for clerical officers and equivalent ranks.

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**Hon. Members:** Hear! Hear!

**Mr. Deputy Speaker:** Order! Order! The hon. Member was on a point of order. What is important is that the decision that the Mover be now called upon to reply has been taken by the House. Can we allow hon. Marita to continue?



**Mr. Abuya Abuya:** On a point of order, Mr. Deputy Speaker, Sir. Having highlighted the importance of this Sessional Paper No. 4 of 1981 on food policy, I am sure that hon. Members took the decision to call upon the Mover to reply before they could get the information which hon. Omido and I have just brought to their attention. Can I, Sir, through your Chair, ask that the decision be reversed?

**Hon. Members:** No! No!

**Mr. Abuya Abuya:** This is very important; you people are going to get hungry.

**Mr. Deputy Speaker:** Order! Order! We must accept the decision of the House. Can we please allow the Assistant Minister to continue?

**The Assistant Minister for Agriculture (Mr. Marita):** Mr. Deputy Speaker, Sir, as I was saying, I wish to take this opportunity to thank all those hon. Members who had a chance to contribute to this very important Sessional Paper, which was laid on the Table of the House some time back. Hon. Members have given their views, suggestions and criticisms and they are all accepted. For the information of hon. Members, we circulated some of the amendments to the hon. Members of this House, and I think they still have them. If they can get some time and read that document, they will see those amendments there. This will not be the end of this Sessional Paper; we will entertain suggestions all the time, as things go along.

Having said that, I would like to say this: the shortage of maize and other basic commodities in 1979 and 1980 led the Government to give top priority to the task of ensuring adequate domestic food supplies. Our efforts have been focused on formulating a national food policy and translating that policy into programmes and projects which will increase domestic food production, leading to self-sufficiency.

My Ministry, and the sister Ministry of Livestock Development, have sought to stimulate discussions of the paper by a wide range of Kenya citizens. Certainly, the paper has been one of the most widely debated policy papers produced by the Government. We achieved this through public distribution of the paper; through the widely publicised and reported food policy seminar in July, 1981; through the formation of inter-ministerial committees or task forces, and through stimulating and productive parliamentary debates which we are now concluding.

Discussions on this important paper will not end here. In the past one month or so senior officers of the Ministries of Agriculture and Livestock Development have been meeting, in the provincial capitals, with other Government officers and leaders in provincial workshops on food production. These discussions have created awareness of the seriousness of the possibilities of not having enough to eat, and have gone further to identify definite programmes in each province, aimed at increasing food production and better nutrition.

In short the paper is not static; it is dynamic. It will grow and change over time as public debate and implementation experience continues. Let me provide

three examples of this: First, the participants at the National Food Seminar raised important issues about the paper. These are preserved in the summary report which was presented to each hon. Member. They have become part of the record in my Ministry and that of the Ministry of Livestock Development, and will guide our efforts to promote effective food supply strategies, and develop appropriate food production and marketing projects. Secondly, specific organization and groups have commented and focused the importance of this paper. For example, the Kenya Co-operative Creameries Limited raised questions about paragraph 3.16 of the policy paper. Discussions of these questions led to a decision to place the Kenya Co-operative Creameries under the jurisdiction of the Ministry of Livestock Development, to form a special task force to study milk production and marketing in the country, and to amend paragraph 3.16 to the effect that in those areas not effectively covered by the Kenya Co-operative Creameries, other institutions will be considered to undertake distribution of milk as approved by the Government. These decisions expanded the food policy, and it is hoped that similar discussions will take place on other sections of this paper.

Mr. Deputy Speaker, Sir, thirdly, the country is indebted to hon. Members for the high level of debate on the policy paper. We, in the Ministry, will carefully review the proceedings and use the hon. Members' comments, ideas and criticisms, in order to articulate this major food policy paper.

**An hon. Member:** Okay, beg to move now!

**Mr. Kioko:** Say that you beg to move!

**The Assistant Minister for Agriculture (Mr. Marita):** Mr. Deputy Speaker, Sir, I would like to tell my friend, hon. Kioko, that I will do that at the end of my speech.

Mr. Deputy Speaker Sir, I believe the debates have affirmed the strategy laid out in the national food policy paper. With the guidance of the paper and the hard work of Kenyans at all levels, I believe the country can build a strong agricultural sector.

## QUORUM

**The Assistant Minister for Livestock Development (Mr. Shikuku):** On a point of order, Mr. Deputy Speaker, Sir. I am trying to draw your attention because yesterday the House was almost packed. We were treated to an exhibition, where by people showed that they were always in the House, just because the President was around. This hypocrisy should stop. If they are serious with the business of the House, where are they today? The House has no quorum contrary to Standing Order No. 24. This hypocrisy must end.

**Mr. Deputy Speaker:** Yes, we have no quorum. Ring the Division Bell.

*(The Division Bell was rung)*

**Mr. Deputy Speaker:** We have a quorum now. You may continue, hon. Marita.

**The Assistant Minister for Agriculture (Mr. Marita):** Having said that, Mr. Deputy Speaker, Sir, I would like to conclude my remarks with a special mention of the hon. Member for Baringo Central for his contribution to this debate. His pertinent remarks on Tuesday afternoon went very far to add to other Members' contributions. I, therefore, thank His Excellency the President for finding time from his very busy schedule to contribute so effectively to this debate. His contribution shows how seriously our President has taken the question of food in this country.

With these few remarks, Mr. Deputy Speaker, Sir, I beg to move.

*(Question put and agreed to)*

**APPROVAL OF LEGAL NOTICE PENSIONS (AMENDMENTS) REGULATIONS, 1981**

**The Assistant Minister, Office of the Vice-President and Ministry of Finance (Mr. arap Too):** Mr. Deputy Speaker, Sir, I beg to move the following Motion:

THAT, this House approves the draft Legal Notice for the Pensions (Amendments) Regulations, 1981 as laid on the Table of the House on 1st December, 1981.

Mr. Deputy Speaker, Sir, this is a very formal Motion because what we are seeking is—

**An hon. Member:** Where are your spectacles?

**The Assistant Minister, Office of the Vice-President and Ministry of Finance (Mr. arap Too):** Mr. Deputy Speaker, Sir, the hon. Member is asking me where my spectacles are. My spectacles are for long distance. I am short-sighted and so he had better be informed.

Mr. Deputy Speaker, Sir, as I was saying, this is a very formal Motion because the regulations which were Tabled in this House are contained in a very simple paper, and so I do not need to labour very much on this. I would like to say that Regulation No. 4 of this Pensions (Amendments) Regulations provides that every officer who has been in the service of the Government on pensionable terms in Civil Service capacity for ten or more years may be granted, on retirement, a pension at the annual rate of 1/600 of his pensionable emoluments for each complete month of his pensionable service. The constant 1/600 has been used for computation of pensions since January, 1946, as a result of the report of the East African Salaries Review Commission of 1947/48, under the chairmanship of Mr. Holmes. However, in the 1979/80 Civil Service Salaries Review Commission chaired by Mr. Waruhiu, it was recommended that the constant 1/600 should be changed to 1/500 in view of the fact that the economic conditions that prevailed at the time of its inception have practically changed, and the value of the pension has also dropped. Consequently, the Government undertook, in Sessional Paper No. 10 of 1980, to examine the recommendations in the light of actuarial consideration.

Mr. Deputy Speaker, Sir, in another section, which is under Regulation No. 27, the Waruhiu Civil Service Salary Review Commission of 1979/80, recommended that since the economic conditions, particularly low

mortality rate as a result of improved medical facilities, have changed and life expectation has gone up, the multiplying factor of 12½ per cent be increased to 15 per cent. The Government also undertook, in the same sessional paper, to examine the recommendations in the light of actuarial consideration. In light of all these the Government has actually completed its examination of the proposals, and has pointed out that if the multiplying factor is changed from 12½ per cent to 15 per cent, it will bring an additional cost on public funds to the tune of 20 per cent on each commuted pension. In view of this, it follows that acceptance of the amendment contained in clause 2(V)(a) will involve additional expenditure of public funds. It is not possible to estimate that additional cost, as this will depend on the number of such officers who wish to commute pension earned.

Regulation 28(3) of the Pensions Act provides that an officer who has been granted a gratuity under paragraph 1 and who has been in the public service for not less than 30 years, and whose salary on retirement is not more than Sh. 600 per month may, in addition to that gratuity, be granted an annual allowance at the following rates—actually, these rates appear also in the draft Legal Notice for the Pensions (Amendments) Regulations, which was laid on the Table of this House on 1st December, 1981. Part (i) says that those with the service of between 30 and 35 years will get K.Sh. 320 per annum. In (ii) it says that those with the service of between 35 and 40 years will get K.Sh. 400 per annum. In (iii) it says that those with the service of 40 years and over will get K.Sh. 480 per month.

This allowance is payable in addition to the compassionate gratuity to those officers who had joined the Civil Service before the introduction of the National Social Security Fund on 1st April, 1966, in case of male officers, and 1st January, 1977 in case of the female officers.

Mr. Deputy Speaker, Sir, since we discussed quite a lot of these amendments during the Waruhiu Civil Service Salary Review Commission Report, which was Tabled and discussed in this House, I would like to ask the House to approve these minor amendments, which will actually conform to what we have already discussed. So, with those very few words, I beg to move.

*[Mr. Deputy Speaker left the Chair]*

*[The Temporary Deputy Speaker (Mrs. Onyango) took the Chair]*

**Mr. Orengo:** Mr. Temporary Deputy Speaker, Sir, I rise to second the hon. Assistant Minister. I think this Motion as he says, has already been well provided for in the Waruhiu Civil Service Salaries Review Commission Report which we discussed in this august House, and which was passed by the same House.

Mr. Temporary Deputy Speaker, Sir, the only thing I wish to add is that this Motion in effect puts into consideration those members of the public who have been in the public service and who receive pensions, but because of the economic condition which is going on on inflationary terms, need to be considered just

**[Mr. Orengo]**

as the other members of the public who are in employment. I have pensioners in my constituency who have actually been crying for this kind of consideration, and I am very grateful to the Government for coming out with this Motion at this time. In fact, I was having a discussion with an old man in my constituency who had worked for the Government for a very long time, and I was wondering whether there was going to be consideration for pensioners. I am very glad that this old man now will be very happy to hear that they will have some form of increase in terms of their pensions.

Mr. Temporary Deputy Speaker, Sir, the other point I wish to touch on again is the question of there being a possibility to give part of the pension in lump sum. There are some pensioners who receive as little as Sh. 12 or Sh. 20 a month, and some of these amounts are actually uneconomical if one has to go to district headquarters to get them every month. Since Regulation 27 provides that some form of lump sum gratuity can be given to a pensioner on retirement, this is a very useful amendment.

Mr. Temporary Deputy Speaker, Sir, I do not think there is much that could be added to this, and with those few remarks I beg to second the Motion.

*(Question Proposed)*

**Mr. Munyasia:** On a point of order, Mr. Temporary Deputy Speaker. Having had discussions on this Motion in other forums, and realizing that it was contained in the Waruhiu Report, and that the same views might be expressed again or repeated, would I be in order to move that the Mover be now called upon to reply?

**Hon. Members:** Yes!

*(Question, that the Mover be now called upon to reply, put and agreed to)*

**The Assistant Minister, Office of the Vice-President and Ministry of Finance (Mr. arap Too):** I am very grateful, Mr. Temporary Deputy Speaker, to the hon. Member, and particularly to the Member for Alego—Is it Alego really?

**An hon. Member:** He is the Member for Ugenya!

**The Assistant Minister, Office of the Vice-President and Ministry of Finance (Mr. arap Too):** Yes, the Member for Ugenya, who has seconded this Motion and also to hon. Munyasia, who has called upon the House to agree that I reply to the Motion. So, I have taken his point, because I can remember there was something which was discussed in this House in relation to what the hon. Seconder said.

So, Mr. Temporary Deputy Speaker, without wasting time, I now beg to move. Thank you very much.

*(Question put and agreed to)*

APPROVAL OF PUBLIC ACCOUNTS COMMITTEE REPORT FOR 1977/78 AND 1978/79

**Mr. Anyieni:** Mr. Temporary Deputy Speaker, Sir, I beg to move the following Motion:

**Mr. Orengo:** Go to the Front Bench!

**An hon. Member:** Yes, you are allowed to move there!

**Mr. Anyieni:** Hapana, acheni nikae hapa tu. This is all right, my dear. This Motion is supposed to be moved by Back-benchers and not by Front-benchers.

Mr. Temporary Deputy Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Public Accounts Committee on the Government of Kenya Accounts for the years 1977/78 and 1978/79 which was laid on the Table of the House on 23rd July, 1981.

Mr. Temporary Deputy Speaker, it is a known fact that in this country, under the able leadership of His Excellency the President, hon. Daniel Toroitich arap Moi, we continue to enjoy unrivalled amount of democracy, for which we are very grateful to the Almighty God; and we pray that it continues to grow from strength to strength.

Sir, at the start of every Session of this august House, hon. Members select committees to carry out a lot of detailed work on behalf of the House, and it goes without saying, that the Public Accounts Committee is one of the most important committees of this House. Indeed, in this function, namely scrutinizing the ways in which public funds voted for spending by various Ministries of our Government out of the funds collected from the tax paid by wananchi are spent, the Public Accounts Committee serves the important dual function of safeguarding those funds and ensuring that whereas they must be spent by wananchi's Government, they must only be spent in accordance with what has been agreed upon by the same wananchi through their elected representatives in this House.

**An hon. Member:** Hear! Hear!

QUORUM

**Mr. Abuya Abuya:** On a point of order, Mr. Temporary Deputy Speaker. My point of order is that there is no quorum in the House.

**The Temporary Deputy Speaker (Mrs. Onyango):** Yes, there is no quorum. Ring the Division Bell.

*(The Division Bell was rung)*

**The Temporary Deputy Speaker (Mrs. Onyango):** I think there is a quorum now. So you can proceed, Mr. Anyieni.

**Mr. Anyieni:** I was saying, Mr. Temporary Deputy Speaker, Sir, that we in Kenya are lucky to have our democratic institutions still operating as laid down in our Constitution. Our Parliament still has its place in our democracy; and, indeed, not only do we give authority to the Government to spend public funds, but we still follow up this later, to find out how these funds were spent. I say so because in some countries, and not very far from us, public funds are spent unchecked, as indeed, there is no system by which the people's representatives could ever raise queries about the manner in which those funds are being spent.

We should, therefore, be grateful that our democratic system still upholds this as a necessity for its continuous existence; for the good of this country, for it enables the wananchi to know how the taxes they pay every day are spent.

[Mr. Anyieni]

Sir, the report that we are due to debate on covers two financial years, as indicated earlier, and took the committee a total of 64 meetings to receive evidence from accounting officers and other officers who were invited to appear before the committee, and to scrutinize and make recommendations on the matters included in the report of the Controller and Auditor-General. In these meetings we listened to explanations of all the accounting officers; discussed all issues arising out of their evidence, and then later on formed our views, which are contained in the recommendations appearing in this report which was laid before this House.

Before I go further I want to very sincerely thank the officers, particularly the accounting officers—the Permanent Secretaries—who were very willing to give all the information which the Members, elected by this House, were seeking from them. It must be recognized that the period we are discussing today is the unfortunate period when our beloved late President, Mzee Jomo Kenyatta, was old and there were people at that time who felt that that was the time they intended to become rich, and become rich very fast.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** So they did looting!

**Mr. Anyieni:** This is the time when a lot of people ran to Chepkube to buy coffee in order to enrich themselves, and I fear that after having listened to the reports which were submitted to us by the accounting officers, some officers in the public service were also carried away to loot from Government coffers. The information was properly given, and at the end of my moving the Motion we shall demand that the House accepts some of the expenditures without more explanations from the people involved.

Sir, this is important because in the new era—and we must especially thank His Excellency the President, Mzee Moi, for the steps he took immediately he took over the Government; he took the steps to make sure that the situation that was prevailing at that time did not continue under the new Government. It is our hope that the report which has just been submitted by the 1979/80 Public Accounts Committee will show a better situation than the one which my committee received. Before I go far, Sir, I also would like to thank some officers who came to our committee having already taken steps to correct the situation. Some officers who had overspent public funds had been surcharged and they were paying; some officers had had their terms of services terminated because of the problems they found themselves in. As regards some officers, who were under pension, recommendations had been sent to the Attorney-General's Chambers to have their pensions deducted in order to receive some of the expenditures which they incurred without authority.

Now, Sir, what I have referred to are expenditure, which amounted to more or less stealing. But when we talk of the Excess Vote, we do not necessarily talk of money having been stolen. The Excess Vote represents funds overspent without the authority of this House; the funds might have been spent well; they

might have been spent genuinely, but the law that regulates this expenditure was not adhered to. Hon. Members who are new in the House will take pride to know that Government—an elected government like our Kenya Government—has no authority at all to spend any public funds without the authority of this House. Therefore, hon. Members are the custodians of the tax-payers' funds, and we must do everything to make sure that this happens.

On the Excess Votes, for instance, the Ministry of Agriculture was the worst culprit. The Ministry of Agriculture overspent, or had an Excess Vote of £1,087,207, and the Office of the President, particularly the provincial administration—When I say this, I am not blaming the administration wholesale. This is the time when, you know, the dancers used to go to Nakuru State House, the State House in Mombasa, and limited funds were available to feed the people who came to sing for His Excellency the President. But some of the officers who were managing these funds took this opportunity to inflate the figures which were being spent, and this way money was stolen from public funds. Up to the Controller and Auditor-General gave his report to this House, and our Public Accounts Committee sat, the provincial administration was one of the worst culprits.

An over-expenditure may be a better way of spending public funds than an under-expenditure. Hon. Members of Parliament in this House are always asking Ministers to explain why certain projects have not been carried out in their areas, and we have heard Ministers replying and saying that when funds will be available, these and those projects will be built or completed. It is a shame that while this is going on in the House, you have public officers who have been given the responsibility of spending money voted by this House not spending that money. The reasons why they do not spend this money is because there is no proper coordination.

You have a situation where the Kenya Government negotiates for public funds and for foreign funds to assist in the development of this country. These negotiations are carried out and concluded, then the foreign Governments give the equipment, and even the cash, to carry out whatever has been agreed upon, but nothing takes place because the local officers who are supposed to carry out local studies or the feasibility studies are found to have not done anything. You find that the donor countries, which had given us the money, sometimes in the form of grants and sometimes as loans, have given us the loans but we have not utilized those loans. This is very unfortunate—you have money voted for a hospital, for example, and you have people from the Treasury or foreigners coming in to try to find out where this hospital is going to be built, but there is no site for it at all; neither is there anybody who can pin-point a site where a hospital or a school is going to be built. Then the foreign investor finds that he cannot just spend his money without seeing where that money is going to be spent.

**Mr. Temporary Deputy Speaker, Sir,** it is so unfortunate that a country which is developing like ours should have very big under-expenditure. In the year

[Mr. Anyieni]

1977/78 our Budget was not as big as it is now, but under-expenditure on Development—not on Recurrent—was £48,250,290. This is a shame because even at that time—and those Members who were here, like hon. Shikuku and others will agree with me—Ministers were giving the very same answers we often get here, that funds were not available. Ministers or Government officers are allowed, under certain circumstances, if money cannot be spent on a particular project, perhaps because the feasibility studies have not been done, to ask for permission to spend the money on something else that is ready to be done instead of returning that money to the Treasury. But this was not done at all. Now, what does this mean, if this is foreign money and the Government continues to repay it? Mr. Temporary Deputy Speaker, Sir, that project which was estimated to cost a certain amount of money will even cost more at a later date due to inflation. At the time the project will start its cost will be double or triple what it was going to cost originally. The committee, and I am sure this House also, takes a very serious view of public officers who have been given the responsibility by the Kenya Government to make sure that funds allocated for expenditure on developing the nation are spent, but do not spend the money.

Mr. Temporary Deputy Speaker, Sir, in that same year, even on Recurrent Expenditure, there was an under-expenditure of more than £9 million, and the reports we were hearing was that they were not able to employ people, so much so that it was not only the experts who were missing but even clerks were not available. At that time, when they were unable to employ clerks, we had a lot of wananchi loitering on the streets with certificates but with no jobs.

**An hon. Member:** Which year was that?

**Mr. Anyieni:** That was 1977/78 Financial Year.

Sir, there were a lot of wananchi here loitering along the streets, and some of them were from the university, while others had completed their Kenya Junior Secondary Examination, "O" level and "A" level examinations, and all of them were without jobs. Now, when we were questioning these officers, they were not able to explain to us why they were not able even to employ these clerks, as if clerks were also not available in the country. We could not understand this, and the committee even started wondering whether these people were preserving these jobs for their own brothers who were, perhaps, in Form 1, until they qualified so that they could be employed.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** You are right!

**Mr. Anyieni:** Mr. Temporary Deputy Speaker, Sir, officers of this type should be relieved of their jobs because they have no right to occupy public jobs in the Kenya Government.

**An hon. Member:** You are right!

**Mr. Anyieni:** Sir, the Controller and Auditor-General drew the attention of these Ministries to this question, which was there in 1977/78, but again in 1978/79 the situation did not improve. And those hon.

Members who are referring to the report will see that in 1978/79 there was this same problem on Development Expenditure, which is money voted by this House, while there were answers coming from our Front Bench that there were no funds. And here, Sir, I would like to ask the Front Bench, kindly, not only to be told there are no funds but to question further because it is their duty to help the President to make sure that these funds are spent. In the year 1978/79 again, like in 1977/78, more than £48 million was not spent, and this was, more or less, for the same reasons. This money, £48 million, could have built a lot of hospitals in this country. The cost of constructing permanent roads at that time was so low that we could have done a lot of work with this money, but that money stayed in the Treasury, and eventually it was not spent where it was supposed to be spent.

Mr. Temporary Deputy Speaker, Sir, in that same year again, more than £5 million was not spent on Recurrent Expenditure, more or less for the same reasons I gave for 1977/78 Financial Year. This is very, very unfortunate, and this House should make sure that next time the people involved in situations like these are not allowed to continue staying in Government service.

Sir, I would like to give one example—

*(Applause to the Vice-President and Minister for Finance when he entered the Chamber)*

Sir, while welcoming His Excellency the Vice-President and Minister for Finance, who has just come in—I regret to say that he was not here when I was giving some of the figures, but I am sure his Assistant Minister, who has been here, will be able to pass over the information to him. I hope when he will be replying he will be able to enlighten the House on what he plans to get done.

Mr. Temporary Deputy Speaker, Sir, there was a very unfortunate situation that prevailed. Although I do not want to take too long, I would like to give one or two examples of situations that were really bad. For example, there was the Magarini Settlement Scheme, for which the Kenya Government negotiated with the Australian Government for grants worth millions of pounds. In this agreement the Australian Government was going to give a grant of 40 per cent of the total cost, and the Kenya Government was going to contribute the remaining 60 per cent to meet the cost of whatever was being carried out, and what we are talking about was more than £10 million. When the Public Accounts Committee visited Magarini Settlement Scheme, we found that the agreement stipulated that the Kenya Government would send its own experts there to work with the Australian experts. But on the ground you had only the Australians. The only senior officer on the ground from Kenya was more or less—I would like to say this because he was not an office messenger, but he was virtually being treated like an office messenger; so that you had a situation whereby Australians were earning a salary of more than Sh. 50,000 a month but their counterparts from Kenya was earning just about Sh. 2,000.

**Hon. Members:** That is serious!

**Mr. Anyieni:** And the poor Kenyan who was there was virtually demoralized, and he would not question any expenditure. It may be said that this was a grant, but that grant also meant that while the Australians were going to grant 40 per cent of the total money required, the Kenya Government was automatically going to contribute the remaining 60 per cent. This was a most unfortunate situation that prevailed.

**Mr. Temporary Deputy Speaker, Sir,** I do not want to take too much time because I know that hon. Members will go into the details, but I would like to give one little example. At that time—

**An hon. Member:** When was that?

**Mr. Anyieni:** That was in 1977/78 and 1978/79.

At that time, Sir, some people would come up and form companies in the name of Anyieni and, maybe, Mr. arap Too. Now, because we were big people, we would then go to Government institutions and borrow millions of pounds from the Government as loans for fertilizer, or through guaranteed minimum return—

**The Assistant Minister, Office of the Vice-President and Ministry of Finance (Mr. arap Too):** I have not done it!

**Mr. Anyieni:** I have not done it either; I am only using your name and mine as an example. I am sorry, Sir, I am only using his name and mine as an example.

**Mr. Temporary Deputy Speaker, Sir,** money would be borrowed from Government institutions, and this is a shame. I would not like to say anything more, otherwise somebody will ask me to substantiate.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** But you have to substantiate!

**Mr. Anyieni:** I would not like to mention names because it is very shameful.

**An hon. Member:** But they should be exposed!

**An hon. Member:** No, we have all read the report!

**Mr. Anyieni:** Some people in this country borrowed money from the Government in this manner; then they took that money and bought properties all over Nairobi and everywhere else in the country. When the Government went to say that it wanted its money back, these companies had nothing in their accounts, and all the properties that were being bought were being bought in the names of their children and wives and other people. Today, Sir, you will see people driving big cars, and hear them say they made the money, but I wonder how many of them made it honestly, through hard work. You will look and see some of them driving very big cars; and when some of us see them, we have no respect for them.

**An hon. Member:** Who are these thieves?

**Mr. Anyieni:** If the members of this Public Accounts Committee will care to give you information in detail, they can give you written information, but the names of those people appear there, and some of them are even in this House.

**Mr. Kitele:** On a point of order, Mr. Temporary Deputy Speaker, Sir—

**Hon. Members:** Who are the people involved?

**The Temporary Deputy Speaker (Mrs. Onyango):** Hon. Members, Mr. Kitele is on a point of order.

**Mr. Kitele:** Mr. Temporary Deputy Speaker, Sir,—

**An hon. Member:** Are you on a point of information?

**Mr. Kitele:** I am on a point of order, Sir, if it is true that names are appearing in this report it means this is not a secret any more; so the former Chairman of the Public Accounts Committee can tell us who these people are, because he is now leaving members of the public in doubt.

**Mr. Anyieni:** Sir, I do not think that is necessary because the report is here, and if the hon. Member cares to read it he will see the names there because they are there, and I do not have to mention them.

**Mr. Muthura:** We have the books!

**Mr. Anyieni:** Yes, you have the books and, in fact, hon. Muthura has all the information, and he is going to mention the names.

**Mr. Temporary Deputy Speaker, Sir,** this is most unfortunate. We asked the then Attorney-General to come to the Public Accounts Committee to tell us what the Government was doing about this. We were told that if it was a limited company that had borrowed the money, and the company had gone bust, you could follow the shareholders of that company into their other private investments to recover the money—

**An hon. Member:** How can we be told this without names of those involved?

**Mr. Anyieni:** But I do not have to mention names!

**The Assistant Minister for Livestock Development (Mr. Shikuku):** One day they will pay for this!

**Mr. Anyieni:** Mr. Temporary Deputy Speaker, Sir, when hon. Ngei was being taken to court because he was allegedly bankrupt, he did everything to make sure that he was not declared bankrupt. He did everything, and now he has paid his debts. But you will recall, Sir, that a few months ago there was a public company which was going to be liquidated in the court, and the liquidators had come from Britain, but—there were no shareholders to defend that company in that court. The matter, therefore, went to court, and because there was nobody to defend the company, it went on, and after three minutes the company was declared bankrupt. Now, why was that done? That was done because those who owed that money wanted it to be declared bankrupt, because as soon as the company had been declared bankrupt nobody would follow them up for whatever money they had taken from the company, and that would be the end of the story.

**Mr. Temporary Deputy Speaker, Sir,** I would like to appeal to our Government to make sure that situations like these do not continue to arise again. This is what His Excellency the President said here yesterday afternoon. He said he was not against people becoming rich provided they followed the normal channels of getting rich. However, when people go out of their way and start stealing public funds through the pen or other clever means, this is most unfortunate and we have people like that. Sir, you will remember

[Mr. Anyieni]

that there was fertilizer which had been ordered by Government, and this fertilizer was given to certain companies to sell on behalf of the Government. Members of the Public Accounts Committee at that time will give more details about such incidents because I do not have the time to give all the details.

Mr. Temporary Deputy Speaker, Sir, I hope the new Attorney-General will speak on this Motion to tell the Members of Parliament what Government has done through his Chambers to recover these debts. I am saying this because these debts have not been recovered so far, and it becomes very encouraging to other officers to continue doing the same things. I do not want to go very far into this issue, but I would like to hope that under the Nyayo Government these things will not be prevailing. If they are prevailing, in conformity with the Nyayo philosophy, people like that should not be allowed to hold public office because they are thieves and bad examples. These people have no right to accuse any other thieves. Why should they accuse other thieves of stealing Sh. 100 when they have stolen millions of shillings, cheating other people that they have been working very hard and they have made it to the top?

Mr. Temporary Deputy Speaker, in conclusion, in order to allow other hon. Members to contribute, I would like to say that it is the committee's firm belief that the spirit of understanding and co-operation which we witnessed during the collection of evidence is a credit to the officers appointed by His Excellency the President. We found Accounting Officers willingly giving the information we required, and sometimes they even gave more information than was given by the Controller and Auditor-General because they knew the details. This was because at the time of writing the report they were not able to give the Controller and Auditor-General—Mr. Njoroge—all the information he required. However, the committee was lucky to get all the information it required. Sir, we found that things were done in a very bad way. We heard of how a police Land-Rover was stolen, and when we questioned the people involved we heard that the vehicle was stolen from a police yard. When the Public Accounts Committee questioned certain individuals, we saw the thieves in front of us, but we did not have sufficient evidence to take them to court.

Mr. Temporary Deputy Speaker, Sir, we hope the new implementing officers will make the implementation of the recommendations of this first Nyayo Public Accounts Committee Report speedily. Ours was the first Nyayo Public Account Committee Report.

Sir, with those few remarks I beg to move.

**The Assistant Minister for Livestock Development** (Mr. Shikuku): Thank you very much—

**Mr. Anyieni:** Mr. Temporary Deputy Speaker, I would have liked hon. Khasakhala to second me in this Motion.

**The Temporary Deputy Speaker** (Mrs. Onyango): Order, hon. Anyieni! As you did not indicate this earlier, before hon. Shikuku caught my eye, I think Mr. Shikuku should have the right to continue. Continue, Mr. Shikuku.

**The Assistant Minister for Livestock Development** (Mr. Shikuku): Mr. Temporary Deputy Speaker, Sir, I wish first and foremost to thank the Chairman and the Members of this august and important body of this House for the work they did. I equally, Sir, wish to extend my gratitude to the officers, as stated by the Chairman of the Public Accounts Committee, who co-operated in giving the information that enabled the committee to come to the conclusion and findings and make this report. Sir, I have to fight very hard to keep my tears back. I am saying this because if you read this report and have the interest of wananchi at heart you cannot avoid crying at all. However, there is no time for crying, but sometimes we have to cry, but instead of our tears coming outwardly they flow inwards through our chests and right into our stomachs. Let us hope we shall pass it out in the way of urine or faeces!

Sir, I speak with a heavy heart because I know, just as hon. Anyieni said, that even before, when some of us were castigated, we stood firm in this House and spoke openly against corruption and against the misappropriation of public funds. We stood firm, although we knew what would happen to us, and what we expected happened but because God is the truth and God cannot be defeated we are back here again to speak and continue to speak. Whether they are dead and buried or otherwise, the truth shall haunt them wherever they are. The truth of the matter, Sir, is that the development of this country is the right of wananchi of this country just as they pay every single cent with all the clear conscience that whatever they are paying in the form of taxes will go towards the development of their livelihood, their standard of living and so on, only to find that this money ends in the hands of a few. This money ends in the hands of a few, who still continue earning a salary on top of eating our money. On top of eating our money, Sir, they earn a salary from the same—

**Mr. Khasakhala:** On a point of order, Mr. Temporary Deputy Speaker, Sir, I do not want to interrupt my hon. friend—

**The Assistant Minister for Livestock Development** (Mr. Shikuku): And you had better not, otherwise you will get it!

**Mr. Khasakhala:** Is it really in order for an Assistant Minister to second a Motion on the Public Accounts Committee. I am asking this because this, in fact, is a Motion of the Back-benchers and it should, therefore, be seconded—

**The Assistant Minister for Livestock Development** (Mr. Shikuku): It is the property of the House.

**Mr. Khasakhala:** No. Anyway, in this case, I do not know but I might be wrong or right.

**Mr. Anyieni:** Can a Minister second a Back-bencher's Motion?

**The Assistant Minister for Livestock Development** (Mr. Shikuku): Yes!

**The Temporary Deputy Speaker (Mrs. Onyango):** Order! This afternoon, hon. Oringo seconded hon. arap Too and there was no question about it. So, I think in the same way it is in order for hon. Shikuku to second this Motion because it is now the property of the House. Of course, the Members of the Front Bench will speak about the Public Accounts Committee Report.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Thank you very much, Mr. Temporary Deputy Speaker, Sir. Experience in this House has shown that where a Member of the Back Bench moves a Motion, it can be seconded by a Member of the Front Bench. Even during my time as an Assistant Minister in the Ministry of Home Affairs I have seconded so many Motions of the Back-benchers here and even voted with them. When any Motion comes before the House, it becomes the property of the House. Thank you very much, Sir, for your ruling.

Mr. Temporary Deputy Speaker, Sir. I was in the process of propounding my disgust about the money belonging to wananchi, who pay that civil servant or that Member of Parliament, or whoever it is, on whom he has all the trust to look after his welfare and development— This is the same man who consumes that money, and on top of that earns a salary, and to make it worse, Sir, he is promoted over it. I do remember that there was a time during one of the Public Accounts Committee meetings when we were debating on some £10 million which had been allocated to North-Eastern Province for putting up ten health centres, only to find that two health centres had been put up. The rest, £2 million, could not be accounted for. Do you know what happened, Sir? The provincial commissioner from that area, instead of being dismissed or being demoted, was brought to Nairobi on promotion. So, the policy during those days, Sir, was that the more you stole, the more you ate the public money, the more chances you stood for promotion. What a dark age it was! And some of these people still live, and they happen to be in this regime. They still stand up shamelessly and say, "Yes, if people cannot work hard, we ourselves have worked hard". But we know that these fellows never worked hard. They only worked hard to eat public funds. Yes, this is what they did, yet they cannot be taken to court: but if a small *olukhanya* in Butere is found with Sh. 50, the poor man is subjected to no bond and is confined to the police cell—

**Mr. Mwidau:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Could the hon. Assistant Minister tell us what is the meaning of *olukhanya*.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Mr. Temporary Deputy Speaker, Sir, *olukhanya* is the name of a small man, and it is a common name in Butere. If he is found to have taken Sh. 50, you should see what will happen to him. He is got hold of and immediately put in the cell, and no bond is allowed for him, and he stays in the cell and he is moved from one cell to another for about six months, and he finally ends up before the court and put in remand. If he is brought to court today, he is told, "Your case will be heard in July, 1983, and you will go back to the remand prison". Sir, where is

the justice we fought for? Where is justice? We get bitter over these things. I personally get very bitter, and I do not have to pretend over this. Where is this justice that we talk about when people eat millions and millions of shillings and get away with it, and when a poor man takes just a little he is subjected to a lot of harassment and punishment? Did we fight for this kind of independence, Sir? I say "No". Those who fell during the struggle for independence did not fight for this kind of independence, and I am sure they are turning around in their graves when they see these things happening. However, we who are not dead are here to speak and tell them that the ghosts of those who fell during the struggle for independence will continue to haunt them. Those who have taken public money and now are boasting over it because they cannot be arrested, a curse shall come upon them and their children and there will come a time, Sir, when a boy or a girl will be born in this country, who shall demand this money.

**The Assistant Minister, Office of the Vice-President and Ministry of Finance (Mr. arap Too):** On a point of order, Sir. I have no intention of interrupting the hon. Member for Butere, but since he has used words that are tantamount to cursing other people, is this allowed? Is it Parliamentary for any hon. Member to curse other people? Is cursing a Parliamentary language?

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Mr. Temporary Deputy Speaker, Sir. I shall curse anybody who does these things. Even if the hon. Member reads the Bible, he will find that even Jesus himself cursed wrongdoers when he said, "Woe unto them who do such things". What is that? Is that not a curse? Mr. Temporary Deputy Speaker, Sir, the people of Kenya are entitled to the benefit of their money, and if anybody eats that money, thereby leaving these people to suffer, I do not have a better language apart from saying that the ghosts of those who fell in the struggle of our independence shall come upon them. And, Mr. Temporary Deputy Speaker, so long as our women and men in this country are working, I am sure— I have no illusion at all—there will come a day when a woman shall give birth to a son or a daughter that shall demand this money. Those who have taken it thinking that they had taken it in the interests of their own families, those families will not have it easy. They will be followed to the nearest decimal point by that son or daughter that will be born. I will be long dead, but since these things are put in black and white, and are kept in the library and are public documents, I have no illusion at all that a daughter or a son shall be born and shall fix these fellows.

**An hon. Member:** No, it will be you!

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Not me, Mr. Temporary Deputy Speaker. I am old and I am soon passing away. However, what I am saying is being put on record, and I am sure the daughters and sons of this country shall follow it up.

**An hon. Member:** How soon are you going away?



**The Assistant Minister for Livestock Development (Mr. Shikuku):** Mr. Temporary Deputy Speaker, let the hon. Members not take what I am saying as a joke. It is known that when you are aging, you move nearer your grave. I am no longer a boy of 23 years and so I know that I am on my way out. Therefore, I am in a hurry to put on record what I have for the son or daughter who will come in future to follow up and fix these mercenaries. If I will be dead, it will be even worse because my ghost shall really haunt them. It is easy to deal with a human being but a ghost is a very terrible thing. They will be seeing the ghost of Shikuku. Even if they will be in this Parliament they will be hearing my voice but they will not be able to see me. It will be a terrible life for them because I shall die fighting them—those who have become rich at the expense of wananchi's money.

**An hon. Member:** Name them.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Those who did it have been named in that document over there. We are debating the Report of the Public Accounts Committee on the Kenya Government Accounts for the years 1977/78 and 1978/79 and we must debate it in that light. To me that was a period of darkness, a period of injustice, a period of looting, a period of who was known to whom and so the country was looted. May the Lord bless the present President, and thank the Lord for having moved us peacefully from that dark age to this age. But the problem is that those who were in that dark age are still with us. The Swahili people say "mchovya asali hachovyi mara moja". This means that those who dip their fingers in the honey do not do it only once but have to dip their fingers in the honey again and again and again. When you have been working in your garden and you find some honey, you do not usually have time to wash your hands. All that you do is to clean one of your fingers on your clothes, you dip it in the honey the first round, and spit out some soil. Then the next time you do not spit again but you continue dipping in the honey and licking it. The only thing which will remind you that you had been to the farm would be the rest of the fingers because they will still be having mud, but the one finger would be very clean! That is when you realize that you had not washed your hand.

If these people are there and they are permanent and pensionable, the question is this: Are the things that we are talking here going to penetrate their ears? How many times has the President said that people should change and mind other people's welfare? Even the other day when he was arriving from one of his trips he said, "Why do you follow a small man who has taken a few shillings and leave out those with millions?" Is there anybody following that thinking of the President amongst us? Do the Ministers, Assistant Minister and Members of Parliament follow that? Do they stay here and debate, or transact the business of the House without the problem of quorum? Yesterday when the President was here, they came along giving the impression that they are always here. How many times have we rung the Division Bell today? Hypocrisy prevails in the Republic of Kenya!

It is our duty, Mr. Temporary Deputy Speaker, in this House to help the President to get this rich country back to the rails. We have been off the rails and the President must be helped to bring the country back to the rails. But do we help him by keeping quiet and saying nothing when things are going wrong?

**Mr. arap Koech:** On a point of order, Mr. Temporary Deputy Speaker. I would like to seek your guidance on this particular issue concerning the Report of the Public Accounts Committee. It appears that hon. Shikuku is going out of the Motion before the House because he is not referring at all to what is contained in the report. I was wondering whether the hon. Member could be made to come back to the point.

**The Temporary Deputy Speaker (Mrs. Onyango):** I would request hon. Shikuku to stick to the Report of the Public Accounts Committee that is being debated. As he is seconding the Motion, he should try to get the other hon. Members educated as far as this report is concerned.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Mr. Temporary Deputy Speaker, I am in order because I am discussing the Report of the Public Accounts Committee. Hon. arap Koech should be advised to sit and listen.

**Mr. Muthura:** Mr. Temporary Deputy Speaker, hon. Members who have read this book and taken the trouble to understand it know exactly what hon. Shikuku is saying. If there is anybody who has not read this book, let him give hon. Shikuku a chance to speak. There is a lot in this book for those who have read and understood it.

**The Temporary Deputy Speaker (Mrs. Onyango):** What is your point of order?

**Mr. Muthura:** I was saying that he should be given a chance to air his views. It was a point of information.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Thank you very much, Mr. Temporary Deputy Speaker. The trouble is that some of us hon. Members come here without reading such documents. As I said from the beginning, if you read this book you will cry, and you will not stand on frivolous points of order just like hon. arap Koech is doing. If hon. arap Koech knows that he does not read such documents, then this is the last time he is seeing the four walls of this House.

**Mr. Abuya Abuya:** On a point of order, Mr. Temporary Deputy Speaker. Is hon. Shikuku in order in saying that hon. arap Koech has not read the report?

**The Assistant Minister for Livestock Development (Mr. Shikuku):** That is the question. From the point of order that is being raised, I conclude that the hon. Member has not read this book. I am saying so because if he did, he would be weeping.

**Mr. Kioko:** On a point of order, Mr. Temporary Deputy Speaker. It is true that hon. arap Koech has read the report because he has had it almost daily. However, what we are trying to take care of is the limited time we have. The hon. Member is mentioning about ghosts and some other matters that are not related to the report. This is why we think we are

[Mr. Kioko]

spending a lot of time discussing things that are not reported in this report. We did not report about the ghosts.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Mr. Temporary Deputy Speaker, the hon. Member cannot teach me how to speak. I know how to speak, and that is why I have been here throughout, or all these years. He has been thrown out and then come back. He might be thrown out again.

**Mr. arap Koech:** On a point of order, Mr. Temporary Deputy Speaker. I was wondering whether hon. Shikuku should not withdraw his remark that have not read the report. It is not only that I have read the report but I have also helped to produce it. Therefore, it appears that hon. Shikuku has not read the report because, if he did, he should have seen my name. So, he should withdraw the remark he made.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Mr. Temporary Deputy Speaker, I said that it is my opinion that the hon. Member has not read the report. However, if he did read it, he should be crying. For example, how many hon. Members who have been in this House for all these years—we have the Standing Orders booklets with us—who do not know even what a point of order is? So, you can be there, but that does not mean that you know better.

**Mr. Abuya Abuya:** On a point of order, Mr. Temporary Deputy Speaker.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Mr. Temporary Deputy Speaker, the question—

**The Temporary Deputy Speaker (Mrs. Onyango):** Hon. Abuya Abuya, is it a genuine point of order?

**Mr. Abuya Abuya:** Mr. Temporary Deputy Speaker. I think it would be in order for the hon. Shikuku to withdraw his remark because hon. arap Koech is a signatory to the report. He should withdraw his remark that hon. arap Koech has not read the report.

**The Temporary Deputy Speaker (Mrs. Onyango):** Hon. Shikuku used the words "my opinion", and if it was his opinion, then he cannot be ordered to withdraw the remark. However, I am attentively listening to what hon. Shikuku is saying. If he goes outside the report we will require him to withdraw his irrelevant remarks.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Mr. Temporary Deputy Speaker, it is my opinion. If the hon. Members go on standing on points of order, I will speak the whole day and even resume tomorrow.

**Mr. arap Koech:** On a point of order, Mr. Temporary Deputy Speaker. I am seeking for your guidance—Hon. Shikuku says that it is his opinion, and an opinion is something that cannot be substantiated. However, it is very clear in this report that my name is appearing throughout. I participated in the deliberations of the committee and I did help in the production of the report. So, it is not the question of

opinion. I have strong feelings about this and I do not know what assistance you can give on this issue. This is really very abusive and malicious too.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Thank you very much, Mr. Temporary Deputy Speaker. I was still on the question of the unfortunate period which I have already propounded on, when looting took place, where injustice was the order of the day and all the rest of it.

**Mr. Abuya Abuya:** On a point of order, Mr. Temporary Deputy Speaker. From time to time hon. Shikuku boasts in this House to be the master of the Standing Orders of this House. Our Standing Orders say that if a Member cannot substantiate the remarks he makes in this House, he is asked to withdraw them. So, can this august House be protected from those unwarranted attacks?

**The Temporary Deputy Speaker (Mrs. Onyango):** Hon. Abuya Abuya, if any hon. Member is speaking and uses the words, "It is my opinion", then he is always not asked to substantiate. I said earlier on that since hon. Shikuku used those words, I was going to repeat the same remarks. So, the guidance from the Chair was that this was hon. Shikuku's opinion. So, I would not like to entertain more points of order which are making hon. Shikuku continue talking about the same thing. Hon. Shikuku, Members would like you to give them a chance because this is a report that touches on public money and everybody is interested to say a word before the adjournment of the House.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Mr. Temporary Deputy Speaker, I would be brief if only I were given the chance to air my views. However, if they keep on standing on points of order, I am capable of taking the whole day and also tomorrow. I am within the Standing Orders; and they will do nothing.

The chairman of this committee did say that Parliament should not accept some of the explanations given by the public officers. If you read some of those things in that book, you will not accept that explanation. Where is justice? When we request for a secondary school in Butere to be taken over by the Government, the answer from the Ministry of Higher is that there are no funds.

But if you total up the amount of money in this report which was "eaten", you can cry. The children of the poor people in this country who cannot afford secondary school education because of school fees could be educated free if this money was used on education, but instead of that this money finds its way into the pockets of individuals. This money also finds its way out of this country. Where is justice? Why must we go borrowing money, or asking for aids and grants from various countries, when few individuals are "eating" our own money realized from taxes? Where is justice?

Mr. Temporary Deputy Speaker, we are saying this when we know the period we are talking about. But it is the sincere hope of some of us that this will not continue to happen again. Although those people are

[The Assistant Minister for Livestock Development] still in this very Government, and some of them have even been promoted, it is our hope these things will not be carried on in this Nyayo Government. Let us be told, or let it be recorded, that we the elected representatives of the people in this country in this House will have our views taken seriously in the Nyayo Government, and not as it used to happen in that looting Government that has gone. Our views are the views of those who elected us, and so some of us speak with authority from those who elected us here. We came through the straight door, and we are here, Mr. Temporary Deputy Speaker.

Mr. Temporary Deputy Speaker, I have a copy of the report here with me. I think we cannot accept some of the explanation given in this report, or agree with some of the things which were said by the Chairman of the Public Accounts Committee who moved this Motion. Let it be dawn on us now present and who are blessed to be alive that the authority of this House must from now be sought before any money is spent. This is the thing that used to happen during the time when that regime was in power and, therefore, it should not be encouraged. So, it is the duty of all the Members of Parliament to guard against any expenditure which is incurred without the authority of this House, because if we allow them to do so, they will continue with the old game of spending money without authority and then coming back to ask Parliament to approve it by telling fairy stories. Either this Parliament exists in its right as the highest authority in the land, or it should be closed down and we go home and stop wasting public money being paid to be in this House as hon. Members when we are doing nothing.

Mr. Muthura: Are we really doing nothing?

The Assistant Minister for Livestock Development (Mr. Shikuku): Mr. Temporary Deputy Speaker, Sir, I was really surprised and hurt to see some of the things which used to happen. When it came to the question of entertainment, this country drifted from having a democratic and political Government to that of a monarchy.

An hon. Member: Was it so?

The Assistant Minister for Livestock Development (Mr. Shikuku): Yes; it did so when we had people dancing and the cost of that dancing being paid for by us. I would not mind giving them a cup of tea after doing the dancing, but when the officers exploit that and take public money at the expense of many miserable poor people of the Republic, it is sad. But we are glad and thank God that that period has gone; there is no more dancing.

Mr. Temporary Deputy Speaker, the loans which we have been given, and which it has been stated we are supposed to repay, have been repaid without work being done because of one thing—therefore, in the Nyayo Government, we must agree that it is time we reviewed Ndegwa Report. All these problems which we are having, of expenditure being incurred without authority, and all the grabbing business, are as a result of Ndegwa Report. The Ndegwa Report allowed the civil servants to engage in business, and so these loans

cannot be utilized because civil servants who are paid to implement the things we want are busy running their own businesses, and as a result of that they have become multimillionaires; so, they do not have time for the public. So you see how the development of this country is retarded. Therefore, the source of corruption in this country is the Ndegwa Report.

Mr. Temporary Deputy Speaker, since we can review and repeal laws, why do we not have this Ndegwa Report reviewed so that we can delete or repeal that section which allows the civil servants to engage in business? If we can amend laws, why do we not amend this one?

Mr. Khasakhaia: That should be amended.

The Assistant Minister for Livestock Development (Mr. Shikuku): Mr. Temporary Deputy Speaker, we must amend that section of the Ndegwa Report; it is a positive way of stopping corruption. We must amend this and do away with this question of civil servants engaging in business. This is the only way of doing away with corruption. I am only talking of civil servants.

Mr. Temporary Deputy Speaker, Sir, to show our seriousness in this Nyayo Government—and this is the thing which most of us do not want, and yet you cannot defeat corruption if you do not want this—we must ask our civil servants, the Ministers, the Assistant Ministers, the Members of Parliament and any other public figure, to declare what they have. This is the only medicine. If we do not want to do that, then there is no use pretending that we are fighting corruption, because you cannot fight corruption if you cannot declare what you have. I am saying this because it does not matter if today I can sell this whole Parliament and get millions and millions of shillings and then tomorrow go to Kamukani and someone stands up and says "Shikuku and his friends have contributed K.Sh. 500,000,000". If you do that, they do not ask you where you got that money. No, no, they do not do that. Whether you killed somebody or did some other things to get that money, they are not interested in asking you where you got it from. How can we go on like that? We cannot, Mr. Temporary Deputy Speaker.

We are hypocrites when we talk of corruption whereas we are not prepared to examine ourselves and make this condition. I am saying this because these civil servants spend their time doing their own businesses. You cannot ask them how they got whatever they have from their little salaries. So, until we have that law here, or until we declare what we have, we are wasting our time in this House; we are cheating the masses. But this is for a while; we cannot cheat the masses for ever: one day they shall rise against us. This can even be seen in Harambee meetings. Even if you pay so much money at Harambee meeting, the people in that meeting do not clap their hands these days, they have to be told "Pigeni makofi" and then you see them clapping their hands while they are discussing among themselves how you got all money! They know that. So, one day we shall pay for it very

[The Assistant Minister for Livestock Development] dearly. Your family will never enjoy it because those small men are also busy producing children; they will never let your children enjoy it scot-free.

An hon. Member: Tell them to go to church and confess.

The Assistant Minister for Livestock Development (Mr. Shikuku): Mr. Temporary Deputy Speaker, we must also agree that the failure to utilize these loans and grants—An hon. Member made a valid point that there is one person—I think it is an Australian—who is being given K.Sh. 50,000 per month—

An hon. Member: After 30 days!

The Assistant Minister for Livestock Development (Mr. Shikuku): Yes, after 30 days! That is another way of looting. I do not mind if the Australian loot their money, but when 60 per cent of our money is looted along with their money, then I say "No". Who is responsible for this? Even some of the diplomats when we meet tell me "Mr. Shikuku, we have scholarships for you; we have written to the Ministry of Higher Education that we have these scholarships, but they do not come along, and so, what do we do?" One of the officials from the United States Agency for International Development one day told me, "Mr. Shikuku, we have Sh. 60,000,000 here; we have been writing to the Ministry of Foreign Affairs, the Ministry of Agriculture and your Ministry of Livestock Development to come along so that we spend this money, because the United States Government is soon going to send this money here, but your people are not coming forward".

Mr. Temporary Deputy Speaker, this is where the President says that the engines have become rusty. The engines which are supposed to do this job are busy doing their own businesses. So, may the Lord help the President of the Republic of Kenya to overhaul these rusty engines and remove them, so that the train of Kenya can move towards prosperity for all in this Republic. There are countries which are prepared to help us with money and yet the civil servants do not come forward to take it, when our people are waiting for it for development.

An hon. Member: Do you know why they do not go for it?

The Assistant Minister for Livestock Development (Mr. Shikuku): I know why they do not go for it. One thing, they know they will not have the 10 per cent, and they are not interested. Therefore, he says, "if there is no cut for me, you wait"—this is because he has his business also; that is why he wants this thing to go through so that he gets his 10 per cent, and then he can allow the wananchi to have something.

This attitude, Mr. Temporary Deputy Speaker, Sir, is the attitude of those greedy men who are trying to block the river from flowing downwards. And I want to tell them again, Sir, that they are blocking the water, but the snakes, the fish and other fellows below the river will soon find that they have nothing to drink, and they shall have to crawl upwards, and woe to them that shall be blocking the water! They shall be consumed, bitten by snakes or horned by the rhinocs and all those funny animals.

Mr. Temporary Deputy Speaker, Sir, this is the crux of the matter. The crux of the matter is the source of all this corruption; it is the Ndegwa Report. Feasibility studies cannot be done. When a civil servant is supposed to do feasibility studies he is busy doing feasibility studies on his own business. So we must decide as a House. Let us not talk for nothing. We must decide as a House that time is ripe—and an hon. Member of Parliament, a Back-bencher, when we come in the new Session should bring a Motion here actually requiring us or this House to rescind that section of the Ndegwa Report. Let him also bring a Motion here asking us to declare our interests.

An hon. Member: Front Bench first: You will block the Motion!

The Assistant Minister for Livestock Development (Mr. Shikuku): Mr. Temporary Deputy Speaker, Sir, this is not for Front Bench or Back Bench. The problem of this country rests squarely on the shoulders of the Front Bench as well as the Back Bench. This is our responsibility; not the Front Bench or the Back Bench. We would like to have this Motion brought here, and he who refuses to pass it wananchi will take care of him at the appropriate time.

Another thing, Mr. Temporary Deputy Speaker, Sir, is on development, and is very serious. Over K£48 million was returned unspent; that is over K.Sh. 250,290 million returned unspent; Now, I think hon. Members have a duty here, and their duty is to keep their masters in this country informed that something is wrong. It is in the interests of the hon. Members of Parliament to keep the public informed because during the 1984 elections there will be questions: "You have been in Parliament; what have you done?" It is our time to read these books and explain to the wananchi that this is what is happening and we have voted—

Mr. Orenge: On a point of order, Mr. Temporary Deputy Speaker. I would not like to interfere with the Member for Butere, but I am getting rather concerned because whenever he is contributing in any debate he seems to be revolving around elections. I do not know whether he is contributing to defend his seat or to speak the truth.

The Assistant Minister for Livestock Development (Mr. Shikuku): Mr. Temporary Deputy Speaker, I get rather irritated when I am debating on such a serious matter and an hon. Member brings such a frivolous point of order. I warn him that if he goes on playing like those boys who played with that fellow with the bold head in the Bible, then foxes will eat him before the next elections and he will never come here again.

(Laughter)

Mr. Temporary Deputy Speaker, this old man from Butere is very serious on development. If this money is returned and in Butere we require a health centre at Khwisero, we require Harambee schools to be aided and developed and the money is just going back to the Treasury, surely even people in Ugenya, when they hear their Member is joking with the Member for Butere—he will be very miserable in 1984!

**Mr. Orengo:** Do not worry before the elections!

(Laughter)

**Mr. Abuya Abuya:** On a point of order. Mr. Temporary Deputy Speaker. Hon. Orengo has raised the point that the hon. Assistant Minister, when he makes contributions in this House, uses a threatening language to the hon. Members revolving around elections. Could you request him to speak strictly to the report?

**The Temporary Deputy Speaker (Mrs. Onyango):** Elections nowadays also use some public money, which, of course, is being queried here and, therefore, the hon. Member is not out of order.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Thank you very much. Mr. Temporary Deputy Speaker.

We vote money for development and the job of the hon. Member for Parliament is done. When the hon. Members have voted the money, it is up to the civil servants to use it, and when they do not implement projects it is the duty of the hon. Members from now on—that is what I was going to suggest—for us all, to explain to the wananchi that we voted so much and so much was returned unspent. Therefore, if that road was not done, if that health centre was not done, and so on, it is not my fault; I put up my case and I voted the money. So, it is not me; it is somebody else. This is what we, as politicians, must work together on and bring pressure on those who are supposed to implement rather than talking, which they are doing a lot this time.

**An hon. Member:** But you defend them!

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Mr. Temporary Deputy Speaker, Sir, my record is very clean in this House. I never defend things I do not know, and I cannot be listed among those who are prepared to die on the alter of the civil servants.

Mr. Temporary Deputy Speaker, it is also miserable and very hurting to note that even the recurrent expenditure to the tune of over K£9 million was returned unspent, when we are talking of unemployment in this country. Our people are not employed, and how many people come to my office asking for employment? Even today I was replying to a question here by hon. Mwachofi where somebody, because of hardship, although he has higher qualifications—he is in such a problem that he is prepared to be a sweeper despite all his qualifications. Is that not a sign of misery? And we have understood it and we say “okay, with your qualifications, you can have that, so that you can have a piece of soap, or a shirt on your shoulders”. And yet there is money being returned, and this man is not being given that job to do. It is wrong if we keep quiet on that. I am sure these people are out to loot and go on looting. They do not have the interest of the mwananchi at heart.

Mr. Temporary Deputy Speaker, I wish to rush through so that I can give other hon. Members a chance to speak. The same thing happened in 1978. Now I am coming to settlement schemes, and then I will end up with the borrowing by the big men, who have not paid back the money. Let it be recorded that

the Public Accounts Committee Report is a public document, and I am sure many of our scholars or the elite in this country, will read it and see what we are talking about. But when it comes to this question of Magarini Settlement Scheme—when we have so many people who are landless and questions are being asked here: “When are we going to settle these people; when are we going to do this and that?”—Here a foreign government gives us a grant but we are too lazy to make use of that grant, plus our own 60 per cent contribution. Can we seriously claim that we are working for the people? Are we not the stumbling block in the way of our people who elected us to this House?

Mr. Temporary Deputy Speaker, Sir, it is my responsibility and the responsibility of my colleagues in this House that henceforth the Back-bencher, like the Front-bencher, to accept that this will be our baby. We must fight tooth and nail and we must breath hot on all those who are supposed to implement the projects. A Motion should be brought here—we should even forbid those who are supposed to implement projects from going on talking. They should shut up, so that only we who are paid to talk continue talking because we earn our living through talking, and then they implement our talk.

This question of appearing on television and being heard over the radio is a waste of time. Let them work; let everybody carry his cross because this is the only way in which we can help the Nyayo Government. We cannot help the Nyayo Government by pretending and just saying things without following them up. Let us have as many Motions as possible to try and put these things right. The President of the Republic and the Nyayo Government have a very heavy job to do. The job is to put back the engine on the rails. I am sure many hon. Members have not seen a train derailing. When the engine and the coaches are off the rails, it is a very big job to put them back. That is the exact job that we have to do. The Kenya train and the engine came off the rails in 1977/78 and 1978/79 and we are now busy trying to put it back, but we cannot put it back by having so many speeches from civil servants, who are supposed to work and make sure that the money is not returned to the Treasury instead of wasting their time appearing on television and doing nothing.

Mr. Temporary Deputy Speaker, I would like to speak about the borrowing by the big men. If you read the section of the report that deals with this you will find a sad chapter. I agree with His Excellency the President when he says he is not against anybody making money following the proper channels. But when we know this money was made through improper channels, and when those people shamelessly stand up and boast that they work hard, we are not happy at all. When their children can drive to school in a Mercedes Benz, and when they can move around and throw money about as they wish—If it were their money I would not mind and would not be jealous. But the reason why I am jealous is that it is my tax that is being spent that way, and I know it is my money but I can do nothing about it. That is what hurts! They

[The Assistant Minister for Livestock Development] have borrowed our money and bought land and registered it the names of their wives and children and yet we can do nothing about it. I can only go back to Butere and tell the people that the Government has no money to help them in their Harambee projects, when I know that somebody "ate" that money and is swaggering about with it.

Mr. Temporary Deputy Speaker, I would like to end by saying that it is my profound belief that this House will take this matter very seriously. Those civil servants' benches there were intentionally meant for the civil servants to sit on when there are very important matters to be debated. They are supposed to sit there and listen to the views of the hon. Members of this House who are elected by the people. You can now see there is not a single soul on them. To me this is an affront to this Parliament, which the President himself recognizes. They should be there to listen, but they know hon. Members will only speak but nothing will happen and they will continue with what they are doing. They think they are the Government. Let the Ministry concerned warn them that we will not accept that situation, whereby the hon. Members are making contributions on this serious document and yet the civil servants absent themselves. They may say they are busy on other jobs, but they must be here because there is nothing bigger than this Parliament. They are our servants, and yet they have become our masters. This is because of the weakness of politicians.

We have given the civil servants a blank cheque to do anything they want. We have even gone to the extent of calling them "sir". This is serious; we must not call them "sir" because they are our servants and they should be calling us "sir". When they see the Vice-President and Minister for Finance, they should be dancing on their toes wondering what the Vice-President and Minister for Finance is going to say to them, and when he tells them to sit down they should do so with a sigh that he does not have anything to reprimand them about. But today you even find Ministers being looked down on by district commissioners. This is where things are going wrong. We in this House must stand firm. This is a political Government and not a civil servants' Government. They should know that to ignore the proceedings of this House and absent themselves is a very serious crime, and they should be warned that from now onwards hon. Members' views are to be taken very seriously. We, hon. Members, should also be serious. We are here in the interests of our people, and when we sit here smiling while they are being exploited, it leaves a lot to be desired.

With those few remarks I beg to support.

*(Question proposed)*

**Mr. Khasakhala:** Thank you very much, Mr. Temporary Deputy Speaker. I am going to be very specific and get to the point without beating about the bush.

Mr. Temporary Deputy Speaker, the Chairman of the Public Accounts Committee during that time, hon. Anyieni, has very ably moved this Motion, and I am

going to speak on it and point out certain things which we feel, as Parliamentarians, should be corrected immediately if this country is to survive.

The Public Accounts Committee had about 64 meetings in all, both in Parliament buildings and outside. The committee visited some areas of concern, such as the Magarini Settlement Scheme at the Coast and the Ken-Res factories and many other places to see with their own eyes how public funds were being spent. What worries most of us who looked at this report is the way civil servants have ignored the laws of this House. The laws of the House state very clearly that there should be no expenditure without the authority of this Parliament and the Treasury, but hon. Members who have not gone through the report will be surprised to hear of these excess expenditure which were incurred on public funds without the authority of Parliament and without the authority of the Treasury.

Mr. Temporary Deputy Speaker, I am going to be very specific, and I want hon. Members to follow what I say so that they can read our recommendation because in every paragraph where we found over-expenditure or under-expenditure we have given a recommendation—I would like to request the Members behind there to listen because they will not be able to talk on this report unless they are making notes.

Mr. Temporary Deputy Speaker, under Vote R20—Ministry of Water Development, appearing on pages 73 and 74, there was an excess expenditure and the recommendations will be found in the book. I am not going to read them now because members will have time to look at them. There is also Vote R10—Ministry of Agriculture on page 41 of the report book where the committee noted that an amount of K.Sh. 13 million was paid to the Kenya Meat Commission without authority from Parliament or Treasury. This is sad. The committee naturally finds itself in a very uncomfortable situation when it recommends that such an expenditure should be disallowed. This is because, how do we allow an expenditure of Sh. 13 million by a statutory board, which is supposed to be making profit, just like that? Hon. Members will read the recommendation on the page that I have quoted.

I will move on to Vote R5—Ministry of Constitutional and Home Affairs. That is on page 31, where the committee says that value for money was not obtained in the procurement of materials—

**The Minister for Livestock Development (Dr. Mang'o):** On a point of information, Mr. Temporary Deputy Speaker. The Sh. 13 million advance to the Kenya Meat Commission did not need authority from Treasury because the Treasury had already allocated the Sh. 13 million under the Livestock Marketing Division. Normally my Ministry helps to buy slaughter animals for the Kenya Meat Commission.

**Mr. Khasakhala:** Mr. Temporary Deputy Speaker, Sir, if I knew that was the information I would not have given him a chance because it is in the report.

**The Assistant Minister for Tourism (Mr. Mwithaga):** On a point of order, Mr. Temporary Deputy Speaker. Is it not really parliamentary irrespective of the type of information being taken from an hon. Member, for the hon. Member to take such kind of information which is relevant to what he is speaking about so that it can help him in his own debate?

**The Temporary Deputy Speaker (Mrs. Onyango):** Hon. Mwithaga, you are aware that an hon. Member can take a point of information if he so wishes. If he refuses, as the hon. Member is doing now, we have nothing to do about it.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** On a point of order, Mr. Temporary Deputy Speaker. I thought the hon. Member gave way for the point of information. The hon. Minister had not concluded his point of information but then he came in and said, "No, no". Is that allowed, because it is stated that if you give way for a point of information, you must wait until that point of information is finished? You may disagree with it or may call it names, but you cannot interject before that.

**The Temporary Deputy Speaker (Mrs. Onyango):** Hon. Shikuku, the agreement rests with hon. Khasakhala. He agreed, but he thought he had been informed of that, and he did not want to hear it again. So, he refused it.

**The Assistant Minister for Tourism (Mr. Mwithaga):** On a point of order, Mr. Temporary Deputy Speaker. As a matter of procedure—

**The Temporary Deputy Speaker (Mrs. Onyango):** Is it a genuine point of order or are you on that point of information?

**The Assistant Minister for Tourism (Mr. Mwithaga):** My point of order is very genuine. As a matter of procedure, once an hon. Member gives way, the Standing Orders actually do not allow him to intercept or to come back and stop that hon. Member from completing the information. There is nothing like that.

**The Temporary Deputy Speaker (Mrs. Onyango):** Hon. Khasakhala, continue.

**Mr. Khasakhala:** I am sorry to have interrupted the hon. Minister because he stood up and I thought it was a point of order he was raising, while he was actually giving information on matters that the committee had already been told about by the accounting officer of the Ministry. Well, if he gave that information, it would not be in order because there is a report which has already been produced after the examination of the accounts by the Controller and Auditor-General, the Public Accounts Committee and the rest. So, I am very sorry to the Minister about that; I did not want to interrupt him.

**The Temporary Deputy Speaker (Mrs. Onyango):** Order! Sit down, hon. Khasakhala. Did I hear you saying that you thought it was a point of order?

**Mr. Khasakhala:** Yes.

**The Temporary Deputy Speaker (Mrs. Onyango):** No. Hon. Dr. Mango said, "On a point of information", and you accepted it and sat down. So you cannot now begin talking of it being a point of order. It was a point of information and you accepted it.

**Mr. Khasakhala:** Mr. Temporary Deputy Speaker, Sir, I was talking about the Ministry of Constitutional and Home Affairs, which overspent by Sh. 16 million. Also on page 19, the excess expenditure on internal security and provincial administration, Vote R1, should also be disallowed by this Parliament.

**An hon. Member:** Which page is that?

**Mr. Khasakhala:** That is the same page which I gave. It is on page 19. This excess expenditure could have a lot of meaning because after all, the Ministries concerned are in Nairobi; Parliament is in Nairobi; and Treasury is in Nairobi. How could Ministries incur expenditures which are genuine before they could come with only a piece of paper to ask for that excess expenditure? This committee took this very seriously and felt what was lacking amongst the civil servants was self-discipline. If they have no self-discipline, they will never implement what Parliament is passing here every day because they always ignore matters of great importance and just brush them aside, and then spend money as they like.

The most disturbing one is the under-expenditure in one of the most important Ministries, the Ministry of Agriculture. This is to be found on page 7. In 1977/78, they had an over-expenditure of £10 million.

**An hon. Member:** How much?

**Mr. Khasakhala:** That was an over-expenditure or an excess expenditure. In 1978/79, they had an over-expenditure of £7 million. It is just only this year when some people were sacked in the Ministry of Water Development, but surprisingly, this Ministry in 1977/78 had an over-expenditure of £6 million. The same Ministry of Water Development in 1978/79, had an over-expenditure of £11 million. We are not talking of thousands but of millions of pounds. If you look at the Ministry of Water Development—

**An hon. Member:** It is an under-expenditure.

**Mr. Khasakhala:** I am sorry. That is an under-expenditure. The ones that I am quoting—I am sorry I had not looked at my notes properly—are under-expenditures, reflecting money which they should have spent but they did not spend. May I correct that again?

The Ministry of Agriculture in 1977/78 had an under-expenditure of £10 million. In 1978/79, they had an under-expenditure of £7 million. The Ministry of Water Development in 1977/78 had an under-expenditure of over £6 million, and in 1978/79 it had an under-expenditure of over £11 million. The Ministry of Health, which is a very important Ministry because it takes care of our health, had an under-expenditure of £3 million in 1977/78. In 1978/79, they had an under-expenditure of over £2 million. This report which we are discussing today has a "10 per cent" in it, and it should be taken very seriously. An under-expenditure is a direct denial to Kenyans of their right on what they should have in a given year through the money which

[Mr. Khasakhala]

has already been voted for by Parliament for expenditure. However, Sir, because someone does not get the "10 per cent", as hon. Shikuku said, he just ignores that money and he does not spend it.

This report has many other things which were badly looked at. The over-expenditures and under-expenditures were not properly controlled, and in some cases, they referred to them as carelessness, and in other cases they referred to them as oversights. For example, the control of expenditure for the year 1977/78 and for the year 1978/79, the return of excess vote was K29 million. That is in page five. It is amazing that public funds are spent in such a way.

If I may go on, Sir, I will touch on some of the most appalling affairs which are reported here. On page 10, you will see that the Government entered into a joint venture with N-Ren and formed what they called Ken-Ren. The Government of Kenya had a capital share of 65 per cent and N-Ren had a capital share of 35 per cent. It is, therefore, unbelievable that the management of the financial affairs of the company were left purely under the company known as N-Ren, which had the minority of the shares. On this one our recommendations will be found on page 11 of this report. If hon. Members will look at it very carefully, they will see what we have recommended on Ken-Ren and N-Ren. The Public Accounts Committee recommended the following:

(a) Investigations into how to recover public funds from the defunct Ken-Ren continue and absolute care be taken to ensure that maximum value is realized for any equipment that may be disposed of.

(b) More care be paid in the setting up of the new company so as to avoid some of the shortcomings experienced by Ken-Ren.

(c) Kenyans technically qualified in fertilizer technologies be sought and recruited in setting up and in the operations of the new company.

(d) Immediate steps be taken to protect equipment on the site from further deterioration.

(e) While importing further equipment, care should be taken to ensure that no second-hand equipment is imported.

Sir, it is important for me to read that recommendation for simple reasons. The entire factory was imported to Mombasa with all the equipment; machineries, pipes and everything else. If you go to the site where this factory was to be built, you will see that all this equipment is rotting, and it appears nobody is concerned with the equipment and that is why it is just rotting at the coast. We feel that instead of spending public money so carelessly like that, through some civil servants, more care should be taken by the Government, and this should not happen again in this Nyayo Government. We hope the Nyayo Government will be one where people will pull up their socks to do things and not just speak or sit idle.

I wish to draw the attention of hon. Members to another scheme which was referred to by the Chairman of the Public Accounts Committee for that period,

which is on page 18. Members will note that the Government, with the assistance of the Australia Government, set up the Magarini Settlement Scheme which, was a very viable project. The committee visited and toured the scheme. It is surprising that the Australians actually ran the scheme and our officers just sat down on the bench when the scheme was in Kenya. An Australian could show us what was going on, and the Kenyans who were there were like office messengers, or workmen in the scheme just employed to run tractors and maintain vehicles. This is another way in which our Government loses money. More care should be taken on such schemes.

Mr. Temporary Deputy Speaker, Sir, on page 25—

Mr. Wamwere: On a point of order, Mr. Temporary Deputy Speaker, Sir. Hon. Khasakhala has said that our people working at the Magarini Settlement Scheme were just like office boys. Might he care to substantiate that?

Mr. Khasakhala: Mr. Temporary Deputy Speaker, Sir, the hon. Member who is asking me to substantiate what I said was physically present when we visited the Magarini Settlement Scheme. He saw our officers unable to explain anything to us. Only Australians were actively explaining the functions of a Kenyan scheme to us, when we were supposed to hear it from Kenyans themselves, who are the owners of the scheme. I think that is shameful. I think that is enough substantiation to the hon. Members of this House.

Mr. Temporary Deputy Speaker, Sir, will the civil servants ever understand the language of misuse? Will they ever be able to understand the meaning of the word misuse? What time will they be able to understand that language of misuse; the misuse of Government vehicles? This is on page 25 of the report. I ask hon. Members to look at page 25 to see how Government officers misuse Government vehicles. Government vehicles are bought with the tax-payers' money. These Government vehicles have even become personal vehicles of individuals, instead of performing Government duties. Our recommendations on this issue are very severe, and I hope the Ministry concerned will take drastic measures to see that whoever is concerned with this matter is properly disciplined.

An hon. Member: He should be hanged and not disciplined!

Mr. Khasakhala: Mr. Temporary Deputy Speaker, Sir, on page 20 of the report—

An hon. Member: What about private registration of vehicles?

Mr. Khasakhala: Mr. Temporary Deputy Speaker, Sir, this question of private registration of vehicles is right in the recommendations, and so I have referred hon. Members to the report so that they can read and know what has gone on, and also the misuse of Government vehicles. This is because at Magarini Settlement Scheme itself vehicles bought for the Kenya Government were registered privately, with private registration numbers. You will find that instead of these vehicles being registered as GK vehicles, they were registered under private numbers. This is very, very sad.



**An hon. Member:** On what page is that?

**Mr. Khasakhala:** I have given you the page. So, go ahead and read it.

**An hon. Member:** Address the Chair!

**Mr. Khasakhala:** Mr. Temporary Deputy Speaker, Sir, with regard to North-Eastern Province, I would like to say that a building company has been referred to here, but elaboration was not given to hon. Members to know what happened. The Provincial Commissioner for North-Eastern Province was the building company himself.

**An hon. Member:** What are you talking about?

**Mr. Khasakhala:** What I am talking about is in the report. The provincial commissioner himself was the building contractor. He signed local purchase orders himself, and paid cheques to himself, but in the long run the houses were not built. Now, how can we have the Government running like that? If I am the man contracting to erect a building; I am the man giving the go-ahead; I am the one writing the local purchase order; I am the one writing the cheques, and yet it is all public funds—I think that is really a sad situation. I hope the people concerned are hearing and are noting what I am saying now so that they will not repeat the same thing again.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** They will repeat it because they know you only talk!

**Mr. Khasakhala:** Mr. Temporary Deputy Speaker, on corporations, like the Wheat Board—I come back to agriculture. If Members will look at page 37, they will see the report on the Kenya Co-operative Creameries; they will see the report on the Kenya Meat Commission and the Halal Meat Products on page 39. If you look at those pages—

**The Assistant Minister for Livestock Development (Mr. Shikuku):** You will cry!

**Mr. Khasakhala:** Mr. Temporary Deputy Speaker, if you looked at those pages, I do not think you would be able to say anything but to hang those people by their necks. We should try and kill them. That is a real misappropriation of Government and public funds.

**The Assistant Minister for Tourism (Mr. Mwithaga):** You are not allowed to hang them!

**Mr. Khasakhala:** Well, our courts are allowed to hang them!

**The Assistant Minister for Livestock Development (Mr. Shikuku):** We can try them and hang them; that is all right!

**The Assistant Minister for Tourism (Mr. Mwithaga):** On a point of order Mr. Temporary Deputy Speaker. Is the hon. Member in order to use such a judicial statement—and he is making the statement in a

very affirmative way—that. “we shall hang them by the neck?” Are we, Members of Parliament, allowed to hang anyone other than through the courts of law?

**Mr. Khasakhala:** Mr. Temporary Deputy Speaker, the word, “hang” can as well mean to sack them; to get rid of them.

**The Assistant Minister for Tourism (Mr. Mwithaga):** No, no! That is wrong English!

**Mr. Khasakhala:** When you get rid of someone, it is hanging him because he will have no job.

**The Assistant Minister for Tourism (Mr. Mwithaga):** No, no! Use the right word.

**Mr. Khasakhala:** (Mr. Temporary Deputy Speaker, what I meant to say is that we get rid of them.

**The Assistant Minister for Tourism (Mr. Mwithaga):** Oh, good!

**Mr. Khasakhala:** We should get rid of them and see that they go and rest somewhere where other jobless people are resting, so that they can also understand the joblessness language. This is because if they do not understand the joblessness language, they can never learn.

**The Assistant Minister for Tourism (Mr. Mwithaga):** Beware of hon. Juma Boy; he is a trade unionist!

**Mr. Khasakhala:** Although the chairman—and this is a very serious issue—had mentioned the other expenditure, he did not give it year by year. I want to give Members practical figures and how much per year was under-spent in this particular report.

Sir, in the Financial Year 1977/78, the total under-expenditure in Kenya Government of those days was £48,250,295; all that was under-spent in one year. How can you go on in a country which is looking for development, and it is developing, when the money that is supposed to be used for the development is not being spent?

Sir, to make it worse, that was only in what I call recurrent expenditure. In the same year, on development expenditure, the money which was not used was £9,101,018; that is a lot of money being under-spent. Now, look at the difference; where people were not able to go for 10 per cent, the other under-expenditure was much higher, £48 million, and where people were giving local purchase orders—Easily to get petrol; to get cement and other things, like the office stationery, the under-expenditure was only £9 million, and that was in the same year.

And what happened in the following year, Sir? In 1978/79 Financial Year, the under-expenditure on development was 48,112,730. Now, if you put those millions of pounds that were not used in the two financial years together, what development will you have in the country? What development can you tell the wananchi you have done, on roads, water, schools, hospitals et cetera? What will you tell the wananchi you have done, when you have not spent £48 million? And in the same year, they did not spend £5,156,332 on recurrent expenditure.

[Mr. Khasakhala]

Mr. Temporary Deputy Speaker, Sir, another thing that was very disturbing to the committee was the delay in the submission of accounts simply because Ministries had no internal accounting system, and one, two or three years passed before they had submitted their accounts for auditing. And what does the Controller and Auditor-General audit in our total revenue? He is only auditing one-third of Kenya's total revenue; the rest, which is two-thirds of the revenue, cannot be audited by him. That is why I would appeal to my friend the hon. Vice-President and Minister for Finance to create an internal audit system for every Ministry. It is important that every Ministry has an internal audit system so that they can be our watchdogs in the Ministries to see whether money is being spent properly or not.

**An hon. Member:** They are there!

**Mr. Khasakhala:** They are not; if they were there two years could not pass before the accounts were produced.

Sir, I feel very strongly that the accounting system in every Ministry should be fully established and

utilized, so that these types of mistakes do not arise again in future. I am sure many other Members of the committee would like to speak. Although there are so many other points which I was going to raise I think it is important to mention only some and give a chance to other hon. Members to raise the rest when we have more time.

However, Sir, I would like to ask a question here. Who produced the ten-year retirement pension scheme? Where did it come from? Who introduced this scheme, and with whose authority are these officers getting money? And are still having this money even now as we talking. Could we be told the person—

#### ADJOURNMENT

**The Temporary Deputy Speaker (Mrs. Onyango):** Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until tomorrow, Thursday, 3rd December, at 2.30 p.m.

*The House rose at thirty minutes past Six o'clock.*

Thursday, 3rd December, 1981

No. 336

The House met at thirty minutes past Two o'clock.

[Mr. Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

No. 1065

POLICE PATROLS BETWEEN BUNGOMA AND BULONDO

Mr. Sifuna asked the Minister of State, Office of the President how many times the police patrol, during the night time per week between Bungoma and Bulondo, Bungoma and Myanga, Bungoma and Netima.

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

Adequate police patrols are undertaken both day and night between Bungoma, Bulondo, Myanga and Netima. However, in the interest of security, figures or police methods of combating crime cannot be made public.

Mr. Sifuna: Mr. Speaker, Sir, arising from the answer given by the Assistant Minister, and in view of the fact that I have not been in this House for the last two days while I was doing my homework, is he aware that police in this area do not operate? I have not been here because I was doing my homework. Can the hon. Assistant Minister make sure that police in Bungoma District operate or patrol these three areas, or consider establishing a police post at Bulondo Centre, where there are so many criminals?

Mr. Salati: Mr. Speaker, Sir, I must thank the hon. Member for having got those two days to do his homework since he was elected as a Member of Parliament. I should thank him for having done so. For that reason, I congratulate him. At this juncture, I must ask him to do more homework than what he did during those two days. The Office of the President has done a lot more homework than what he did during those two days.

Mr. Sifuna: Mr. Speaker, Sir, I am surprised to hear that answer from the Assistant Minister. That answer is very bad. I have lived in that area for the last 35 years since I was born, and I know that there are a lot of thugs in that area especially at Bulondo. My question to the hon. Assistant Minister is whether he can consider establishing a police post there, or order Bungoma Police Station to patrol those areas because I know more than what the Government knows?

Mr. Salati: Mr. Speaker, Sir, before I can consider the request of my friend, I must say that there was one crime of robbery with violence, whereby six gangsters armed with pistols robbed a person of Sh. 2,065 and beat him up on 6th March, 1981. Common crimes in the area include assault, minor thefts and petty crimes in respect of property. If the hon. Member would like a police post to be established there, let him come to the Office of the President and we will consider his request during the next financial year.

FINANCING OF EXCESS VOTES BY MINISTRIES

Mr. Muthura asked the Vice-President and Minister for Finance where the Ministries got the money they overspent on top of the money voted for them by Parliament.

The Assistant Minister, Office of the Vice-President and Ministry of Finance (Mr. Muia): Mr. Speaker, Sir, I beg to reply.

No Ministry or department should get any money on top of the money voted for it by Parliament, but on certain occasions, Ministries and departments are able to spend more money than the amounts voted for them by either over-drawing their bank accounts with the Paymaster-General; using excess Appropriations in Aid revenue to meet their excess expenditure, or obtaining advances from civil contingency funds at a time when it is too late for the Government to seek Parliamentary approval through submission of a Supplementary Appropriation Bill.

Mr. Muthura: Mr. Speaker, Sir, does the Assistant Minister agree with me that some of these Ministries which overspend are forced to do so as a result of the Office of the Vice-President and Ministry of Finance slashing their estimates to an extent that they cannot really run their services publicly?

Mr. Muia: No.

No. 1026

POSTING OF LIVESTOCK OFFICER TO THARAKA DIVISION

Mr. Wakioondo asked the Minister for Livestock Development—

- (a) when a divisional livestock officer would be posted to Tharaka;
- (b) whether the Ministry would recruit more staff and post them to various parts—sub-locations—in Tharaka Division; and
- (c) whether he would consider establishing a microscopic centre and an artificial insemination services in Tharaka Division.

The Assistant Minister for Livestock Development (Mr. Murgor): Mr. Speaker, Sir, I beg to reply.

(a) A livestock officer was posted to Ciakariga, in Tharaka Division during 1979 but due to problems experienced with housing and office accommodation, the officer was withdrawn. Arrangements are under-way to put up a prefabricated house and office during 1982/83 when funds become available.

(b) The Ministry is short of junior staff but is expanding its recruitment in that we have set up AHITI, Nyahururu, and soon Tharaka will be considered along with other parts of the country.

(c) As soon as an office is established in Tharaka, microscopic services will be extended to that area.

**Mr. Wakiondo:** Mr. Speaker, Sir, while thanking the Assistant Minister for his reply, is he aware that the officer has never been posted to Ciakariga, but rather he was posted to Nkubu, South Imenti Division and he caters for Tharaka Division and Nkubu Division, but he has never come to that place? Is he also aware that it is not the question of housing problem because where do other officers stationed in the division sleep?

**Mr. Murgor:** Mr. Speaker, Sir, as I have already said, an officer was posted to Ciakariga in 1979 and even if there are houses for other officers, if there are not sufficient houses for all the officers, you cannot send an officer there merely because there are other officers when there are no houses.

Mr. Speaker, Sir, there is a part of the question, which I did not reply to with respect to artificial insemination. With respect to the setting up of artificial insemination services, this is not practicable because of the extensive animal husbandry practices in the area. Artificial insemination depends on livestock owners observing cows on heat and sending them to the crush. In Tharaka, animal husbandry practices are such that herdsmen send their animals a long way off in search of water and pastures, thus making it impossible to travel back with the animals to the crush even if they were able to observe the heat period.

However, a survey will be carried out by the Ministry of Livestock Development to determine the possibility of up-grading the livestock in Tharaka, and the possibility of setting up bull camps in the area.

**Mr. Midika:** Mr. Speaker, Sir, the hon. Member did state categorically that the officer was not posted, but the Assistant Minister is saying that he was posted. If he was posted in 1979, who was the officer, and for how long was he there?

**Mr. Murgor:** Mr. Speaker, Sir, I cannot say who the officer was.

**Mr. Wakiondo:** Mr. Speaker, Sir, a microscopic centre was opened in Tharaka earlier on in 1960. Why was it withdrawn from Tharaka Division and where did it go?

**Mr. Murgor:** Mr. Speaker, I have replied that in Tharaka, animal husbandry practices are such that herdsmen send their animals a long way off in search of water and pastures, and it is very difficult, even if the microscopic centre is there, for herdsmen to determine when the animals are on heat and that is why it is not practicable at the moment.

No. 906

#### HOUSING ACCOMMODATION FOR FORESTER LIVING IN MENENGAI

**Mr. Wamwere** asked the Minister for Environment and Natural Resources why six workers who were transferred from Bahati to Menengai Forest Station in Nakuru had not been getting either Government houses or house allowances since July, 1979.

**The Assistant Minister for Environment and Natural Resources (Mr. Adicharch):** Mr. Speaker, Sir, I beg to reply.

These officers were not eligible for Government accommodation as they were living in their own houses in areas where the minimum wage order did not apply. This requirement has since been amended following the issue of Personnel Circular No. 3 of 1980 as clarified by a letter from the Directorate of Personnel Management. I have, therefore, taken action to pay them from 1st October, 1980 up to date and they will continue drawing their house allowances.

**Mr. Wamwere:** Thank you very much.

No. 1052

#### TELEPHONE SERVICES FOR LAMU RESIDENTS

**Mr. Yeri,** kwa niaba ya Bw. Cheka, alimuuliza Waziri wa Uchunguzi na Mawasiliano atakubali lini maombi ya kuwa na simu binafsi nyumbani katika vijiji vya Mkuumbi, Ndambwe, Mapenya na Witu kama vile ilivyo Mokowe na Lamu Kisiwani.

**The Assistant Minister for Transport and Communications (Mr. Lotitiyo):** Bw. Spika, naomba kujibu.

Wakaguzi wa simu watazuru miji ya Mkuumbi na Ndambwe mwaka ujao kwa kusudi la kukisia mahitaji ya simu katika miji hiyo. Mipango ya kuweka mtambo wa simu itategemea matokeo ya ukaguzi wao. Mpaka sasa, mahitaji ya simu katika miji hii ni kidogo. Hiyo ndiyo sababu mtambo wa simu haujawekwa.

Mipango ya kujenga mtambo wa simu katika Mji wa Witu imekamilishwa. Kazi ya ujenzi imeanza na inatazamiwa kumalizika mapema mwaka ujao. Mapenya iko umbali wa kilomita sita kutoka Mpeketoni ambapo mtambo wa simu umewekwa. Yeyote anayetaka simu mjini Mapenya atapata hiyo simu kutoka kwa mtambo wa Mpeketoni ambao utafunguliwa katika muda wa miezi mitatu ijayo.

**Mr. Yeri:** Bw. Spika, nikimshukuru Waziri Msaidizi kwa jibu lake amesema kwamba matumizi ya kijiji cha Ndambwe hayatoshelezi. Anaweza kuliambia Bunge hili kwamba uchunguzi umekwishafanywa mpaka wao wenyewe wakafahamu kwamba wananchi wa sehemu hiyo hawahitaji hii huduma ya simu kwa wingi?

**Mr. Lotitiyo:** Bw. Spika, hapo mbeleni ilionekana kwamba mahitaji katika mji huu ni madogo sana. Lakini kama vile nilivyosema wakaguzi wetu wataenda huko huko kuhakikisha kwamba mahitaji ya simu yamefikia kiwango gani, na tukishapata habari yake tutaweka mtambo wa simu kuwatumikia wananchi pale.

**Mr. Muthura:** Bw. Spika, ni wastani wa watu wangapi wanaotakiwa kuomba simu katika mahali fulani ili Wazara ifikirie kuweka simu?

**Mr. Lotitiyo:** Bw. Spika, kwa sasa sina habari juu ya kiwango cha watu ambao wanatakiwa wapate simu, lakini hii inategemea uchunguzi ambao Wizara inafanya. Hii ni kwa sababu ni lazima tuelewe kwamba kuweka mtambo wa simu ili kuwatumikia watu inagarimu pesa nyingi sana. Kwa hivyo si kitu ambacho ni rahisi kuweka tu tukiona kama mahitaji ni madogo sana. Kwa hivyo tukipata mahali ambapo pako na wananchi wengi sana na ambao wanataka

[Mr. Lotitiyo]

simu, ama kiwango cha watu ambacho kinahitajika, yaani kile kiwango ambacho kitatosheleza ile gharama ambayo ule mtambo utatumikia, basi tutaweka simu.

No. 1058

#### HARDSHIP ALLOWANCE FOR BUSIA SOUTH

**Mr. Okondo** asked the Minister of State, Office of the President whether he could declare the Busia South Constituency a hardship area in view of the fact that it is persistently overrun by floods, in order that civil servants working there may be paid hardship allowance.

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

It is not the intention of the Government to extend payment of hardship allowance to other areas including Busia South Constituency unless there are new developments in the area which would justify their inclusion at this stage. There are other areas in Kenya which are from time to time faced by calamities such as floods and famine. Such spectacular incidents would not justify the inclusion of affected areas for the purpose of payment of hardship allowance.

**Mr. Okondo:** Mr. Speaker, Sir, arising from the Assistant Minister's reply, is he aware that in this area not only do we have floods but there is no transport facilities in the southern part of Busia South Constituency? Is he aware that lack of transport is a very big hardship for staff who are posted to the area from different districts?

**Mr. Kuguru:** Mr. Speaker, Sir, the question of transport was not included in the question and it should not arise. We have specified the remote areas which were considered for hardship allowance or paying something to compensate persons who miss sufficient transport and other things. Therefore, for Government to pay hardship allowance is not just because there is no transport. The question was that, places which are regularly or periodically affected by floods and other like famine should be considered. We have said our intention as the Government is to try and reduce these areas as much as possible as development has already taken place there. We are aware that in some places like Kitui there are difficulty times like when floods are there and we cannot cross the Tana River. Now, during that particular time we do not only consider the employed persons but we also consider the sufferings of all the people in the affected areas. I would have hoped that the hon. Member should not only have asked for hardship allowance for the employed persons but he should have considered other people and asked the question on behalf of all the suffering persons in that area.

(Applause)

**Mr. Muthura:** Mr. Speaker, Sir, it is true that before the Government decides on what areas to pay hardship allowance and which areas not to pay, there are some factors which they look for. Could the Assistant Minister enlighten this House as to the factors they look for and which enable employees in certain areas to get hardship allowance?

**Mr. Kuguru:** Mr. Speaker, Sir, the question of factors does not arise. As a matter of fact, this hardship allowance used to be a temporary arrangement with effect from 1st October, 1979.

**Mr. Sifuna:** On a point of order, Mr. Speaker, Sir. The hon. Member asked the hon. Assistant Minister to tell this House the criteria used to determine this idea of giving hardship allowance, and the hon. Assistant Minister is diverting the way in replying to that question. Is he in order to do that? What the hon. Member wants is the criteria used when giving this hardship allowance?

**Mr. Kuguru:** Mr. Speaker, Sir, unfortunately I thought the hon. Member would have waited to hear the reply, but it is not my fault; it is his fault. The hardship allowance—now I am going to the criteria—formerly known as “remote area allowance” and which was introduced as temporary arrangement with effect from 1st October, 1979 is payable to officers posted to North-Eastern Province, and its specified adjacent areas namely, Isiolo, Lamu, Marshabit, Samburu, Tana River, Turkana and West Pokot district as well as Kabarnet District Headquarters, and North Baringo divisions. The purpose of allowance is to compensate officers posted to these remote areas for discomfort, lack of amenities enjoyed elsewhere and high cost of living arising from transportation difficulties. It was intended that the areas would gradually be reduced as and when development catches up with a view to ultimately abolishing it.

(Applause)

**Mr. Muthura:** On a point of order, Mr. Speaker, Sir. The hon. Assistant Minister is misleading this House. He has just mentioned lack of transport as one of the factors and yet during the course of his reply to the question by hon. Okondo, he said that transport does not arise. So, he is misleading the House! Is he aware of that?

**Mr. Kuguru:** Mr. Speaker, Sir, the hon. Okondo asked me whether I am aware that sometimes in that area there are difficulties in transportation. But it is only “sometimes”! But I am saying that in some areas, for example, in the northern areas of Kenya and places I mentioned, there is lack of so many things including vegetables because there is no regular transport. But sometimes if the Sagana bridge is broken down, then we will suffer at that time from lack of getting whatever we get in Nairobi; but this does not happen always!

**Mr. Okondo:** Mr. Speaker, Sir, according to that criteria, Bunyala South which is a part of Busia South Constituency more than qualifies: There is no transport, there are no vegetables, there are lots of mosquitoes, there are no amenities, there are no shops and nothing goes in that place. So, by that criteria Bunyala South qualifies. Would the Assistant Minister, therefore, tell the House that this is an area which qualifies to be given hardship allowance to staff members or the Government officials who are posted there?

**Mr. Kuguru:** Mr. Speaker, Sir, to avoid the argument because we are just arguing for the sake of argument, I am offering myself during this Recess to—

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

**Mr. Kuguru:** No, there is no point of order!

*(Laughter)*

**Mr. Speaker:** Order, Mr. Kuguru! There is a point of order.

**Mr. Karauri:** Is it in order for the hon. Assistant Minister to insinuate that other hon. Members are not serious in what they are saying, and that they are just arguing for the sake of argument?

**Mr. Kuguru:** Mr. Speaker, Sir, the hon. Member knew very well that I did not say that they are not serious. However, I am saying that to avoid a long argument, Busia South Constituency is not very far away from here. During this Recess I will request all the hon. Members from Busia and other places where they think that the areas are impassable and that there are no roads and other amenities, to invite me to visit those areas if they so wish.

**Mr. Lalampaa:** On a point of order, Mr. Speaker, Sir. Is the hon. Assistant Minister in order to take your responsibility to rule out another hon. Member that there is no point of order?

**Mr. Speaker:** No, that can only be decided by the Chair!

*(Applause)*

**Mr. Kitele:** Thank you, Mr. Speaker. While thanking the Assistant Minister for the reply he has given, since from here to Kisumu is 200 miles and from Kisumu to Busia is almost 100 miles, can he tell the House whether he is going to consider the Busia South Constituency so that it can be included in the areas which he has mentioned that they are getting hardship allowance?

**Mr. Kuguru:** Mr. Speaker, Sir, precisely, just as I said, I am prepared to stay there for a week and tour all these areas.

## QUESTIONS BY PRIVATE NOTICE

### WORKMEN'S COMPENSATION FOR MR. D. N. WANYONYI

**Mr. Sifuna:** Mr. Speaker, Sir, I beg to ask the Minister for Labour the following question by Private Notice:

(a) Is the Minister aware that a Mr. Dixon Nyongesa Wanyonyi, former employee of Security Holdings Limited of Box 18412, Nairobi (formerly Total Security Co.) was seriously injured while on duty on the night of 14th/15th October, 1974, and was hospitalized at Kenyatta National Hospital for one year?

(b) How much was Government's assessment for his compensation as per Workmen's Compensation Act (Cap. 236) section 14?

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

(a) It is true that Mr. Dixon Nyongesa Wanyonyi, former employee of Messrs. Security Holdings Limited of P.O. Box 18412, Nairobi (formerly Total Security

Company) was attacked by robbers on the night of 14th/15th October, 1974, and as a result, he was hospitalized at Kenyatta National Hospital for 295 days.

(b) The Government doctor who assessed Mr. Dixon Nyongesa Wanyonyi awarded him nil permanent incapacity in accordance with the Workmen's Compensation Act. Thank you.

**Mr. Sifuna:** Mr. Speaker, Sir, this is very surprising, and I think the hon. Assistant Minister is inhuman to tell us that someone who was hospitalized for 295 days was awarded nil permanent incapacity. Is the Assistant Minister aware that the Government or the Ministry has never sat to assess this particular employee?

**Mr. Echakara:** Mr. Speaker, Sir, as Mr. Dixon Nyongesa Wanyonyi was awarded nil permanent incapacity by the medical practitioner who assessed him, the Ministry of Labour could not claim compensation in respect of permanent incapacity from his employer. However, the employer was requested by the Ministry to pay him K.Sh. 1,858.50, being compensation on temporary incapacity for the period he was hospitalized, calculated at half pay for every month. When he was offered this, he refused to take it saying that it was too little. This amount of money has been deposited with the Provincial Labour Officer, Nairobi, and Mr. Dixon Nyongesa Wanyonyi can collect it any time.

**Mr. Midika:** On a point of order, Mr. Speaker, the hon. Member did say that the Government or the Ministry never sat to assess Mr. Wanyonyi's case, but permanent incapacity is awarded in accordance with what the doctor says. Could the hon. Member tell us what the injury was, because according to the reply from the Assistant Minister, it seems that the man actually did get compensation for temporary incapacity? What is the injury that would have warranted the amount of money which the hon. Member is asking, because that is very contradictory now?

**Mr. Sifuna:** Mr. Speaker, this employee was hit on his head and a bone was removed and up to now pus still coming out. If you want to see this, I can bring this particular employee here today so that you can see for yourself that pus is still coming out from his head. So, the injury is permanent, and not temporary. Can I bring him here even tomorrow? I have also got documents here which indicate that there was no assessment done.

**Mr. Echakara:** Mr. Speaker, Sir, with your permission, I would like to explain what happens when an employee gets a temporary or permanent incapacity.

Mr. Speaker, the Ministry of Labour is not authorized to query an assessment by a medical practitioner, and therefore, if Mr. Wanyonyi feels that he was not properly assessed as manifested by the hon. Member who is his representative, he can obtain a second medical opinion and then the case will be referred to a medical board—

**Mr. Sifuna:** On a point of order, Mr. Speaker—

**Mr. Speaker:** Why can you not listen to what the Assistant Minister is saying first?

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**Mr. Echakara:** Mr. Speaker, I would like to tell the hon. Members once more that labour issues strictly adhere to the laws, otherwise we would have chaos. So, in this case, Mr. Speaker, if the Member is interested in finding out what happened, for heaven's sake, he should help the employee because many of the employees do not understand what next step to take. The employers who employ lawyers to advise them know what to do next, but the employees do not know what to do. So, other than asking whether or not the medical board met and so forth, I have given enough information which can enable the hon. Member to advise his constituent to go and get a second medical opinion about his incapacity.

**Mr. Sifuna:** Mr. Speaker, as I said earlier, it is very surprising that the medical board never met to assess the amount of money to be paid as compensation to Mr. Wanyonyi. The amount of money that the hon. Assistant Minister has just quoted in this House was assessed by the insurance company of the employer. The regulation is that it is the Ministry of Labour, the Ministry of Health and the injured person who should meet to decide on this, but according to these documents which I have here, it appears that they have never met. Is the hon. Assistant Minister in order to mislead this House by saying that an assessment was made and that Mr. Wanyonyi was given K.Sh. 1,858.50?

**Mr. Echakara:** Mr. Speaker, Sir, this employee got injured, and for the period when he was hospitalized, we consider this in the Ministry of Labour as temporary incapacity, because he was not able to do anything at that time. So, in order to compensate him for this temporary incapacity, we in the Ministry of Labour did calculate at half of his pay for every month for the period he was hospitalized.

Mr. Speaker, Sir, the only qualified person to award permanent incapacity is a medical practitioner. If the hon. Sifuna feels that the medical practitioner who awarded nil permanent incapacity to Mr. Wanyonyi did not do his job properly, we would like to ask him to go and advise Mr. Wanyonyi to get a second medical opinion. Now, if that happens, we will consider the case as it comes, but it is not the work of the Ministry of Labour to prove as to whether or not the medical board met. We are not authorized, either, to query the assessment of the first medical practitioner. So, I want this to be made absolutely clear. My colleague could be useful to his friend if he did ask him to go and seek for a second medical opinion.

**Mr. Speaker:** Mr. Mwachofi's question.

**Mr. Sifuna:** On a point of order, Mr. Speaker—

**Mr. Speaker:** What point of order do you want to raise.

**Mr. Sifuna:** Mr. Speaker, Sir, if you do not mind, my point of order is that it is in order for the hon. Assistant Minister to mislead this House that it was the medical board which checked this particular patient when actually nothing happened? There was nothing of that sort. Mr. Speaker, So, he is misleading the House by telling us that there was a medical check up

whereas there was nothing of that sort. I have got some documents here which can prove that it was not done.

**Mr. Speaker:** But according to what we have heard, he stayed in hospital for 295 days. Was there no medical officer attending to him?

**Mr. Sifuna:** Mr. Speaker, Sir, there was a doctor, but assessment was not done, because this can only be done after the patient has been cured. Therefore, after the patient had been discharged from the hospital, nothing took place. That is why this particular employee has been following up this matter.

**Mr. Speaker:** Who made the assessment, Mr. Echakara?

**Mr. Echakara:** Mr. Speaker, Sir, the information I have is that a medical practitioner—

**Hon. Members:** Who was he?

**Mr. Echakara:** If it is your wish, Mr. Speaker, that I should name the medical practitioner who did this, I can promise to do that, otherwise the information we have is that the medical practitioner awarded him nil permanent incapacity. This is the information we have.

**Mr. Omido:** On a point of information, Mr. Speaker. What usually happens in cases of injury is that there is a form which is completed by the employer at the time the employee is injured. That form is then forwarded to a medical officer—usually a Government medical officer—after the patient has been treated and cured. The medical officer then makes his recommendation on that form as to the degree or extent of the injury. If he considers it to be permanent, 5 per cent, 10 per cent, or whatever it is, he writes it on the form. After that, if a worker then feels that the assessment by that medical officer is not fair, he goes and seeks a second opinion from another doctor. I have done this many times, Mr. Speaker, and usually it has turned out to be that the second medical opinion always gives a higher percentage of incapacity, and I think the Assistant Minister is right to advise my colleague to tell his constituent to seek a second medical opinion.

(Applause)

**Mr. Speaker:** Mr. Mwachofi's question.

**Mr. Sifuna:** This bogus man.

#### ISSUING OF MINING LICENCES FOR DEPOSITS AT MWAKINYAMBO

**Mr. Mwachofi:** Mr. Speaker, Sir, I beg to ask the Minister for Environment and Natural Resources the following Question by Private Notice:

(a) Is the Minister aware that mining deposits at Mwakinyambo in Ng'ang'a Location No. 3 in Taita/Taveta District which was allocated to Mr. Sylvester Mwega under certificate of registration of Lode Location No. 4233, 4234 and 4235 has been mysteriously given to another person and that that other person is now mining gem stones forcefully?

(b) Since such disputes are causing a lot of bitterness, when is the Minister doing to settle them?

**The Assistant Minister for Environment and Natural Resources (Mr. Adichareh):** Mr. Speaker, Sir, I beg to reply.

The area in question was formerly a closed area—

**An hon. Member:** There is a point of order.

**Mr. Kabegeeri:** On a point of order, Mr. Speaker.

Although I presume that hon. Omido did provide a very valuable information, I heard hon. Sifuna calling hon. Omido "This bogus man". Is that in order in a Parliament like ours?

**Mr. Speaker:** Where is Mr. Sifuna?

**An hon. Member:** He is there on the other side.

**Mr. Speaker:** Mr. Sifuna, did you use the word "bogus"?

**Mr. Sifuna:** No, I did not; I was here talking to my fellow hon. Members.

**An hon. Member:** No, you did it.

**Mr. Speaker:** Mr. Sifuna, I want honesty from you. We do not want to waste time arguing. Did you say that Mr. Omido or anybody was bogus when you were there, not where you are now?

**Mr. Sifuna:** Mr. Speaker, I was only—

**Mr. Speaker:** Did you say it, or did you not?

**Mr. Sifuna:** Mr. Speaker, I was not on the Floor.

**Hon. Members:** You did it.

**Mr. Speaker:** Order, order.

**Mr. Midika:** On a point of order, Mr. Speaker—

**Mr. Speaker:** I do not want any interruption, Mr. Midika. Mr. Sifuna, would you withdraw that term and apologize so that we can continue.

**Mr. Sifuna:** Mr. Speaker, okay, I apologize.

**Mr. Speaker:** You should first of all withdraw it and then apologize.

**Mr. Sifuna:** Mr. Speaker, Sir, I withdraw it and apologize.

**Mr. Speaker:** You are lucky.

**Mr. Adichareh:** Mr. Speaker, Sir, I beg to reply.

The area in question was formerly a closed area and applications for special licences were made to the Department of Mines and Geology by three parties respectively on 25th April, 1980; 6th June, 1980 and 22nd July, 1980.

Special Licence No. 67 was subsequently granted to the first applicant and its grant appeared under *Kenya Gazette* Notice No. 2236 of 24th July, 1981.

When the general area was re-opened, several people, including Mr. Mwege, applied for the pegging of claims. Mr. Mwege's application No. 5 in the second group of applications was received on 10th August, 1981 nearly three weeks after the grant of the Special Licence No. 67 had appeared in the *Kenya Gazette*.

Mr. Speaker, Sir, due to an oversight, certificates of registration were granted to Mr. Mwege and Mr. Mululu over the same area of the Special Licence No. 67. The error was immediately detected and the certificates of registration recalled from both parties. Mr. Mululu returned his certificates of registration but Mr. Mwege refused.

Mr. Mwege was summoned to the Department of Mines and Geology on 15th October, 1981 and the situation explained but he refused to surrender the certificates. He continued to interfere with prospecting and mining operations being undertaken under Special Licence No. 67. This constitutes a very grave offence under the Mining Act. As a result, the District Commissioner, Wundanyi, called both parties, Mr. Kamau Kariuki who holds special licence and Mr. Sylvester Mwege. The district commissioner telephoned the Mines and Geological Department and the position was clarified to him. Mr. Mwege has not returned the invalid certificates of registration to date. He continues to interfere with other legal operations and commits serious breach of the provisions of the law. Three letters were written to Mr. Mwege on 23rd September, 1981, 6th October, 1981 and 15th October, 1981 respectively to no avail and no reply.

It is contemplated to take stern action against him to ensure compliance with the law.

**Mr. Mwachofi:** The long answer by the hon. Assistant Minister is a bit disturbing. At one stage we were told that a Mr. Mululu was given a special licence and at another stage we were also told that a Mr. Kamau Kariuki was given a special licence. I would like to know under what conditions are people given special licences? Why was this particular person given a special licence when that place was a closed area?

**Mr. Adichareh:** Mr. Speaker, Sir, applications are considered as they come and so it is the question of first come first served. Since Mr. Kamau Kariuki had applied before Mr. Sylvester Mwege, his application had to be considered first.

**Mr. Ambala:** Mr. Speaker, in granting the special licences consideration is normally given to any particular party which has been interested in a particular location. Now in this case, we hear that Mr. Mululu and Mr. Mwege were interested in this particular case. That being the case, why were they not considered first before Mr. Kamau Kariuki was given the special licence?

**Mr. Adichareh:** Mr. Speaker, Sir, I said "first come first served". Mr. Kamau Kariuki applied for the area on 24th April, 1980, Mr. Mululu on 23rd June, 1981 and Mr. Mwege on 10th August, 1981. So, it is the question of first come first served.

**Mr. Mwachofi:** I think we are not talking the same language with the hon. Assistant Minister. Is he aware that we are not just talking about one particular area. Each of these two gentlemen has a plot registered under his own name—these are two separate plots—and what has happened is that Mr. Kamau Kariuki has moved into the plot that is not his. He has decided



**[Mr. Mwachofi]**

to claim that it is his and he does not want to allow the other person to go in there. As I said, the two plots are different and each person has got his own certificate. Therefore, the question is: What is the Ministry doing to ensure that Mr. Mwega is allowed his rightful plot?

**Mr. Adichareh:** Mr. Speaker, Sir. Mr. Kamau Kariuki was issued with a licence and then through an error an officer in the Mines and Geological Department issued two certificates to Mr. Mululu and Mwega in the same area. When we discovered this error, we advised them to return these certificates. Mr. Mululu returned his certificate but Mr. Mwega refused to comply. He went to the place with a rifle threatening to shoot the people. We shall not accept that behaviour.

**Hon. Members:** Shame! Shame!

**Mr. Mwachofi:** Mr. Speaker, Sir, I am surprised by the allegation being made by the hon. Assistant Minister. What I know is that Mr. Kamau Kariuki, whom the Assistant Minister claims he is the rightful owner of the place, is actually not mining in there. He has hired this particular plot to a Greek by the name of George Tsacris. In fact, it is this Greek that is threatening people with a rifle. Mr. Mwega does not have any rifle. Can the Assistant Minister substantiate his allegation that Mr. Mwega has been threatening people there when the reverse is the case?

**Mr. Adichareh:** Mr. Speaker, I have already said that Mr. Sylvester Mwega was asked to return the certificate that was issued to him erroneously but he has refused to do so. Moreover, it is not illegal for somebody to hire his place to someone else. It is legal, he can hire it to somebody else. Therefore, there is nothing wrong in doing that. As I said earlier on, Mr. Mwega has refused to return the certificate issued to him erroneously which shows that he has refused to comply with the Mines Act.

**Mr. Wamwere:** Bw. Spika, Mhe. Waziri Msaidizi ameziliza afafanue tamshi ambalo ametoa kwamba Bw. Mwega anawatisha watu kwa bunduki. Mhe. Mwachofi amesema kuwa ni Bw. Mwega anayetishwa na Mgiriki akitumia bunduki na hali huku Waziri amedai kwamba ni Bw. Mwega anayewatisha watu. Anaweza kufafanua vile Bw. Mwega anavyowatisha watu kwa Bunduki na hali hana bunduki?

**Mr. Adichareh:** Mr. Speaker, nimesema kwamba vitisho hivi vyote na mambo mengine haya yote hayangetokea kama Bw. Mwega angefuata sheria. Bw. Mwega amekataa kurudisha ile hati (certificate) iliyotolewa kwake kwa makosa na hali ni sehemu hiyo hiyo iliyopewa Bw. Kamau Kariuki. Ofisa mmoja alifanya makosa kwa kutoa leseni kwa watu wengine wawili kuongeza kwa Bw. Kamau Kariuki. Kama nilivyosema hapo awali, Bw. Mwega amekataa kurudisha leseni aliyopewa kwa makosa. Ni lazima arudishe hati hiyo, kama sivyo, atachukuliwa hatua.

*(Several hon. Members rose)*

**Mr. Speaker:** No, no, no, we must move on now. Mr. Khasakhala's question.

**BREAKDOWN OF STUDENTS SITTING K.C.E. EXAMINATION IN 1981**

**Mr. Khasakhala:** Mr. Speaker, Sir, I beg to ask the Minister for Higher Education the following question Private Notice:

- (a) How many students are sitting for the K.C.E. examination this year?
- (b) How many are boys and how many girls?

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

The total number of students who sat for K.C.E. examination this year is 93,749 of which 58,350 are boys and 35,399 are girls.

**Mr. Khasakhala:** Mr. Speaker, Sir, arising from that satisfactory reply, could the Assistant Minister tell the House what arrangements the Ministry has for these boys and girls, who have sat for the examination, with regard to their future opportunities in joining Form V and other training institutions in the country?

**Mr. Speaker:** I think that one was covered in one of the replies that were given yesterday. There was a question about how many students would be absorbed in the various categories of schools and the reply given covers your supplementary question.

**Mr. Khasakhala:** Could he then, Mr. Speaker, give us a provincial breakdown on these students?

**Mr. Mwita:** Mr. Speaker, Sir, it is possible if I am given time. For the time being, Sir, I do not have that breakdown.

**Mr. Mwachofi:** Mr. Speaker, could the Assistant Minister tell the House how many Form V places we have for next year?

**An hon. Member:** He does not know.

**Mr. Speaker:** Next question. Mr. Kakoi.

**DELAYED SALARIES FOR YATTA FURROW EMPLOYEES**

**Mr. Kakoi:** Bw. Spika, ninaomba kumuuliza Waziri wa Maji Swali Maalum lifuatalo:

- (a) Je, Waziri anafahamu kwamba wafanyakazi 50 wa mtaro (furrow) huko Yatta hawajalipwa kwa miezi ya Julai, Agosti, Septemba na Oktoba, 1981?
- (b) Waziri anaweza kuchukua hatua za haraka ili kuhakikisha kwamba wafanyakazi hawa wanalipwa mara moja?

**The Assistant Minister for Water Development (Mr. ole Nampaso):** Bw. Spika, ninaomba kujibu.

Ninafahamu kwamba karibu wafanyakazi 50 wanaofanya kazi kwenye mtaro wa Yatta bado hawajalipwa mishahara yao ya miezi ya Julai, Agosti, Septemba na Oktoba mwaka huu. Mipango imekwishafanywa ya kutayarisha mishahara ya watu hawa wote na watalipwa upesi iwezekanavyo.

**Mr. Kakoi:** Bw. Spika, ninatoa ahsante sana kwa majibu niliyopewa na Waziri Msaidizi. Hata hivyo, sijui ni kwa nini Wizara haifikirii kwamba watu hawa wameumia sana. Hapo mbeleni watu hawa walikuwa wakifanya kazi chini ya konseli na sijui ni kwa nini waliondolewa na kupelekwa chini ya Wizara ambayo imekataa kuwalipa pesa. Ni kwa nini kila wakati wanasema kuwa wanajitavarisha kuwalipa na hali hawafanyi hivyo?

**Mr. ole Nampaso:** Bw. Spika, haya ni makosa ambayo tunafahamu. Inaonekana kwamba palikuwako na makosa katika upashanaji wa habari kati ya ofisi mbalimbali za Wizara kuhusu wafanyakazi hawa. Majina yao yanaonyeshwa katika orodha ya wafanyakazi walio chini ya Wilaya ya Machakos kuanzia Julai mwaka huu. Kwa ajili ya makosa hayo uchunguzi umefanywa juu ya maofisa waliohusika na makosa hayo, na Wizara itawaadhibu kwa sababu hii. Hii ni kusema kwamba Wizara itawaadhibu wale maofisa waliofanya makosa hayo. Ingawa hivyo, mishahara yao inatayarishwa sasa na watalipwa mara moja wakati itakapokuwa tayari. Kwa hivyo, tunafahamu kwamba wale maofisa— Bw. Spika, ningetaka uniekoe kutokana na kelele nyingi Bungeni.

**Mr. Speaker:** There is too much noise!

**Mr. ole Nampaso:** Kelele imezidi sana hivi kwamba hakuna mtu anayesikia majibu yanayotolewa.

Ningetaka kumwambia Mhe. Mbunge kwamba tunafahamu kuwa kuna maofisa katika Wizara yangu waliofanya makosa haya. Kuna watu wengine walioonyeshwa kwamba walikuwa wakifanya kazi na hali si hivyo. Tumekwishagundua mpango huo. Hata hivyo, kuna watu wengine walokuwa wafanyakazi wa mtaro huo. Kwa hivyo, hatukuweza kujua ni nani waliokuwa wafanyakazi halali na ni akina nani walioonyesha kama walikuwa wakifanya kazi wakati ambapo hawakuwa kazini. Sasa tumekwishafanya uchunguzi na kuwajua wale watu waliokuwa wafanyakazi halali, na tunatengeneza mishahara yao kuanzia Julai, Agosti, Septemba mpaka mwezi huu. Kwa hivyo, Mhe. Mbunge akisubiri kwa muda wa siku chache, ataona kitu tutakachofanya. Juu ya wale maofisa waliofanya makosa hayo kwa makusudi, ningetaka kusema kwamba wataadhibiwa.

**Mr. Lalampaa:** Bw. Spika, tunaelewa kwamba wafanyakazi hawakulipwa mishahara kuanzia mwezi wa saba mpaka sasa. Ingawa Waziri Msaidizi ametuahidia kwamba wafanyakazi hao watalipwa mara moja, swali ni hili: Kumekuwako na tatizo gani katika Wizara ya Maji lililowafanya watu wasilipwe mishahara kutokea mwezi wa saba hadi sasa? Pia, hivi majuzi waliwaajiri kazi watu wengi na kuwafuta tena. Waziri Msaidizi anaweza kutuambia ni kitu gani kinachondolea katika Wizara ya Maji?

**Mr. ole Nampaso:** Bw. Spika, Wabunge wakinisikiliza kwa makini, nitawaeleza zaidi juu ya jambo hili. Hii ni Wizara mpya ukilinganisha na Wizara nyingine zote za Serikali. Kwa hivyo, wakati Wizara hii ilipoanzishwa, kulikuwako na wafanyakazi wengine waliobakia chini ya Wizara ya Kilimo na wengine wakaletwa chini ya Wizara ya Maji. Kulikuwako na watu wengine walio- waajiri kazi ndugu zao na mambo mengine kama hayo. Singetaka kutoa siri yote. Hata hivyo, tumewahi

kupata habari hiyo na haja yetu sasa ni kurekebisha mambo. Tukipatiwa nafasi, tutayarekebisha mambo hayo yote. Halikuwa kosa letu.

**Mr. Kakoi:** Bw. Spika, hata kama nimepatiwa majibu, sidhani kwamba majibu hayo ni ya kweli, kwa sababu wakati nilipopata majina haya mwezi wa Agosti, nilikwenda nikamwona Chief Personnel Officer, Bw. Rutere na akanieleza kwamba hawa watu watalipwa mwishoni mwa mwezi wa Septemba. Sasa tunapatiwa majibu kama hayo hayo na sasa ni baada ya miezi mitano. Kwa hivyo, ningemuuliza Waziri Msaidizi, kama itawezekana, alichukue jambo hili mwenyewe binafsi.

**Mr. Nampaso:** Bw. Spika, yale majibu ambayo Mhe. Mbunge alipatiwa na yule personnel officer ni ya kweli. Kuna watu wengine ambao tuliwapata kazini, lakini Mhe. Mbunge amewaandika labda majina ya watu ambao wako kazini na pia ya wale ambao hawana kazi. Sasa ni lazima tuyaondoe majina ya watu ambao hawako kazini ambao waliandikishwa majina katika orodha ya watu waliokuwa wakifanya kazi, lakini wao walikuwa nyumbani bila kufanya kazi. Kwa hivyo, ni lazima tuwaondoe watu hawa na kubaki na wale ambao wako kazini ili tuweze kuwalipa. Kwa hivyo, nafikiri kwamba kosa liko pale tu na haliko pahali pengine, lakini wale ambao walifanya kazi ni lazima walipwe.

#### WORKMEN'S COMPENSATION FOR MR. M. MASHOMBO

**Mr. Mwachofi:** Bw. Spika, naomba kumuuliza Waziri wa Wafanyakazi Swali Maalum lifuatalo:

(a) Mbona warithi wa marehemu Bw. Mwambela Mashombo aliyefariki dunia mnamo Julai 18, 1978 akiwa mtumishi wa Voi Sisal Estate, hawajulipwa ridhaa (Workmen's Compensation) na malipo ya National Social Security Fund, hadi leo?

(b) Waziri anaweza kuchukua hatua za haraka ili malipo haya yafanywe mara moja ili kuwapunguzia warithi shida wanazozikabili?

**The Assistant Minister for Labour (Mr. Echakara):** Bw. Spika, naomba kujibu.

Jibu kuhusu sehemu ya kwanza ya swali hili ni kwamba jamaa ya marehemu Bw. Mwambela Mashombo ambaye alikuwa ameajiriwa na Voi Sisal Estate na aliyefariki mnamo tarehe 18-7-78, hawajulipwa Workmen's Compensation, yaani ridhaa ya kumia kazini au kufariki kazini kwa sababu kampuni ya bima, yaani insurance company, ilisitiza kwamba ni lazima ipatiwe cheti cha kifo, yaani, death certificate, ambacho mpaka sasa hakijapatika kutoka kwa ofisi ya Registrar-General, Nairobi. Mwanjiri huyu ameambiwa na Wizara yangu kulipa ridhaa hiyo ambayo ni Sh. 9,020 kwa afisa wa wafanyakazi kule Voi katika muda wa siku 14 ili jamaa ya marehemu wapate kulipwa. Akifanya hivyo, mwanjiri anaweza kudai pesa zake kutoka kwa kampuni ya bima.

Jibu kuhusu sehemu ya pili ya swali hili ni kwamba ijapokuwa Mwambela Mashombo alifariki mnamo Julai, 18, 1978, maombi ya malipo hayakufika kwa

**[The Assistant Minister for Labour]**

National Social Security Fund hadi Oktoba tarehe 3, 1978. Bi. Jesca Mwambela alilipwa December tarehe 14 mwaka wa 1978 kupitia kwa anwani ya Bw. Musau, Voi. Basi, Bw. Spika, kusema kwamba hajalipwa hadi leo si kweli kabisa na kwa hivyo, Waziri hana haja ya kuchukua hatua yoyote ila kupongezwa kwa kulipa mara moja.

**Mr. Mwachofi:** Bw. Spika, majibu ya Waziri Msaidizi yanahitafiana. Kwanza anatwambia kwamba ridha haijalipwa kwa jamaa ya marehemu na kwamba amri imetolewa kwamba pesa hizi zilipwe katika siku kumi na nne, na sijui ni kwanzia lini, halafu baadaye anasema kwamba ridhaa hii imelipwa na kwa hivyo, hakuna sababu ya kuuliza swali. Anaweza kutueleza tena vizuri?

**Mr. Echakara:** Bw. Spika, swali hili liko na sehemu mbili. Sehemu ya kwanza inauliza ni kwa nini hayo malipo hayajalipwa mpaka leo na jibu ni kwamba ingawa kampuni ya insurance ilikuwa imekataa kulipa ridhaa kwa sababu death certificate mpaka sasa haijapatikana, ofisi ya wafanyakazi, iliamuru kwamba hawa watu walipwe na sasa hizo pesa zimelipwa na ziko kule Voi. Lakini, kulingana na sheria, hatungelazimisha ile insurance company kulipa mpaka ipate death certificate, lakini kwa sababu Mhe. aliuliza hili swali, na Wizara ya Wafanyakazi ikachukua hatua haraka, hizi pesa zimelipwa. Sehemu ya pili ya swali inauliza kuhusu malipo ya National Social Security Fund, na nimesema kwamba pesa hizi zililipwa Bi. Jesca tarehe 14-12-78 kupitia kwa anwani ya Bw. Musau, Voi. Bi. Jesca Mwambela alilipwa Sh. 2,249.75 kwa cheque No. 96595. Kwa hivyo, kuna maswali hayo mawili na ningependa Mhe. Mbunge mwenzangu awaambie hawa watu wafike kule Voi kuzichukua hizo pesa.

**Mr. Mwachofi:** Waziri Msaidizi amefafanua na nimeona vizuri kidogo, lakini ningependa kumuuliza yeye kama Waziri Msaidizi katika Wizara ambayo inapaswa kulinda wananchi wafanyakazi wa nchi hii, anatosheka kwamba mtu ambaye amekufa kazini, kwa mfano, Bw. Mwambela Mashombo ambaye aliuawa na trakta, anapaswa kulipwa Sh. 9,020. Hii ni ridhaa ya kutosha kweli?

**Mr. Echakara:** Bw. Spika, pesa hizi zinatokana na bima, yaani insurance. Kama bima inasema kwamba thamani ya ridhaa ni Sh. 9,020, sisi kazi yetu katika Wizara ya Wafanyakazi ni kuamuru kwamba hizi pesa zilipwe na hatuwezi kulingilia jambo hili na kusema ni pesa ngapi anapaswa kulipwa. Sisi tunataka tu kuhakikisha kwamba jamii yake inalipwa ridhaa.

**Mr. Wacira:** Bw. Spika, Bw. Waziri Msaidizi anaweza kukubaliana nami kwamba thamani ya mtu ni kubwa sana na kwamba hata kama yule mtu alikuwa labourer au driver, Sh. 9,000 ni kidogo sana. Ni lazima Wizara iwe na assessment nzuri ili mtu akifariki kazini kuwe na fair compensation.

**Mr. Echakara:** Bw. Spika, kampuni mbalimbali ziko na mipango ya bima mbalimbali na wakati mtu anapoajiriwa kazi katika kampuni fulani, anapewa insurance certificate ya kuonyesha thamani ya ridhaa yake ni gani wakati yeye anapofanya kazi kule kwa kampuni

hiyo. Kwa hivyo, Bw. Mwambela Mashombo, kulingana na rekodi ambazo tunazo, thamani ya bima yake ilikuwa Sh. 9,020. Ni kweli kwamba mimi kama binadamu sitosheki, lakini tunafuata sheria ambayo inairuhusu kampuni kama hii kulipa ridhaa kama hii.

**The Assistant Minister, Office of the President (Mr. Salati):** On a point of order, Mr. Speaker, Sir. On Tuesday, this week, I promised to provide the House with the number of chiefs who have advanced to the rank of district officer since independence. Sir, there are 17 chiefs who became district officers since Independence.

**MOTION****APPROVAL OF PUBLIC ACCOUNTS COMMITTEE REPORT**

THAT, this House adopts the Report of the Public Accounts Committee on the Government of Kenya Accounts for the years 1977/78 and 1978/79 which was laid on the Table of the House on 23rd July, 1981.

(By hon. Anyieni on 2-12-81)

(Resumption of Debate interrupted on 2-12-81)

**Mr. Speaker:** Mr. Khasakhala was speaking.

**Mr. Khasakhala:** Mr. Speaker, Sir. I had pointed out many things yesterday concerning the Public Accounts Committee Report which was Tabled in this House and in my speech yesterday, I said that this country can achieve more if our civil servants were self-disciplined. It is the discipline of the civil servants that can only make the Public Accounts Committee Report a useful document to the country. I am saying this because if they sit down to consider whether they are on the right path, then they would know exactly where they went wrong in the previous year and where they should go in the following year. For example, Sir, on page 5 of the report, we have what we call, Expenditure Control. If you look at the middle of page 5, you will find the heading—

**Mr. Hassan:** On a point of order, Mr. Speaker, Sir. I had a point of order to make and I am wondering whether hon. Khasakhala is on a point of order or he is contributing to the debate on the Public Accounts Committee Report.

**Mr. Speaker:** He is continuing with his speech which was interrupted when the House adjourned yesterday.

**Mr. Hassan:** Well, I thought hon. Khasakhala was on a point of order, but now that he is not, could I be allowed to raise my point of order?

**Mr. Speaker:** Mr. Khasakhala is not on a point of order. He is continuing with his speech which was interrupted yesterday.

**Mr. Hassan:** My point of order, Mr. Speaker, Sir is that on the 10th of November which was on a Tuesday, this House was promised by the Office of the President that they were going to give a statement in response to a question raised by hon. Khalif on a matter of national importance concerning what happened in Modogashi in North-Eastern Province. We are still waiting for a statement from the Office of the President to be issued to this House. So, could I be in order to seek

[Mr. Hassan]

you guidance on this issue and ask what is happening up to now and what we should do about this issue. Today, the House is going on Recess and I am wondering whether this is not a tactful way of delaying things, in order to discontinue with an issue of national importance in this House.

**Mr. Speaker:** Yes, I do recall that such a promise was made but the Minister who made it does not seem to be around. I do not know whether the Assistant Minister in the same Ministry has anything to say about this.

**The Assistant Minister, Office of the President (Mr. Salatt):** Mr. Speaker, Sir, due to the information that we got in this House about the 3,000 camels and quite a number of goats which were uncountable, having been killed in North-Eastern Province, hon. Keen, including the hon. Members from that area, went to the area to see for themselves what had happened. However, because of the number we were given in this House, that is 3,000, I would like to inform the Member and the House that right now we are still continuing with investigations to establish where the 3,000 camels were killed. Our police are still continuing with the investigations because of the vastness of the area involved. So, we are still continuing with the investigations to establish where the 3,000 camels and the rest of the animals were killed as we were informed here, and as soon as we get the proper answer, the Minister of State will be ready to give this House a proper answer. We do not want to give half information and therefore we have to wait for the investigations to be completed.

Thank you, Mr. Speaker.

**Mr. Hassan:** Mr. Speaker, it is really pathetic that we should get such an answer from hon. Salatt when we know that whatever investigations were to be made were completed in a week's time. Hon. Khalif, hon. Sheikh and myself were in Modogashi in North-Eastern Province and we toured these places where the incident took place and we saw a fairly good number of the animals killed. We saw 300 of such animals ourselves and the Assistant Minister from the Office of the President who accompanied us could not continue further to see more of those animals that were killed. He saw the claimants who were waiting to show him where their animals were killed, where their huts were burnt and where all these things happened to them. There has been no answer given and now the Assistant Minister says that they are still investigating the matter. How long does such an investigation take? When the hon. Assistant Minister was giving an answer in this House, he said he was going to disclose the results of the investigation the following week but it is now three weeks since that time. The House is now going on Recess and this is clearly giving room to those who undertook such activities to continue doing so and the wananchi will be made to suffer more and more every day. Should we leave such matters of national importance this way when our responsible Assistant Ministers give us such answers that show they are not actually ready at any one time

to give us the answers we need? So, I seek the guidance of the Chair to intervene and help those poor people who are subjected to such harassment. We saw what happened there ourselves and we took with us a delegation from the Office of the President. Hon. Keen was heading that delegation and two days before this delegation arrived there, the hon. Shikuku who is an Assistant Minister in the Ministry of Livestock Development also went there to see what happened. So, the Ministry has now got a reply to our request and I seek the intervention of the Chair here.

**The Assistant Minister, Office of the President (Mr. Salatt):** Mr. Speaker, Sir, the hon. Member has accepted that only 300 dead camels were found and I was wondering if the Office of—

**Mr. Hassan:** On a point of information, Mr. Speaker!

**The Assistant Minister, Office of the President (Mr. Salatt):** Mr. Speaker, I need no information. Since the Assistant Minister who went to the scene has just arrived and is in the House now, would I be in order to give hon. Keen an opportunity to answer those questions?

**Mr. Speaker:** Yes, Mr. Keen?

**The Assistant Minister, Office of the President (Mr. Keen):** I am sorry I have just come in, Mr. Speaker. Now that I am in the House, could hon. Hassan repeat his point of order so that I could at least be informed?

**Mr. Speaker:** You do not need the whole story of what took place at that time; it is about a promise that was made in this House about that Motion on Adjournment which was raised here.

**The Assistant Minister, Office of the President (Mr. Keen):** Mr. Speaker, the matter is still under active investigation by the police and the administration because we would like to reply to the satisfaction of the hon. Members, the House and the nation as a whole. The matter was a serious allegation that was made against the security forces of the area and I should be in a position to reply to the satisfaction of the House.

I did call the hon. Members of the area to my office last week and gave them a thorough explanation of the circumstances that led to the incident but, as yet, I am not in a position to give a full statement of facts to the House.

**Mr. Speaker:** Let us continue now.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** On a point of order, Mr. Speaker.

**Mr. Speaker:** Has it got something to do with what we have just been dealing with?

**The Assistant Minister for Livestock Development (Mr. Shikuku):** No, it is a different matter.

**Mr. Speaker:** Then you are already late; we had already moved to another order and Mr. Khasakhala was continuing with his speech. We are not going to be drawn back into other things, especially if the Member concerned comes late.

**The Assistant Minister for Livestock Development** (Mr. Shikuku): I have been hunting for these files and have at last managed to get them. That is why I am late today; I am never late, Mr. Speaker.

I just wanted to substantiate that there are people with Form IV certificates who are employed as dip attendants. The House wanted some documentary evidence and that is why I was late.

**Mr. Speaker:** I think we had better continue.

**Mr. Khasakhala:** Mr. Speaker, I am sorry about that interruption.

I was saying that the Report of the Controller and Auditor-General which is always produced at the end of every financial year is intended to educate the civil servants about their previous mistakes so that they can adjust in the following year but what happens appears to be quite the opposite. I was referring to page 5 of the report where we have got paragraph 12 on Expenditure Control which shows that in the year 1977/78 the excess expenditure was only K£3,369,809. After the report had already been produced by the Controller and Auditor-General, it is very distressing and disgusting to find that the same civil servants who had been criticized by the Controller and Auditor-General went into a much higher excess Vote the following year. In fact, the figure was almost trebled. This is absurd and there is no need for the Members of Parliament, the Controller and Auditor-General and even the Government to spend their time examining the expenditure and producing reports when those reports are not going to be taken into serious consideration.

Mr. Speaker, in 1978/79 the excess expenditure which had been K£3,369,809 the year before went to K£9,544,676. If the same people who are criticized in one year go on to spend more the following year, they do it deliberately. The time has come when the Government should no longer accept this merciful step of retiring the people concerned in making the mistakes in public interest. This is an excuse that is encouraging civil servants to go on making mistakes because instead of being prosecuted for their mistakes they are usually retired in public interest with all their benefits. Why should this happen? When a Member of Parliament makes a small mistake in claiming an allowance, he is prosecuted but when a civil servant incurs a loss 10 times bigger than that he is retired in public interest with benefits. I think this is a serious matter which should be looked into and stopped immediately. People should be retired on age grounds or when they are not efficient in their work but not when they make deliberate mistakes. They should not be retired with benefits so that they can go and enjoy the Government money when the public is left suffering. I take this point very seriously and I hope the Treasury and the Government as a whole will take this matter seriously also.

Speaker. I have noted that most of the Ministries concerned are key Ministries. For example, the ones that deliberately incurred this excess expenditure were R1—Office of the President, which incurred an excess expenditure of K£931,664 despite the fact that it should set the best example in the country; the Ministry of Home Affairs, that is supposed to be the prosecuting

office, incurred an excess of K£852,866; the Ministry of Agriculture, which lets people go hungry and does not give the country enough food, incurred an excess of K£1,087,207; the Ministry of Health, which is supposed to take care of our health, incurred an excess of K£4,471,501 and then it gave the excuse that there was an outbreak of cholera. This is an excuse that should not be accepted because a cholera outbreak cannot require K£4 million and over. In any case, the outbreak was only in Nyanza and did not cover the whole country.

**An hon. Member:** It was also there at the coast.

**Mr. Khasakhala:** Coast Province is also a small area. To continue, the Ministry of Works, which is supposed to give people good houses, incurred an excess of K£464,646 and the Ministry of Water Development also incurred an excess of K£1,612,740. I think all these are deliberate over-expenditures. I do not think they are there because of emergencies or because someone somewhere did not know what to do. These over-expenditures were incurred deliberately and this trend must be stopped. If we want to develop expenditure should not be incurred without the permission of the Treasury and this House.

Mr. Speaker, I would like to move fast because I know other hon. Members also want to speak. On page 11 of the report, paragraph 34 to 35—Government Investments, we were very disappointed because the Permanent Secretary to the Treasury invested so much Government money in private companies without getting share certificate for the Government. How do you invest in a company without having shares, and your investment is left blank without any share; which means you get nothing at the time dividends are given out? If the Government invested all this money, and it did not demand to have shares in this particular company, how do we expect the companies in which the Government had invested to produce any profit, when they know that the sleeping investor has no share and cannot demand his money?

**An hon. Member:** What paragraph is that?

**Mr. Khasakhala:** Sir, the hon. Member had better read his copy of the report. I am giving the hon. Members the paragraphs I am referring to; so, I am educating hon. Members, and if they look at the report, they will see that I am telling them exactly where these things are; therefore, they should look at them.

**The Assistant Minister for Energy** (Mr. Mwamzandi): There you are!

**Mr. Khasakhala:** Mr. Speaker, Sir, this is a point which would be looked into seriously because one of the companies to which the Government had given money was still asking the Government to give it more money, even when it had received K£7,524,715, and this was the Copal Factory! This was so because they utilized Government money, and instead of looking for some more money from other places, they were coming to the Government again and asking to be given more, and this was also because they know that the share was free; these companies could not bother whether that money would be returned or not.

[Mr. Khasakhala]

Mr. Speaker, Sir, I feel that from now on the Government should not invest any money in a company without asking for a certificate of its shares.

Finally, Sir, the Office of the Attorney-General is supposed to act as the legal office for the Government. Now, we found out that in most of the agreements that were made by the Government with most of these private companies, the Attorney-General had no legal right. In fact, from the initial drafting of the agreements, the Office of the Attorney-General was completely blind about the exercise until the last minutes minute when a blank cheque was being signed, and they came in. Now, how do you know the in-tricks of these millionaires who would want to cheat? We have people from overseas who are so clever in their ways, and they speak very sweet language which would make you invest your money in their ventures, when they know very well that your investment will be a loss, and they will pack up and go. This is because in all their agreements, they have some small tricks included, and this happened with our Government.

Therefore, Sir, I feel that the Attorney-General's Office should be made full use of right from the initial stage of the agreements, and not at the last stage of the agreements. They should come in right from the initial stage of the agreements, and if that is not so, let the Treasury be given a permanent lawyer who is going to look into all the investments concerning the Government. This legal officer should be put permanently in the Office of the Vice-President and Ministry of Finance, so that whatever business the Kenya Government is going to invest in, this man should be there right from the beginning, when drafting of the agreement is being done up to the end, so that he can look into these tricks that may be in the agreement.

Mr. Speaker, Sir, this report is well written, and I am sure most Members have read it, and I feel that the Treasury will wake up this time by adopting and having an internal audit to keep on looking after the finances of every Ministry, so that they know when the Ministries are going wrong. Let them strengthen the accounting system of the Ministries. Let them have a crash programme to train accountants, because the failure we have is as a result of the accountants in the Ministries having no accounting know-how. These are people who are promoted only because of their long experience, and that is no longer desirable. The time has come when Kenya have properly trained accountants who can look at the accounts of the Government, so that whatever we give to the Government as a Parliament here is well utilized and recorded.

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

Mr. Karauri: Thank you very much, Mr. Speaker, Sir, for giving me the chance to join my fellow Members of Parliament in contributing to this very important Motion.

Sir, after reading this report, we all feel that the Government might not need to borrow all the money that is borrowed from outside, if we managed our

money properly in this country. There is a tendency by the Government parastatals to lose money every time, and the report is full of losses that have been made by such parastatals, and I would like to quote only a few of these. The Kenya Co-operative Creameries had accumulated a loss of K£3,449,021 by June, 1978, and that is over Sh. 70 million as loss. Secondly, the National Cereals and Produce Board, which was formerly known as the Maize and Produce Board, is also making loss year after year, so that in the year 1977/78, it had made a loss of over Sh. 35 million. Something should be done so that parastatals can be made to pay, and if the management is weak, it should be overhauled and the people appointed to head these parastatals must be qualified people. This is because if the Government has decided to invest in a corporation or parastatal, then the Government must make it pay. It is bad for the Government to go back to the Treasury year after year to ask for money to inject into a parastatal that is making loss year after year.

Mr. Speaker, Sir, we were told in the Public Accounts Committee, of which I was a Member, that the Kenya Railways make such a big loss that every year, the Government has to inject about Sh. 18 million for it to continue running. It is time we started managing our parastatals properly, and if we cannot manage them, we should drop them, because there is no use injecting public funds into a corporation that does not make any profit at all. That is why I have said that if we could manage our money properly in this country, we may not require to borrow so much money as we borrow from outside.

Mr. Speaker, Sir, there was a company which the Government decided to go into for making fertilizer, and the company was known as Ken-Ren Chemicals and Fertilizers Limited. Here, the Government contributed 65 per cent of the shares, and it is surprising that this company was being run by foreigners who had only 35 per cent of the shares. They are the people who had the say in the company, when the Government had 65 per cent of the shares. Unfortunately, this company went bust, and the Government, as a result, lost KSh. 423,486,047.85! That is incredible! When the Government decided to go into partnership with a foreigner in this particular company, no feasibility study had been done for starting a fertilizer factory, but the Government went in, paid all the shares, and allowed these foreigners with the minority shares to continue running the affairs of the company until it went bust, and we lost that much money.

Mr. Speaker, Sir, there was money lost in the Copal Factory which we were told— And, Sir, when we were sitting in the Public Accounts Committee, there were even some accounting officers who would not want to be heard. They requested to be heard off-record, which meant they wanted us to put off our microphones so that they could tell us something. This was because some of these things have been done because somebody in authority directed that they should be done, so that a company like the Copal Factory is started disregarding all technical and legal advice; so, the company is set up, and later on when the company is rejected in Nakuru and must be removed

**[Mr. Karauri]**

from there, the Government is asked to pay compensation; and the Government has paid compensation amounting to over Sh. 7 million.

Mr. Speaker, Sir, if the Government wants to venture into business, then the Attorney-General must be involved for legal advice, and other technical expertise must be involved, so that proper advice is given, and the Government realizes that they are going to make profit if they move in. They should not start any company or invest public funds as a result of somebody in authority saying we should do so because we end up losing a lot of money.

Mr. Speaker, Sir, as I said earlier on, if we could manage this money that we are injecting into parastatals and other businesses properly, there would be very little to borrow from outside, because the reports of 1977/78 and 1978/79 show a loss which is above Sh. 1 billion. This fertilizer company lost over Sh. 400 million, and other parastatals lost so much money too. So, we would reduce our borrowing by that much, if this money was managed properly.

**An hon. Member:** You are right!

**Mr. Karauri:** Mr. Speaker, Sir, another point I want to raise here is that because of the poor salaries given to professional accountants in the Government service, we do not have many qualified accountants. Some of the people put there cannot analyze and reconcile accounts; neither can they do anything concerning the accounts at all. So, they even pass their accounts over to the Controller and Auditor-General before their accounts are in good order because they do not know when they are in good order and when they are not. In fact, in the Public Accounts Committee we had to ask one accountant whether he was qualified, and he confessed he was not, and we were told that at that time, there were only seven qualified accountants working with the Government because of poor pay. So, most of the money that is lost in Ministries is because of poor accounting. Therefore, something should be done, and the salaries of the senior accountants in the Ministries should be considered, so that they may feel pleased to stay in the Ministries, and not run away every year, because we know that the private companies are offering very good salaries. But should we continue to lose hundreds of millions of shillings just because we cannot add Sh. 1,000 to an accountant's salary in the Ministry? These losses come as a result of poor accounting.

Sir, one other thing I would like to mention here concerns the Ministry of Co-operative Development. This Ministry appoints auditors to audit books belonging to societies', and these private auditors are paid colossal sums of money which they just mention. The Ministry of Co-operative Development should employ more accountants so that they can audit societies' books and, then, get a revenue for the Government. I realize, Mr. Speaker, Sir, that there is nobody from the Ministry of Co-operative Development here, and I do not know which method they will use to hear this because it is important. But if they had a big team of

accountants, those accountants would audit the societies' books, and that would save the co-operatives from private auditors who may charge unreasonable amounts of money. If the Ministry audited the accounts themselves, they would be doing two jobs at the same time; one, they would be checking whether those societies are properly run financially, and at the same time, they would be getting a revenue for the Government. This is because money paid for auditing books would then go to the Government instead of going to private firms.

Mr. Speaker, Sir, I do not want to take a long time, except that I want to point out another mistake; that some Ministries allowed themselves to be paid for their services in cheques that were dishonoured. The Controller and Auditor-General points out that the Ministry of Agriculture, in the year 1977/78, had in their drawers dishonoured cheques amounting to K.Sh. 3,281,468.25. These were dishonoured cheques; some of them stale, and that is loss, and a cashier is just keeping those cheques in a drawer.

We should think seriously about saving revenue for this country and the Government officers who are responsible for managing our money should not have the mentality that people had during the colonial times; that, "This is Government property"; that when you misuse a motor-car, you think that is Government property. When you keep cheques like this and the Government loses millions of shillings, and you think that is just Government property, this is our Government and the money that we save goes towards helping the wananchi to improve their standards of living.

So, our people must understand to think that all our Government's properties are our properties; there is no Government property because we are the Government; all of us. This mentality must be instilled in those who are responsible for running various Government Ministries; that they do not misuse things saying, "This is Government property". Who is the Government? We are the Government and we want that money saved, so that the lives of the poor wananchi can be improved.

With those few remarks, Mr. Speaker, Sir, I beg to support the Motion.

**Mr. Okondo:** Mr. Speaker, Sir, the story of over-expenditure by Government Ministries over the years, has been a sad one, and very sad indeed. It is not actually a new thing to read in the report of the accounts by the Controller and Auditor-General, that over-expenditure of Government funds has run to several million pounds. This is reflected in the report, in virtually every Ministry, with a very few exceptions.

Mr. Speaker, Sir, this also goes to the other part of Government funds, the revenue side, where you also find that Government collections of revenue—

**The Assistant Minister for Energy (Mr. M'wamzandi):** On a point of order, Mr. Speaker, Sir. It is out of order for hon. Members to walk between the Chair and the hon. Member speaking. I have seen the hon. John Keen and hon. Mutwol doing that. Could they, therefore, be brought to order?

**Mr. Speaker:** Yes, that is against our Standing Orders.

**Mr. Okondo:** Mr. Speaker, Sir, as I was saying, when you turn to revenue collection, you will find the same sad story: that, sometimes, revenue is reflected in the accounts as having been collected, but in actual fact, it is not represented as having actually been collected. An example of this is represented in page 14 of the accounts of the customs duty, where it is shown that a certain amount was supposed to have been collected and sent to the Treasury, but the Treasury recognizes receipt of only a certain amount, and the difference is not accounted for to the satisfaction of the Controller and Auditor-General. These facts do reflect a degree of laxity in the conducting of Government affairs, that this House should not really condone. It is a matter of such loose management of Government funds, that the House has really got to take some action through the various Ministries and through the legal channels that are available.

Mr. Speaker, Sir, I would like to ask the Front Bench and, in particular, the Vice-President and Minister for Finance, what action is actually being taken.

**The Vice-President and Minister for Finance (Mr. Kibaki):** That action!

**Mr. Okondo:** Sir, I see that the Vice-President and Minister for Finance has just arrived; when I mentioned his name, he was just around the corner, and I am very glad that he has come to hear my question. I would like to put it again, Sir, that, I would like to know what action the Office of the Vice-President and Ministry of Finance is taking to prevent future recurrence of these, or what I would only term offences. I would term them offences because if an officer who has permission to incur K.Sh. 10 in his department, spend K.Sh. 11, he has committed an offence; he has taken on to himself the authority to find more funds for that expenditure than the Legislature had authorized. In this way, the officer is attempting to finance or to put more money in the economy than the Ministry of Finance had estimated.

Mr. Speaker, Sir, to over-spend is not merely to spend money without authority from the Government or from this House; it is, in fact, inflating the economy; fuelling the inflation machine, or putting more money in it than is planned by the Ministry of Finance to maintain the economy. Now, as we all know, inflation eats away at our currency and finally, makes it less acceptable internationally, and finally leads to what has happened to us; something called devaluation. If we cannot look after this aspect, of our funds, our shilling will continuously weaken, and will be continuously followed in the spiral of inflation, and devaluation, and eventually, our money will be worth absolutely nothing in international circles, and there will be a fall of a nation which had started so very well. I would, therefore, repeat my request to the Ministers, that they do exercise adequate control to prevent these over-expending officers from spending in excess of what is authorized. When you look at every Estimate; every Vote here, you will find that it is a pathetic story; an absolutely pathetic story.

Sir, money and accounts and these kinds of things are always very difficult for people to follow because

there are so many figures, and some of them are so astronomical that they baffle people and, so, the result is that people chuck them aside and say, "Well, to hell; even if the Ministry is over-spending, the Minister for Finance should look after that". So, we all depend on the Ministry of Finance to see that expenditure are kept within limit. If we carry on inflating our economy, I would really like the Office of the Vice-President and Ministry of Finance to explain to me—

**Mr. Yeri:** On a point of order, Mr. Speaker, Sir. Singependa kumkatiza Mhe. Mbunge mwenzangu ambaye anatoa mawazo ya maana sana juu ya Hoja hii, lakini tukiangalia umuhimu wa recommendations zilizo katika Ripoti ya Kamati ya Matumizi ya Pesa za Umma, na vile saa zilivyo, pengine huenda ripoti hii isiwe adopted.

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

**Mr. Yeri:** Bw. Spika, ninauliza kuwa, kwa sababu muda wetu umebaki dakika chache, kama yawezekana, kwa umuhimu wa recommendations ambazo ziko katika ripoti hii, swali liwekwe ili hata tukiahirisha Bunge, angaa recommendations hizi ziwe zimekuwa adopted.

**Hon. Members:** No! No!

**Mr. Speaker:** Order! Order! Nafikiri Bw. Yeri ana maneno ambayo yangcfaa kufikiriwa sana kwa maana sasa hivi tuko karibu kuingilia ile Hoja ya Kuahirisha Bunge. Tukiendelea kujadiliana juu ya Hoja hii, Session hii itamalizika kabla ya jambo hili kuisha. Kwa hivyo, naona ni heri Bunge likate shauri sasa. Kwa hivyo nitaweka swali.

**An hon. Member:** Tuendelee!

**Mr. Speaker:** Order! Order! Any interruption like that can send somebody out.

*(Question that the Mover be now called upon to reply, put and agreed to)*

**Mr. Speaker:** Well, the Mover not being there—

**The Vice-President and Minister for Finance (Mr. Kibaki):** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** Yes, Mr. Kibaki.

**The Vice-President and Minister for Finance (Mr. Kibaki):** Sir, since the hon. Mover is not there, and I entirely agree with him, could I reply on his behalf?

**Mr. Speaker:** Well, I do not know. We have a problem because the Public Accounts Committee investigates Ministries, and it would be very odd if a Minister were to reply on behalf of the Committee. So, I will now put the question.

*(Question put and agreed to)*

**Mr. Speaker:** Let us now move on to the next item on the Order Paper.

## MOTION FOR THE ADJOURNMENT

### ADJOURNMENT OF THE HOUSE: SINE DIE

**Mr. Speaker:** It is now time for the Motion for the Adjournment and, therefore, I will now call upon the Leader of Government Business to move a Motion.



**The Vice-President and Minister for Finance** (Mr. Kibaki): Mr. Speaker, Sir, I beg to move that this House do now adjourn *sine die*.

The purpose of this Motion is a traditional one, that our Sitting is coming to an end, and we need to have the usual Recess for Christmas and new year celebrations, and then come back in the new year for discussions of further Bills that are being prepared, and some other business that will be ready in time. First of all, Sir, I would just like to say how grateful many of us are, about the manner in which this hon. House has conducted its business. This House has conducted its business in a very honourable and dignified manner over the period of this last Sitting.

Mr. Speaker, Sir, I would like to take this opportunity to wish every hon. Member a Merry Christmas and a prosperous New Year. When we adjourn the House, I do hope that we will all take to heart what His Excellency the President of Kenya did tell us three days ago in this same House, namely that our role is that of leadership and as leaders, what we are called upon to do is to be tolerant. We should be tolerant with each other's opinion; tolerant of those with whom we disagree; tolerant of different opinions, and above all, to be tolerant with the general public; and even more fundamental, to accept the opinions of those people who elected us because they are the people and the Republic is the people themselves. What they say should be the guide.

Mr. Speaker, Sir, during this period of Recess we shall of course be celebrating our Jamhuri Day; so many years of independence that have brought this nation to a position of great standing, both internationally and internally. Two reasons why the nation has come to that very great standing is fundamentally because of the leadership with which we have been blessed by the good Lord to have in this nation. This is because in development matters, it is the leadership; the firm leadership that we have in this nation, that has made it possible for us to continue a programme of expansion of the economy despite these short-term problems that are besetting us now.

Mr. Speaker, Sir, one of the greatest qualities of the leadership that we have in Kenya is the truthfulness and the frankness with which very difficult economic and social problems are faced and tackled. This is what we should emulate; namely, to encourage every Kenyan not to seek for scapegoats for the problems that we have. This is because we shall continue to have very many problems. We shall continue to have difficult social problems to solve, and we shall continue to have difficult economic problems to solve and many others, and it is important that we should accept the role that we are called upon to play, and not always to stand and try to look for somebody somewhere far away to blame. There was a saying that there was one guy who went to a good river and he was trying to fetch the water and then he was loitering from spot to spot, seeking where to lower his bucket so as to fetch water, forgetting that he should have lowered it at the right spot where he was from the beginning. We ourselves as leaders should accept our

responsibilities, and not to look for somebody else to blame for problems that are facing us in this nation. We shall overcome our problems, but not through complaints.

Mr. Speaker, Sir, you and I must be tired of people who claim leadership, and who, when they stand up to speak anywhere, they can only look for somebody else somewhere to blame for the problems. Let us be positive; let us be the source of a sense of confidence. The nation is totally peaceful; 100 per cent peaceful. There are no organized groups, and if there were any such groups, this nation has the means; the resources, and the leadership to deal with them. So, we must not create a sense of despondency by merely continuing to make complaints about these and other imaginary kinds of problems. Let us generate a sense of firmness and confidence in the future by taking action; and by doing this; and by showing the way by action. This is because action in this field speaks much louder—indefinitely louder—than anything else; definitely much louder than words.

Mr. Speaker, Sir, I know that there are very many matters over which this House has passed motions and resolved during the last Sitting. During the Recess, although all of us will try to have one or two day's holidays during Christmas, we shall endeavour to implement all those resolutions which have been passed by this House. If we do not have the means to implement all those resolutions at once, it is not for lack of willingness or commitment. It will be because we are realistic and we do not want to promise this nation that we can carry out certain issues when we know that the resources are not there. So, we call for tolerance there and we appeal for understanding there as well.

Mr. Speaker, Sir, the only other word that I would like to add is that when we speak to the rural communities about their farming and all other problems that they face, let us try to speak to them the whole truth about these matters, rather than promising them that there are short-cut solutions. There never are short-cuts to the true solutions. The true solutions only come through hard work.

Mr. Speaker, Sir, I know that it is the will of every hon. Member in this House that as we go into Recess, we should send our Christmas greetings and our New Year felicitations to His Excellency the President for the manner he has continued to lead the nation and the manner in which he feels at home with us as fellow Members, particularly when he is able to visit us in this House informally and speak in this chamber as one of us. So, we wish him a Merry Christmas and a happy New Year; from the whole House.

*(Applause)*

Mr. Speaker, Sir, the way to help in the task that His Excellency the President has undertaken is above all, to cease to attack each other as leaders, because as I keep saying, and I will not tire of saying it, no one is going to rise to greatness merely by a process of trying to degrade or trying to malign another leader.

**[The Vice-President and Minister for Finance]**

No one will. Kenyans are much, much too mature for that kind of politics. Let us, therefore, abandon once and for all these efforts to divide the nation between the imaginary people who are "anti-Nyayo" and others who are "very Nyayo". I think we should abandon this. Let us, with one resolve, say that we have been chosen by the people of Kenya in their great wisdom, and the people are right. They cannot be wrong. Therefore every elected councillor and every elected Member of Parliament, and every elected person to any office has a right to that office because that is the consequence of democracy. No one can claim to believe in democracy if he is not going to respect the right of the people to elect whom they choose, and to respect their choice, regardless of your personal opinion; regardless of whether you regard that guy as a competitor; regardless of whether you do not like his looks; regardless of whether you like or do not like the way he behaves, or do not even like his opinion. Let us accept democracy without reservation. Then we shall have the firm foundation for the future.

(Applause)

Above all, Mr. Speaker, Sir, let us not imagine that merely because we happen to hold important positions, as of now, that we are somehow entrusted with any responsibility to determine who should be elected where. That is a right of the people of Kenya. Let us accept them. Let them choose and let them have the total freedom to choose. Let us reduce any activities which would seem to undermine the right of the people. So, let us have faith in the people, and I know in that way, the future is very, very good. Personally, I am happy with manner in which we have conducted ourselves here, and I am very happy about the spirit in which we are going into Recess. Above all, I am very confident that under the wise and very firm leadership of our President, the future holds all the prosperity that is so easily promised but which shall be realized because of hard work. I have that confidence. In this good note, I wish every one a jolly Christmas and a happy New Year.

With those few remarks, Mr. Speaker, Sir, I beg to move.

(Applause)

**The Minister for Local Government** (Mr. ole Oloitipitip): Mr. Speaker, Sir, I thank you very much also for giving me this chance to air my views, and first of all, to congratulate the hon. Members for the manner in which they have been conducting themselves and also for the manner in which they have been conducting the affairs of the nation in this House, and also outside this House.

Mr. Speaker, Sir, I would also like to take this opportunity to congratulate all of them for the way in which they have shown themselves to be leaders of this nation in the philosophy of Nyayo, and for conducting Harambee fund-raising meetings in their own constituencies and outside their own constituencies. The whole nation appreciates very much the work that the hon. Members have done during the course of this year, and this Sitting in particular.

I would also like to congratulate His Excellency the President for the way he has led this country, and for the way he has shown his love for the people of this country, and also for the love he has shown to Africa in general. I also take this opportunity to congratulate him because we are closing the year, and for being elected the Chairman of the Organization of African Unity.

Mr. Speaker, Sir, I would like to say that we have left our record here, and it is time that we went back to our people and stimulate them again in the spirit of Harambee and help them in building and creating new ideas altogether for progress. There is one thing which I would like to make very clear here. It has been said, time and again, especially outside this House, that there are political groupings. Personally, I do not see where these political groupings exist. They do not exist at all. There was a time when we grouped ourselves, and that was during the time of the "Change the Constitution Group". We listed our names here, in this same House, and we publicized that we were a group, and after winning over the Change the Constitution Group, we buried our differences and we became one thing and one nation. That is the only time that I can remember there was a small political grouping here. But if we are told again that there is a little grouping here in this country, we would like to know where the group is. Where is that group? There is nothing. If there is any grouping, I would like to say that personally I have not seen it.

Secondly, Mr. Speaker, Sir, some people claim and always preach that there are some people who are claiming to be more Nyayo than others.

**An hon. Member:** Ask them!

**The Minister for Local Government** (Mr. ole Oloitipitip): Mr. Speaker, Sir, my question is: Who can tell us this? Why do these people who preach this not come out in their true colours and tell this nation that "hon. ole Oloitipitip is claiming to be more Nyayo than anybody else?" I would like to say that the country should not be carried in such a way, because that is misleading the nation. If the Vice-President and Minister for Finance is bold and I am bold—I am giving this as an example, and I know one man is more Nyayo than another. I will tell him, "you are not Nyayo". But if we are told that a barometer should be brought to examine our hearts, what barometer can be used to examine our hearts and determine who is more Nyayo than others? There is no gauge that can be used to determine who is Nyayo and who is not Nyayo. Therefore we had better cease from speaking about that thing because such talk can never take this country anywhere. Mr. Speaker, Sir, if some people are politically bankrupt in their own heads, they should go and cultivate their own shambas, but they should not lead the nation that way.

**Mr. Khasakhala:** Hear! Hear! You are right!

**The Minister for Local Government** (Mr. ole Oloitipitip): But, one thing here is this House, and let me be very bold, and if the *Daily Nation* wants to attack ole Oloitipitip because I issued a statement, I

**[The Minister for Local Government]** will issue another statement today; I will issue another tomorrow, and if I see something which is wrong, I will issue another statement.

*(Hon. Members stood up in their respective places)*

Can I be given ten minutes because I am heated?

*(Laughter)*

**Mr. Speaker:** Sorry, our rules do not allow that. It is the Resolution of this House that a Member should speak for five minutes.

**The Minister for Local Government (Mr. ole Oloitiptip):** Mr. Speaker, Sir, with those few remarks, I will have another time. Thank you.

*(Laughter)*

**Mr. Kanindo:** Thank you very much, Mr. Speaker, for giving me a chance. First of all, may I take this opportunity to thank the people who helped me to raise funds in my constituency, and let me thank the President for his wise wisdom in which he has led this nation. We are all happy.

I wish to say that the President has led this country at a time when the politicians who think that they are capable are going out of their way, and the President has managed to take the politicians back to the right path, and I can see now that some of them are speaking their real sense.

**Hon. Members:** Hear! Hear!

**Mr. Kanindo:** Mr. Speaker, Sir, I take this opportunity to deplore the behaviour of certain politicians who came to my constituency and tried to behave in a bad manner, and to damage the image of the people of Homa Bay; I deplore this behaviour which is a bad one, and I do not like to see this behaviour again in my constituency.

**An hon. Member:** What behaviour?

**Mr. Kanindo:** Mr. Speaker, I am referring to behaviour on the night of 20th November, on the eve of the 21st November, when the Vice-President and Minister for Finance was to raise funds in my constituency, when some people were organizing a group to heckle the Vice-President and Minister for Finance, and they were caught red-handed and brought forward, and they could not move. I thank the police who did the job perfectly well. I deplore these politicians and request them to keep off, and particularly when they are hon. Members of this House who try to misbehave like children.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** On a point of order, Mr. Speaker. I think that statement is a very serious one. Could we be told who these Members of this National Assembly could dare go and organize hooligans against the Vice-President and Minister for Finance?

**Mr. Speaker:** Order! Now, that was a very serious allegation, Mr. Kanindo, especially so far as it touches on the conduct of a Member. Now, you do not say which Member, which means anybody can now say, "it is So-and-so"; whoever he wants to blame for that act, and therefore, blame somebody who was not

responsible for what you are alleging. What is more, is that it is against our rules for a Member to accuse another of misconduct except on a substantive Motion.

So, will you keep clear off that completely, so that we save your time? Do not start accusing other Members here, unless you are prepared to substantiate on a substantive Motion.

**Mr. Kanindo:** Mr. Speaker, Sir, if I am allowed through the Chair so that I am not infringing any law of this House, I would name the Members because this is a fact. But because you have just said that I have to bring it to the House in the form of a substantive Motion, I will do that when the House resumes.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** On a point of order, Mr. Speaker. Since the hon. Member is certain of a certain hon. Member engaging in the alleged activities, can he name him now? He says he is certain of the hon. Member in question.

**Mr. Speaker:** Order! No, that would be contrary to our Standing Orders. He can only do that by a substantive Motion.

**Mr. Kanindo:** Mr. Speaker, Sir, if I were not refused to name the hon. Members according to the Standing Orders, I would have definitely named the hon. Members. This is because I have their names, but I will do that when the House resumes because these are facts.

Mr. Speaker, I wish to say that I do not like to see this in my constituency; I was elected to work for the people of Homa Bay and I am doing my job perfectly well. Hon. Members should keep to their respective constituencies and should only come to Homa Bay Constituency when I invite them to come and do some job like all of us are sometimes invited to help each other; only then should they come to my constituency in a good heart and in a straightforward manner.

*(Applause)*

Mr. Speaker, Sir, I would like to say that I am capable of bringing the people of Homa Bay forward, and this is why they elected me. I do not want any other politicians to come with fake ideas to that constituency and if they come—I think some have already witnessed that when the others came secretly at night they were given a chase and they were even involved in an accident, and they will not repeat that again.

*(Applause)*

Mr. Speaker, Sir, I would like to say that when we resume the next Sitting, I will try to bring the substantiation if it is so required, and this is the kind of politics that we do not want in this Republic. Let all hon. Members be faithful to each other; let all the Members be directly loyal to His Excellency the President. Groupings will not help, even when the people concerned try to hide that there are no groupings, and this is because when they speak, they speak different things and when they find that the pressure is too much, they then lie low to march in the line that is required. We would like straightforward leaders who speak the truth and they get the public confidence.

**[Mr. Kanindo]**

and the confidence for the leadership of our country. Let all Members come forward to help His Excellency the President to build this nation; to put more confidence in the people of this nation, so that we can gain more by working together.

Sir, I am happy to learn that some Members who are critical and have learned of their mistakes can now speak up. I wish to say that all Members work in their own constituencies and concentrate and that is the only way. Thank you.

**The Assistant Minister for Energy (Mr. Mwamzandi):** Ninakushukuru sana kwa kunipa nafasi hii ndogo kabisa ya dakika tano, nami niseme yangu. Furaha yangu ni kuwa wananchi wote katika Jamhuri ya Kenya wako nyuma ya Nyayo na ikiwa kuna tofauti ndogo ndogo, ni haki ziwe zinaondolewa bila kuwasumbua wananchi. Hii ni kwa sababu wananchi wamekwishafuata Nyayo; wananchi wamekwishaamini Serikali; wananchi wanaipenda Serikali iliyo nzuri na ni kwetu sote kuwa kitu kimoja na kufuata Nyayo sasa.

Bw. Spika, kuna njia nyingi za kufuata Nyayo, na wengine wanasema kuwa hakuna barometer au thermometer ya kupima ni nani mfuasi wa Nyayo zaidi. Hii ni kweli lakini kuna tabia nyingine zinazoonyesha ufuasi wa Nyayo. Kwa mfano—na ni lazima niipongeze Wizara ya Ustawi wa Maji—Wizara ya Ustawi wa Maji ilipoambiwa kuwa kiasi fulani kilipiwe maji katika sehemu za mashambani, ililitengeneza jambo hilo, na huo ndio ufuasi wa Nyayo. Rais amesema, na wamefuata Nyayo, lakini Wizara nyingine zikiagizwa mambo na Mtukufu Rais, hazifanyi hivyo. Sasa, hivi sio kuwa kuna watu wasio wafuasi wa Nyayo humo ndani. Nitakupa mfano mwingine; tuliambiwa na Mtukufu Rais kuwa tutafikiriwa kulipwa fidia kwenye ile Diani Complex. Sasa ni mwaka mmoja unusu; majumba yameenea na kujengwa na hali fidia haijalipwa. Watu wa nyuma wamefuata Nyayo; bei ya maji wameitengeneza; ofisi hiyo imeshindwa kulipa fidia ya ile iliyokuwa ikijulikana kama Diani Complex. Viwanja vya wanauchi vilivunjwa na minazi iliyokuweco ilivunjwa na ikasemekana walipwe fidia kutokana na amri ya Mtukufu Rais, lakini mtu fulani anaketia agizo hilo. Sasa hii siyo njia ya kufuata Nyayo. Hii ndiyo njia inayojulikana kama anti-Nyayo. Mkubwa ameagiza, nawe unaketi ili wananchi walalamike na wamlaumu; hii ni anti-Nyayo. Ufuasi wa Nyayo ni mtu akiwa anamheshimu babake, akiagizwa kufanya jambo fulani na babake analitenda mara moja. Ni kwa nini hawa wengine hawatendi walichoagizwa kutenda? Huko ni kukosa adabu, na ndio kutofuata Nyayo.

*(Laughter)*

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Waambie tena!

**The Assistant Minister for Energy (Mr. Mwamzandi):** Nafikiri wamesikia. Nimeandika barua kwa Kamishna wa Ardhi hata—nimewahi kumkumbusha Waziri anayehusika ili awaambie hawa maofisa, lakini hawachukui hatua yoyote. Nimekusudia kusema neno hilo kuwa asiye fuata taratibu ya maagizo ya Mtukufu Rais, huyo hafuati Nyayo.

Kwa hayo machache, Bw. Spika, naunga mkono.

**The Minister for Urban Development and Housing (Mr. Rubia):** Thank you, Mr. Speaker, for giving me a chance to join hands with my other colleagues in supporting this Motion. First of all, I would like to compliment and congratulate His Excellency the President for his election as Chairman of the Organization of African Unity. The leadership that he has demonstrated in the last three years as the leader of this country will no doubt benefit Africa in his present position as Chairman of the Organization of African Unity. It is a great honour to him and to our country, and all of us, and especially we Members of Parliament, have a duty to support him in every respect in order to make him work fruitfully and successfully.

Mr. Speaker, I would like to make one or two points concerning this question of corruption. Corruption is one of the biggest diseases in any country. In our own system here in Kenya, we are very democratic, yes; we are very free, yes; but it looks as if people are taking freedom to the extreme when it comes to public funds. People are taking extreme freedom when it comes to executing Government directives, and I would like to take this opportunity to appeal to all people, especially those of us who have been given responsibilities by the President, to make sure that the jobs that we have been given are properly done without any trace, whatsoever, of corruption any where.

Sir, it is most disheartening to read once, or twice, that certain people have been involved in some kind of corruption and yet those people, or individuals, are still in the public service. This is most demoralizing, and I would like to say that, perhaps, the time has come when the freedom they enjoy is reduced relatively so that they will realize that freedom has a price; you just cannot have absolute freedom. I would like to say that this is something that, especially those of us who are Ministers, must make sure that in our own Ministries there are no practices of corruption whatsoever.

My other point, Sir, is that of the Press in this country. The Kenya Press has a tendency of exercising freedom of the Press to the extreme, even to the extent of not looking after their own freedom. This is very dangerous and I would like to say that they should make sure they have facts and figures where matters of State are concerned. It is very disappointing that certain people in our Government are regarded by newspapers as "Minister So-and-so", when they make statements; while other Ministers are regarded as mere, "Mr. So-and-so". This kind of perpetuation of differences showing preferences of one Minister to another is very wrong. The Press has a very important role to play; to unify our people. I think that that chance is still available and they should prove it. A time is also coming when laws of defamation; laws that should be exercised must be done. The Press, and I would like to appeal to them now, must show a change of heart; a change of attitude. Since Nyayo Government started, I insist, that they have indicated that their role is to criticize whatever the Government is doing without even

**[The Minister for Urban Development and Housing]** caring for facts and figures. That freedom is very valuable, and it has its cost; the Press must make sure that they do take that freedom seriously.

Mr. Speaker, Sir, the Voice of Kenya is the voice of our people; the Voice of Kenya is the voice of our Government, and the Voice of Kenya, also, must understand that they must propagate unity, and not merely to divide people. My own opinion is that certain elements in that Ministry—and I had seen my colleague the Minister for Information and Broadcasting somewhere; anyway he will get the message—must show no preferences but fairness. They must report objectively and truthfully because they are the Voice of Kenya and not the voice for certain people. They must also get their facts and figures right because that is why they are paid for from public funds.

Finally, Mr. Speaker, I would like to appeal to any groups of whatsoever nature—and I must say that I do not belong to any, if there are any groupings; I belong to the group that follows President Moi. I have no other grouping, and let us say this: if we are intelligent people, as we are supposed to be, let nobody deny here and tomorrow repeat anti-Nyayo scandals outside. Whatever we do we must follow Nyayo, and Nyayo is very clear. It is love, but people are practising hatred; it is peace, but people are practising violence and rubbish; it is unity, but people are preaching disunity. That is not Nyayo, and we have eyes and ears and brains to judge. These people must change their attitudes.

Mr. Speaker, Sir, I beg to support.

**Mr. Wamalwa:** Thank you, Mr. Speaker, for giving me the opportunity to make a few observations on the Motion on Adjournment. Let me start by touching slightly on this question of Nyayoism and democracy in this country. Most people in Africa admit that Kenya has a shining example in terms of stability and sound leadership. This has been possible only because there has been maturity in approaching public problems in this country. We have had a leadership that has not insisted on having the monopoly of all the right opinion; the leadership has listened to the opinions of others; however small and simple they have been.

Of late, however, Mr. Speaker, Sir, in connection with this cult of being more Nyayo than others, there has been a tendency of people mistaking unity for uniformity. There have been people in this country who have stated or insisted that if you do not agree with their views, then you are not Nyayo. I think this is terribly misleading because we can have differences of opinion and still be Nyayo, and we can have tremendous unity in diversity. Therefore, I would appeal to those leaders who have tended to show this inclination to accept the principle challenge of democracy: that you may not agree with what I am saying, but you are, in fact, duty bound by democracy to defend my right to say whether you like it or not. Therefore, to go along with what hon. Charles Rubia said I belong to President Moi's grouping if there is such a grouping. We all belong to President Moi's

grouping and anybody who tries to suggest otherwise, then let him tell us what grouping he belongs to.

Mr. Speaker, Sir, I would like to touch on the national food policy that we have just passed here. A lot of emphasis was placed on the need for water and the distribution of water all over the country in order to aid food production. I would like to talk about water as a right to life. Looking across the country, you see that the Government has built a lot of water schemes in various parts of this country.

I would like to appeal to the Government that in future, they should consider those areas where they have not built a water scheme before. Instead of asking, say, the people of Kitale West to build a water scheme on a Harambee basis, I would suggest that the Government first gives us a water project that we can call a Government water project, and on subsequent water projects, we can be asked to subscribe to that ourselves. I would like to put water as a right to life and the Government should consider it in that light.

Another thing, Mr. Speaker, in keeping with our maturity as a Parliament, I would like to appeal to the Government that in future, the drafting of bills that come to this House had better be done better than has been the practice lately. We have had a lot of shoddy bills coming to this House and through sheer weight of a fairly top-heavy Government, have been bulldozed through this House without the consent and fair debate by the House to its satisfaction. I would appeal to the Attorney-General that in future, bills should be scrutinized thoroughly and be re-examined again before they are submitted to the House, let there be a fair and lively debate over them. Nobody in this House is setting out to sabotage this Government. We would like to express our opinions. They may be taken into account or not, but we would like to have the right to express those opinions.

Another thing, Mr. Speaker, is that the Magistrate's Jurisdiction (Amendment) Bill has been passed and power has now been given to the elders to look into the adjudication of land problems. If the country wanted this, let it be so; it has been done now. I would simply like to appeal to those who are going to sit on this panels not to abuse this system, so that we go back to where we have just come from again. Some people over-look the fact that a lot of cases reach court because the elders themselves have disagreed in the first place or the elders have been corrupt in the first place. Therefore, now that we are giving them the responsibility, I would like to hope—I would like to appeal to them—that they will rise up to the occasion and treat these cases with responsibility and sagacity so that we do not turn round and say, "We passed the wrong Bill". The challenge is upon them.

Finally, I would like to touch on the question of roads particularly in the food-producing areas. We in Kitale have been called the granary of this country, but our roads are in an abominable state and I would like to appeal—

**The Assistant Minister for Local Government (Mr. Gumo):** Hear! Hear!

**Mr. Wamalwa:** I would like to thank Mr. Gumo for that. I would like to appeal to the Government to consider our roads seriously. All of our roads are in Class B which means that they should be made all-weather roads.

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

**The Minister of State, Office of the President (Mr. G. G. Kariuki):** Bw. Spika, yangu yatakuwa ni machache tu kwa sababu kazi ninayofanya sidhani kama mameno mengi yalikuwa.

Jambo la mubimu kwangu ni kuwanjiza wanasiasa, kwa sababu sasa tunaenda kupumzika kidogo halafu tunudie kazi, wajaribu wawezavyo—mimi nikiwa mmoja wa wale ninaosema juu yao kujihadhari sana na kuangalia mambo ambayo tunaweza kutoa kwa watu wetu wa Kenya, hasa kwa wafanyakazi wa Serikali. Hii ni kwa sababu kama tukierendesha mambo yetu kwa kusema juu ya wale watu ambao ni wa Nyayo na wale ambao si wa Nyayo, na kuyapeleka kwa wafanyakazi wa Serikali, wao ndio wataumia. Sisi wanasiasa tuko kama samaki ambaye ukimshika anaponyoka lakini wale ni very handy; ukimshika mmoja unamkaza kabisa na anapoteza kazi yake.

Kama inawezekana, wanasiasa wanaweza kufanya kazi yao katika Chama cha Kanu ambacho ndicho area yetu ya kung'ang'ana hata kabika Bunge hili. Lakini tukiwaleta wafanyakazi wa Serikali katika Harambee zetu na mikutano yetu, tutawaingiza katika shida ambayo kwa wakati huu sasa wengine wao wataweza kupata shida. Kile ambacho ningetaka kusema kwao ni kuwauliza wajihadhari kabisa kutokana na mambo yetu sisi wanasiasa. Tungetaka waendeshe mambo yao kabisa kwa sababu wanajua mwajiri wao ni mmoja; yeye ni Mtukufu Rais. Yeye ndiye ambaye anawaandika kazi na ndiye ambaye anaweza kuwachisha kazi. Kwa hivyo, wasizunguke kwetu kwa sababu hata ikiwa wanataka promotion, mwisho ni huko. Ninasema hivi ili wale wafanyakazi wa Serikali kama hawawezi kutueleza sisi wanasiasa basi ingefaa wamuulize Mtukufu Rais watafanya kazi namna gani, na wataambiwa na watapata njia. Hii ni kwa sababu Mtukufu Rais ana Katibu wa Kudumu ambaye ndiye mkuu wa wafanyakazi wa Serikali. Kama wana shida, ingefaa wamjulisha naye amjulisha Mtukufu Rais.

Sisi katika Ofisi ya Rais, tutashukuru sana ikiwa vita vyetu sisi Wabunge havitafika kwa wale wafanyakazi wetu. Hii ni kwa sababu katika mambo ya Harambee machifu, wakuu wa tarafa na headmen wanatusaidia sana sisi wanasiasa. Kwa hivyo, haingefaa tumwage ule usafi ambao wametupatia na kuuharibu.

Ni kweli kwamba katika sehemu zote si kila mtu ambaye ni mzuri. Hata sisi katika Bunge wakiambiwa wachunguze hali yetu wataona makosa yetu. Lakini hawana ile platform tuliyo nayo Hii ni kwa sababu kuna mtindo mbaya ambao wanasiasa sasa wameingilia na hauwezi kuleta kitu kizuri katika Kenya na hautatuweka pahali popote ambako tunaweza kupata faida. Wanasiasa wana kazi nyingi ya kufanya lakini wameingia katika shida ya interpretation; "Who is more

Nyayo" au "Who has a barometer" na "Who has what". Hiki ni kitu ambacho hakina maana kabisa kwa sababu wakati ambapo Mtukufu Rais alianza mwito wa Nyayo, alisema kwamba sisi sote tutamfuata yeye na tunamfuata. Kwa hivyo, ukimwona mtu kila wakati hata ikiwa ni sisi au mtu yeyote, akienda kuanza mkutano wake na kusema kwamba watu wengine wanasema kwamba watu wengine si wa Nyayo, ingefaa ujulize swali; "What is the problem?". Halafu unamkuta mwingine ambaye anasema kwamba wengine si watu wa Nyayo. Pia ingefaa ujulize wewe mwenyewe, "Ana taabu gani huyo". Hii ni kwa sababu watu hao wawili wana taabu. Kuna taabu ya watu kuulizana maswali hayo hayo.

Lakini ukiacha mambo hayo ni vizuri. Ingefaa tujue kwamba kuna Kristo na Mungu. Pia ingefaa tumfuata Mungu na tuseme kwa "Jina lake na la Mwana na Roho Mtakatifu", tutamfuata Mungu, hatutakuwa na shida. Lakini tafadhali tuondoe shida hii yetu ili tuweze kufanya kazi ya Kanu na ya Kenya kuliko kuingilia mambo yasiyo na maana. Unaona Mmasai anazungumza karibu atetemeke juu ya interpretation peke yake. Kule nyumbani na kila pahali hii interpretation inasumbua watu. Tafadhali tuwache wafanyakazi wa Serikali ili waweze kufanya kazi ya Serikali vizuri. Pia ingefaa tuwaheshimu.

Ahsante.

**Mrs. Gachukia:** Ahsante sana, Bw. Spika, kwa kuniipatia nafasi hii ili nami niseme machache juu ya Hoja hii ya kuaahirisha Bunge.

Nikianza, ningetaka kuwasihii Wanakenya kama tunjali tunakaribia wakati wa siku kuu, sherehe ya Jamhuri yetu na wakati wa kusherehekea mwaka mpya wa 1982, tujunge kabisa na Mtukufu Rais kwa kuendesha ule mwito wetu wa Nyayo, ili nchi yetu iweze kuendelea mbele kabisa.

Pia ningetaka kuwasihii wananchi wote na pia Wabunge wenzangu wakati ambapo tunaenda kusherehekea tusi-sahau wale ambao hawajiwezi. Hilo ni wale watoto ambao wako katika children's homes ambao kwa kweli si kwa kuchagua kwao wawe katika pahali kama Mama Ngina Children's Home na Goodwill Children's Home. Hilo ni wale watoto ambao wametupiliwa mbali, na ingefaa tuwakumbuke kwa wakati huu wa siku kuu na tuwasaidie. Wengine ni wale ambao ni wagonjwa katika hospitali zetu. Pia ingefaa tuiswasahau kwa wakati huu wa siku kuu.

Wengine wao ni wale ambao hawajiwezi na wengi wao kwa kweli hawana usaidizi wowote na ingefaa tukirudi kwetu, tuwasihii wananchi wote wawasaidie pia, ili waweze kusherehekea siku kuu. Wengine wao ni maskini ambao hawawezi hata kujitafutia vyakula ambavyo watakuwa wakila wakati wa siku kuu. Ingefaa sisi tukiwa viongozi kufanya jambo lolote ambalo lingeweza kuwasaidia ili nao pia wasiachiliwe mbali wakati huu wa kusherehekea siku kuu.

Mengi yamesemwa hapa na mimi ninakumbuka kwamba wakati Mtukufu Rais wetu alipochaguliwa kuwa Mwenyekiti wa Umoja wa Nchi za Afrika, sisi sote tulihidi na tukasema kwamba tutamsaidia. Njia moja ambayo cinaona kwamba tunaweza kumsaidia nayo ni tusije tukafanya mambo personal kuwa mambo

[Mrs. Gachukia]

ya taifa. Wakati mwingine ni lazima tubishane kama vile Mhe. Wamalwa alivyosema. Si lazima tusikizane kwa jambo lolote. Tungekuwa a unique nation ikiwa hatungekuwa na tofauti kidogo kidogo hapa. Lakini wakati ambapo tunakorogana na mtu fulani na halafu tunasikia kama hilo jambo ni la taifa letu wala si letu na yule mtu, hilo jambo linatuletea taabu. Kwa hivyo, ningewasihhi wananchi, hasa viongozi, tujaribu kuona kwamba hatutafanya mambo personal kuwa kama mambo ya taifa. Ingefaa tujaribu kuona kwamba yote tutakayosema au tutakayotenda hayatafasiwa kwa njia mbaya.

Waziri wa Elimu ya Msingi jana alisema jambo la muhimu sana, kwamba ni nia ya Serikali ya Kenya kuunganisha wale watoto ambao hawajiwezi katika mipango ya masomo yetu na wale ambao wanajiweza; yaani, integrating the disabled children na wale wengine, ili wawe wakisoma na wale ambao wanajiweza. Hili ni jambo la maana sana. Kwa mfano, ukiitembelea ile special school ambayo iko Eastlands, Nairobi, ambayo inaitwa Nile School, utaona umuhimu kwamba haifai tuwatenge watoto wetu ambao hawajiwezi ili wawe kama wana kijiji chao kwa sababu wale ambao wanakaa na wale ambao hawajiwezi wanasahau kwa kweli kama wao ni citizens au wananchi halisi. Inaonekana kwamba iselation hiyo ni mbaya kwa ukuaji wao. Ingefaa tukianza mwaka wa 1982 Waziri alete mpango hapa wa kutuhakikishia kwa kweli kwamba Serikali itaanzisha mpango huu na kuwatoa hawa watoto katika special schools ama shule maalum waingie shule nyingine.

Ahsante sana, Bw. Spika.

**Mrs. Onyango:** Ahsante sana, Bw. Spika, kwa kuni-patia nafasi nami pia niseme machache juu ya siku hii ambayo tutalifunga Bunge kwa muda wa miezi miwili au mitatu hivi tukipumzika.

Kwanza, nitatoa shukrani nyingi sana kwa Wizara zote za Serikali kwa kazi ambazo wamewafanyia wananchi kulingana na maendeleo ya nchi hii. Pia, ningependa kutoa shukrani zaidi kwa Mtukufu Rais wetu kwa kazi yote ambayo amejaribu kuwafanyia wananchi wa Kenya kwa kulingana na njia za kupata vyakula, kulingana na njia za usalama, upendo na amani ambao amewaonyesha wananchi wote ambao wako katika Kenya. Pia, ningetoka shukrani nyingi sana kwa maripota wetu ambao wamekuwa na sisi tangu tulipoanzisha Bunge hili mwaka huu pamoja na maripota wa HANSARD ambao pia wanachukua nafasi yao kuwa na sisi hata ingawa kuna wakati mwingine ambao tunawatupia maneno lakini wao wanaendelea kututumikia ili wananchi wapate njia ya kusoma yale yote ambayo tunasema katika Bunge hili letu tukufu.

Bw. Spika, ningependa kusema kwamba kwa muda usio mrefu tumezungumza habari ya pesa ambazo wananchi wanatoa kwa njia ya ushuru, faini na kadhalika ili wao wenyewe wapate matumizi mema kwa njia ya huduma fulani fulani. Kwa hivyo tungependa, kama watu wa Kisumu na watu wa Kenya kwa jumla, kwamba pesa zote ambazo zimetolewa kwa maendeleo zitumiwe kwa—

**The Assistant Minister for Energy (Mr. Mwamzandi):** On a point of order, Mr. Speaker, Sir, The House is too noisy we cannot hear the hon. Member properly!

**Mr. Speaker:** Yes, I think there is some noise coming from somewhere; maybe from one of the Front Benches. I hope it is subdued.

**Mrs. Onyango:** Bw. Spika, pesa zote ambazo zime-tolewa kwa kutoa huduma kwa wananchi ingekuwa vizuri zisiwe zikirudishwa kwa Hazina kwa sababu kila sehemu ya Kenya inahitaji maendeleo. Hii ndiyo sababu tunaendelea kukusanya pesa kwa njia za Harambee ili zisaidie zile pesa ambazo tumetoa kwa njia ya Bajeti ili tupate maendeleo katika Kenya hii.

Bw. Spika, ningependa kumjulisha Waziri wa Afya kwamba katika Nyanza General Hospital tunataka malazi, yaani vitanda ni vichache. Wagonjwa ambao hulala huko hawalali kwa vitanda lakini hulala kila sakafu ama ohini bila kuwa na kitu chochote. Hata ingekuwa vizuri kama wangepatiwa godoro na viti kwa sababu wao wakipata utabibu basi wataona vizuri; wao hawajali habari ya kulalia vitanda.

Bw. Spika, mimi kama mzazi ningependa kuona ni nini watoto wetu ambao wanasoma wakimaliza masomo yao watafanyiwa ili wasije wakakaa na wazazi wao nyumbani. Tungetaka kuwe na mpango kamili ambao ungeweza kuwasaidia wale ambao wamejinyima mambo mengi ili watoto wao wapate elimu ya kutosha ili waweze kuwa viongozi wa Kenya kesho. Kwa hivyo ninaona kwamba watoto wetu wanaongezeka kila mwaka. Kama sasa, kuna wengine ambao watafanya mihani na pengine watazidi kukaa na wazazi kwa sababu bado wanalii wachanga na hawawezi kufanya hata kazi ya nyumbani. Kuna wengine ambao wana-kimbilia kazi ya ujenzi, yaani wakipata kandarasi yoyote wanakimbilia huko, na wengine hata bado hawawezi kubeba mawe kama ya 9 inch by 9 inch; yanawashinda. Kwa hivyo ingekuwa vizuri kama Serikali ingeweza kufanya mpango wowote ili hawa watoto wafaidike ili wasije kufikiria kuwambia wale ambao wana mali na ambao ni wengi.

Bw. Spika, tunajua kwamba kuna ukosefu wa maji katika Kenya nzima. Lakini mjini Kisumu ukosefu wa maji umezidi na tungemwomba Waziri ambaye anahusika na maji kuona kwamba watu wa Kisumu ambao wako karibu sana na ziwa wasije wakataabika. Maji hurudi usiku saa tisa na usipochota maji wakati huo basi huenda ukawa hata bila chakula cha mchana kwa sababu ya ukosefu wa maji. Kwa hivyo ninamwomba Waziri aangalie jambo hilo.

Bw. Spika, tungependa makao makuu ya mkoa yajengwe, yaani provincial headquarters. Karibu kila mkoa una makao makuu yake lakini makao makuu ya Mkoa wa Nyanza yalikuwaje? Pesa zilko katika mpango wa maendeleo, yaani Development Plan, na tungependa kandarasi hii itolewe ili kazi hii ianzishwe. Ukienda Kisumu leo huwezi kuyapata maofisi ya Serikali; yako katika kila kona ya mji. Kwa hivyo ningetomba Ofisi ya Rais, ikiwa inawezekana, wapatiwe makao makuu ya mkoa.

Kwa hayo machache, Bw. Spika, naunga mkono.

**The Assistant Minister for Constitutional and Home Affairs (Mr. Olang):** Ahsante sana, Bw. Spika, kwa kunipatia nafasi hii pia nami nitoe maoni yangu kidogo kabla hatujaenda likizoni.

Jambo langu la kwanza ni kumrudishia Waziri wa Utamaduni na Huduma za Jamii ahsante nyingi sana kwa kuwawezesha Wanakenya kwenda Dar es Salaam kuwaona wanakandanda wetu wakicheza katika mchi nyingine na kurudi na kikombe. Hikuwa jambo la ajabu. Wale ambao walikuwa huko kama rafiki yangu Mhe. Martin Shikuku waliona kwamba bendera ya Kenya ilipepea Dar es Salaam na hikuwa jambo la ajabu, na mlio wa Nyayo ulisikika huko pia. Ningependa kutoa shukrani zangu kwa Mhe. Waziri Nyagah juu ya hayo.

Bw. Spika, jambo lingine ambalo ningependa kulitaja mara moja ni kwamba mimi ni organizing secretary (katibu mtendaji) wa Kanu katika Nyanza Kusini. Pia, nahusiana na Idara ya Polisi ya C.I.D. na ningependa sana kumpongeza Makamu-Rais na Waziri wa Fedha pamoja na Mhe. Waziri wa Nchi, Ofisi ya Rais, Bw. G. G. Kariuki, kwa mawaidha yao ambayo wame-toa juu ya kuwaelekeza watu wa Serikali kwa upande wa siasa, au kutoa taarifa ama information ambayo inaweza kuwafanya watu wa Serikali wafanye yale ambayo hawangefanya. Mimi ningependa kusema na kukaza kwamba wanasiasa wasitoe maneno ya uwongo kwa Idara ya C.I.D. na Polisi na hata kwa maofisa wengine wa Serikali wakijua kwamba hivyo habari ambayo wanatoa ama wanapeana wanafanya hivyo kusudi kuwaaribisha wale ambao wanaweza kuonekana kwamba ni potential opponents ama wapinzani wao au ni watu ambao wako na taabu.

Bw. Spika, tumelezwa hapa kwamba tarehe 20 kuli-kuwako na idadi ya watu ama group ya watu ambao walikuwa na mipango fulani fulani. Ningependa, kupitia kwa hayo madaraka yangu mawili, kusema kwamba Mhe. Makamu-Rais na Waziri wa Fedha alipokuja Nyanza Kusini tulimkaribisha "Kinyayo" kabisa kama watu wa Nyanza Kusini, na Waheshimiwa Wabunge wote walikuwa huko. Kwa hivyo jambo hili ambalo lilitajwa nataka nikuhakikishie kwamba hali-kuwako na si ukweli hata kidogo. Pia, ningependa kumweleza Mtukufu Makamu-Rais na Waziri wa Fedha kwamba anapendwa Nyanza Kusini na tuli-mkaribisha kwa shangwe.

Bw. Spika, jambo ambalo ningependa kusema na nitajie kidogo ni kwamba sasa tunaenda likizoni na tutakuwa na Harambee, mikutano na kadhalika.

**Mr. Kanindo:** On a point of order, Mr. Speaker, Sir. What the hon. Assistant Minister is saying is not true. I am aware of what is happening in my constituency and also the Special Branch is aware. I am not locked in. So, he should not mislead the House.

*(Applause)*

**The Assistant Minister for Constitutional and Home Affairs (Mr. Olang):** Bw. Spika, mimi nitajia madaraka yangu mawili: ya Kanu na ya Serikali. Kwa hivyo kama Mhe Mbunge ama zaidi ya hayo, basi "best of luck to him"!

Bw. Spika, kile ambacho ningetaka kusema ni kwa-amba sisi kama wanasiasa, huu mwenendo ambao tume-anza kuleta kwa Harambee, basi utakuja kuwafukuza wafanyakazi wa Serikali na wale watu wengine ambao si wanasiasa kutobudhuria mikutano ya Harambee. Maana yake mikutano ya Harambee ni ya maendeleo. Wananchi ambao wanatuita kwa mikutano hiyo wana-taka tuwasaidie kufanya chochote au kujenga kitu fulani. Lakini mwenendo siku hizi ni hivi: unaenda kwa mikutano wa Harambee na ngoma ile ambayo unanzia nayo mwanzoni mpaka mwisho ni ile ile au ya siasa za kibinafsi, yaani personalities. Mwishowe ikazi imeharibika na pengine wananchi wale ambao ulileta ili watoe pesa wanakwenda na kesho yake utaona kwamba—

**Mr. Orenge:** On a point of order, Mr. Speaker, Sir. Although I would not like to interfere with the hon. Assistant Minister, but I feel that the statement which he is making in a generalized form may affect people in other constituencies. For instance, in my consti-tuency we do not talk about personalities. So, if he has got that problem in his constituency then he had better say so categorically but not to generalize things!

*(Applause)*

**The Assistant Minister for Constitutional and Home Affairs (Mr. Olang):** Bw. Spika, mimi nafikiri niko na uhuru kusema maneno yangu vile ninavyoona mwe-nendo unavyoendelea. Vile nilivyokuwa nikisema ni hivi: Tukiendelea kusema maneno ya siasa kwa Harambee basi tutawafukuza watu wengi ambao ama siyvo wange-kuja kwa Harambee yetu.

Kwa hivyo, kwa hayo machache naunga mkono.

**The Attorney-General (Mr. Kamere):** Thank you, Mr. Speaker. First of all I want to thank all the hon. Members for the treatment they have given me since I came to this House. I know it has been rough; the business has been lively and also it has been an experi-ence for me. The first thing I saw when I came into this House is what is written at the door: "For the Welfare of Society and the Just Government of Men"

*(Applause)*

Mr. Speaker, Sir, it has been said that the drafting of the Bills has not been satisfactory. I have done the best I could and the hon. Members, with all their experience, have not been able to help me or assist me to bring in "First-class Bills". I have been working under pressure from hon. Members as well as from the work itself. I had to adjust myself, and for that reason, if I had done something that was not satisfac-tory to the hon. Members, then I would request them to forgive me.

Secondly, Sir, I promised this House that I had already drafted a paper for the purposes of setting up the Law Reform Committee, and I am glad to report to this House now that I have got the consent to present the Bill during the next Session.

*(Applause)*



**[The Attorney-General]**

Mr. Speaker, Sir, it may also be a pleasing news to the hon. Members that now that we have got increased number of judges, we hope that with the end of the election petitions we shall be able to cope with the work to the best of our ability.

Now, the only thing I would like to request the hon. Members to do when they go on Recess is to encourage the people to adhere to law and order, and also to encourage them to grow more foodstuff for our people so that we do not have to go and buy food from other countries.

Finally, Mr. Speaker, Sir, I would like to tell the hon. Members that I am very happy to have been with them and I hope to continue to be with them with their assistance. I wish each one of us a merry Christmas and a happy New Year! Thank you, Mr. Speaker.

(Applause)

**Mr. Korellach:** Ahsante sana, Bw. Spika, kwa kuni-patia nafasi hii ili nami niseme machache juu ya Hoja hii ya kuahirisha Bunge.

Kwanza, napenda kutoa pongezi kwa Mtukufu Makamu-Rais na Waziri wa Fedha ambaye pia ni Kiongozi wa Shughuli za Serikali katika Bunge kwamba tangu Kikao hiki kuanzia mwezi wa Septemba mpaka sasa bado hatujakua na zile likizo ndogo ndogo, na kazi imeendelea vizuri sana. Nafurahi pia kusema kwamba vile alivyotaja kwamba atajaribu kuona kwamba Wizara mbalimbali zinatekeleza mipango ya maendeleo ya Serikali ni vizuri sana. Ninafurahi sana, na ninatumaini kwamba watafanya hivyo. Ekiwezekana, ingekuwa bora kama a directive kutoka katika headquarters za Wizara mbalimbali ingetolewa juu ya jambo hili. Katika sehemu kama ile ya Pokot Magharibi, tumekuwa na shida ya maji. Mipango ya maji imekawia sana katika sehemu za Chepareria, Sigor na Kadipit. Hata kazi ya kutengeneza boreholes ama masilanga ambayo yanatusaidia sana kwa kupigana na ugonjwa wa kipindupindu pia imekawia sana, na hatujui ni kwa nini imekuwa hivyo. Pia, kazi ya kujenga dispensari sita katika Wilaya ya Pokot Magharibi haijaanzishwa hata kidogo. Kwa hivyo, ningependa kuiomba Wizara ya Afya ifanye kitu juu ya jambo hili ili dispensari hizi ziweze kumalizika na dawa ziwekwe humo na wafanyakazi katika dispensari hizo waanze kuwasaidia watu.

Jambo lingine la muhimu ambalo ningependa kutaja ni juu ya bei za nafaka. Katika sehemu zile ambazo zinatoa mahindi, na sehemu ya Central Rift inayotoka ngano, kwa wakati huu, kuna watu wengine ambao wamevuna mahindi na ngano, na kuna wengine ambao hawajafanya hivyo. Kwa hivyo, ningeiomba Wizara ya Kilimo ione kwamba bei za nafaka zinaongezwa. Ni jana tu iliyosema kwamba katika mwezi huu wa Desemba Serikali itafikiria kuongeza bei za nafaka na vitu vingine. Ningemuomba aone kwamba jambo hili linafanywa upesi, hasa kabla ngano au mahindi haya-jauzwa ili tuwasaidie wakulima. Kwa kuwa bei za vitu vingine kama mapanga na kadhalika zimepanda, ni lazima wakulima pia wafaidi kwa kupatiwa bei nzuri kwa mazao yao ili waweze kufanya kazi kwa bidii.

Pamoja na hayo, ingekuwa vizuri ikiwa wale waku-lima wengine kama wafugaji pia wangesaidiwa na Wizara ya Ustawi wa Mifugo kwa kuwapatia masoko. Tumekwishazungumza juu ya jambo hili mara nyingi lakini mpaka sasa hakuna kitu cha muhimu ambacho kimefanywa. Idara ya Livestock Marketing Division haijafanya ya kutosha, Imekuwa ikinunua wanyama wadogo wadogo, yaani immature animals, peke yake.

Kwa hayo machache. Bw. Spika, naunga mkono Hoja hii.

**The Assistant Minister, Office of the President** (Mr. ole Tipis): Ahsante sana, Bw. Spika.

Kwanza, Bw. Spika, sitaki kusema sana, nitasema kwa kifupi tu. Mambo mengi yametajwa, na tunaikaribisha Hoja hii iliyowakilishwa na Makamu-Rais ili tuweze kwenda kupumzika kidogo na kufikiria tunaelekea wapi.

Pili, mambo mengi yametajwa, na sisi hatukuzoea huu mchezo wa kufichana na kugunduana kama paka na panya. Historia ya nchi hii ni wazi kabisa. Kuna wazee wengi hapa, na wale wengine ambao wamekuwa katika mchezo huu wa siasa tangu wakati wa ubeberu wanafahamu jinsi mambo yalivyo.

Bw. Spika, ninalotaka kuzungumzia kwanza ni hili. Tangu tulipoanza kupigania Uhuru wa nchi hii, wengine wamejitokeza katika vikundi vikundi; wengine wamejitokeza kuwa wao ndio wataalam wa mambo mbalimbali, na mambo hayo yote yako katika vitabu vya historia. Wabunge wenzangu, nawasihini sana. Hata Mhe. mwenzangu, Bw. Nyagah, ambaye yuko hapa tuliingia naye katika Bunge hili siku moja na ana-fahamu kwamba yale ninayosema ni haki. Wale watu wa kimbelebele, au wanaojitakia makuu wako wapi leo? Wale waliokuwa wakikimbakimbia usiku na mchana wakiwachochea wenzao wako wapi? Wengine wameffia na hawajulikani wako wapi. Kwa hivyo, ndugu zangu, ikiwa sisi ni wana Nyayo halisi, ni heri tuendeele kuwa wana Nyayo na kumfuata kabisa Mtukufu Rais wala tusiseme maneno matamu na huku tunasema tukiwa na sumu ndani ya roho zetu. Tunayafahamu sana mambo hayo, na kwa hivyo, wale wanaofanya hivyo watafuata njia ile ile ambayo imefuatwa na wale waliokuwa mbele yao. Afadhali tufe tukifuata haki.

Bw. Spika, mimi sikuchaguliwa kama Mbunge wa Narok ili mtu yeyote aseme kuwa niko mifukoni mwake, au niko katika kikundi chake. Mimi niko katika kikundi cha Mtukufu Rais, na mifuko ya watu niliyo ndani yake ni ya wale walionichagua; full stop. Siko katika mifuko hiyo mingine. Wanaopigania ukubwa, wakiwa ni wawili, wasiwatenganishe Waheshimiwa Wabunge, ni heri waende kiwanjani, au huko stadium na kupigania ukubwa huko.

Bw. Spika, sasa nimepoa kidogo. Nataka kuwaeleza Waheshimiwa Wabunge wenzangu, kwa sababu hata Mhe. Katibu Mkuu wa Kanu nimemwona akiingia hapa Bungeni sasa hivi, kwamba kusudi langu la kusimama hapa ni kutoa maelezo kuhusu mtindo ulioko juu ya mkutano wa kesho wa National Executive Council ya Kanu, kwa sababu wanakana kuwa hawajaufahamu.

**[The Assistant Minister, Office of the President]**

Wengine wanauliza ni nani atakayekuja katika mkutano huo. Hiyo ni wazi kabisa kwa chama chetu kiluokufu cha Kanu. Yaani ni wale national officials na vile vile Wabunge wawili wawili kutoka katika kila mkoa. Kwa jumla, tutakuwa na Wabunge 29. Hiyo ni kesho siku ya Ijumaa. Kwa hivyo, tutaanza mkutano wetu hapa kuanzia saa mbili asubuhi wala sio mbili ya usiku. Nafikiri sasa majua composition ya mkutano huo. Ijapokuwa Mtuukufu Rais ana kazi nyingine wakati wa asubuhi, lakini kwa kuwa anafanya kazi usiku na mchana, au kwa sababu amejitokeza kuendelea kufanya kazi kwa masaa 24 kila siku, atakuwa nasi.

Jambo lingine linahusiana na Special Delegates Conference ambayo itafanyika siku ya Jumatatu. Idadi ya Wabunge walioko hapa Bungeni ambao walichaguliwa kwa tikiti ya chama chetu cha Kanu ni 158, lakini kwa hivi sasa tu 156, kwa sababu kuna vili viwili ambavyo havijajazwa. Labda Jumamosi hivi, au siku nyingine vitajazwa kulingana na Katiba yetu.

Kwa hayo machache, Bw. Spika, naunga mkono Hoja hii.

**Mr. Michoma:** Absante sana, Bw. Spika. Sina budi kukushukuru kwa kunipatia nafasi hii.

Bw. Spika, ningependa kukushukuru kwa niaba ya Wabunge waliokuja hapa miaka miwili iliyopita na wale Wabunge wa Taifa kwa kutuongoza katika Bunge hili kwa njia ya Kinyayo. Nakushukuru na kukutakia maisha marefu, au kukuomba Mwenyezi Mungu akulinde na kukupa maisha marefu na jamaa zako.

Bw. Spika, wengine wamekwishazungumza juu ya maendeleo kadha wa kadha, na mimi kama Mbunge wa Taifa nataka kukaza kwamba Wizara ya Maji iwaonee huruma wananchi wa Ukambani, yaani watu wa wilaya mbili za Machakos na Kitui, na sehemu nyingine ambazo ni kavu ili maji yapatikane na wananchi wa sehemu hizo waweze kukuza chakula. Wao si wavivu kamwe ila tu ni maji wanayokosa.

Bw. Spika, ningetaka kuhimiza kwamba mipango ya kunyunyizia mashamba maji itekelezwe mara moja katika sehemu zilizo kavu, hasa katika sehemu za Ukambani, Samburu na zile nyingine ambazo hazina bahati ya kupata mvua.

**The Minister for Local Government (Mr. ole Oloitipitip):** Na Umasaini pia.

**Mr. Michoma:** Pia, huko Umasaini kwa Mhe. ole Oloitipitip.

Nikiendelea, Bw. Spika, ningetaka kutoa shukrani kwa Waziri wa Elimu ya Juu na Waziri wa Elimu ya Msingi kwa kuwezesha mitihani ya mwaka huu kufaulu sawasawa. Waliwatambua mara moja wale watu wote waliotaka kuiba mitihani. Vile vile, ninatoa shukrani kwa polisi na Idara ya Utawala kwa kazi waliofanya kwa kuona kwamba kumekuwako na usimamizi bora wa mitihani. Mawaziri hao wawili walisimamia vizuri mitihani.

Bw. Spika, ningetaka kuishukuru Ofisi ya Rais kwa kufanya kazi sawasawa kwa kuona kuwa halmashauri mbalimbali zinafanya kazi vizuri. Hasa ninaishukuru

Ofisi ya Rais pamoja na Wizara ya Kilimo kwa kujaribu kuiongoza Halmashauri ya Kahawa ambayo ilikuwa karibu kudhoofika. Sasa Halmashauri ya Kahawa imerudishwa katika hali bora.

Pia, nikipitia kwa Kiti, ningemwomba Waziri wa Afya aitembelee Hospitali ya Kisii ili ajionee vile hali ilivyo tuko. Wagonjwa hujazana hospitalini hivi kwamba wagonjwa wawili hulala ndani ya kitanda kimoja. Vile vile, magari yaliyoko katika hospitali hiyo yameoza. Ningemsili Waziri huyu awahurumie wagonjwa walioko katika Hospitali ya Kisii na wale wengine wa hospitali nyingine nchini kwa kuwaondolea yale magari mabaya na kuwaletca magari mapya ili wagonjwa waweze kuhudumiwa vizuri.

Bw. Spika, ningetaka kumshukuru Waziri wa Uchukuzi na Mawasiliano kwa kuirekebisha barabara ya kutoka Nairobi kwenda Nakuru. Barabara hii ilikuwa na mashimo lakini sasa Waheshimiwa Wabunge watapitia huko bila shida yoyote.

**Hon. Members:** Barabara ingali mbaya.

**Mr. Michoma:** Waziri anaendelea kuirekebisha na ni lazima apongezwe kwa kazi anayofanya.

Ningetaka kuwatakiwa Waheshimiwa Wabunge wote heri ya sikukuu njema na mwaka mpya wa furaha. Pamoja na hayo, ningetaka kusema kwamba Ofisi ya Makamu-Rais na Wizara ya Fedha imefanya kazi nzuri kwa ripoti ya Kamati ya Kuchunguza Fedha za Serikali.

**An hon. Member:** Imefanya nini?

**Mr. Michoma:** Imeandika taarifa (memorandum) ndani ya ripoti hiyo, jambo linaloonyesha kwamba ripoti hiyo itatekelezwa.

Kwa hayo machache, Bw. Spika, ninaomba kuunga mkono.

**The Minister for Energy (Mr. Okwanyo):** Ahsante sana, Bw. Spika, kwa kunipatia fursa hii ili nami niweze kusema mambo machache—

**Mr. Speaker:** Sit down, Mr. Mbarire!

**The Minister for Energy (Mr. Okwanyo):** Ahsante sana, Bw. Spika, kwa kunipatia nafasi hii nami pia niweze kusema mambo machache juu ya mambo yanayohusu Kenya tangu tuanze mwaka huu. Kwanza, ningetaka kumshukuru Mtukufu Rais pamoja na Makamu-Rais na Waziri wa Fedha kwa kazi yote waliotufanyia mwaka huu. Vile vile, ningewashukuru Mawaziri wenzangu kwa vile walivyofanya jitihada kwa kuite-mbelea kila sehemu ya Kenya mwaka huu.

**An hon. Member:** Na Wabunge!

**The Minister for Energy (Mr. Okwanyo):** Pia, ninawatolea shukrani Waheshimiwa Wabunge wote kwa kazi ambayo wamekuwa wakiwafanyia wananchi waliowaleta hapa Bungeni. Mtukufu Rais amefanya mambo mengi mwaka huu na tunamtolea ahsante sana.

Bw. Spika, ningetaka kusema mambo machache juu ya mambo ambayo nimeyasikia yakisemwa hapa. Nita-toa maoni yangu juu ya yale mambo yaliyosemwa.

**[The Minister for Energy]**

Kama nitakosea, wenzangu walioko hapa watanirekebisha. Tarehe 20 Mtukufu Makamu-Rais na Waziri wa Fedha alitembelea sehemu yetu na akakaribishwa kuanzia saa Tatu asubuhi mpaka jioni. Sisi sote Wabunge tulikuwa naye. Ningetaka Waheshimiwa Wabunge wenzangu wafahamu msemu mmoja. Mmojawapo wa marais wa Marekani alisema hivi: "I do not support whatever you say, but I shall protect your right of saying it". Sisi tumekuwa hapa kwa miaka mingi, na tumeiona Kenya hii. Kama yule Mhe. Mbunge alivyosema, tumewaona Wabunge katika Bunge hili ambao wamesema mambo mengi na muda wao umekwisha. Tumeyaona mambo mengi katika dunia hii. Hapa kuwako na mambo yoyote katika Nyanza Kusini. Watu wa Nyanza Kusini walimkaribisha Mtukufu Makamu-Rais na Waziri wa Fedha na roho yao yote. Sisi tulikuwako—

**Mr. Kanindo:** On a point of order. Mr. Speaker, the Minister was briefed in the morning of 21st and therefore he knows what he is talking about.

**An hon. Member:** What was the point of order?

**The Minister for Energy (Mr. Okwanyo):** Bw. Spika, ningekusihii unilinde kwa vile huenda muda wangu ukamalizika bure. Ndugu zangu, ningetaka kusema kwamba kama kuna jambo lolote, tusiliseme kwa wananchi tukiwa na nia ya kuwagawanya. Ni heri tuseme jambo hilo katika mkutano wa Wabunge ambako tuko huru kusema uchafu wowote. Ingefaa tuseme mambo mazuri mbele ya umati na watu wa Kenya, kwa sababu si vizuri kwa watu wa Nyanza Kusini kusikia kuwa walimtukana Makamu-Rais na Waziri wa Fedha tunayampenda. Sisi tunampenda Rais na kama amechagua Makamu-Rais wake, mimi ni nani anayeweza kwenda kumngoja njiani nimpige kwa mawe?

**Mr. Mwachofi:** On a point of order. Bw. Spika, ninafikiri Mhe. Mbunge anayezungumza hivi sasa ni Mhe. shimiwa wa tatu au wa nne kutaja mambo ya Nyanza Kusini na Mtukufu-Rais bila kueleza zaidi. Sisi wengine ambao hatukuwako tumeachwa katika giza na hatuelewi jinsi mambo yaliivyokuwa. Kungetolewa maongozi ya namna gani ili tufanuliwe tuelewe ni mambo gani yaliyotokea?

**Mr. Speaker:** Ulichelewa, Bw. Mwachofi, na kwa hivyo keti chini. Endelea, Bw. Okwanyo.

**The Minister for Energy (Mr. Okwanyo):** Bw. Spika, ninataka kumaliza kwa kusema kwamba mimi nampenda Nyayo. Pia ninampenda Makamu-Rais na Wakenya wote. Kama kuna kitu kati yetu, ningependekeza sisi sote—Makamu-Rais na watu wote wa Kanu—tufanye mikutano ili tuweze kusema yale mambo tunayoyajua na yanayostahili kusemwa. Lakini ni heri tuseme hapa Bungeni yale mambo tunayojua kwamba ni ya kuwajenga wananchi. Wananchi wa Kenya wanataka umoja. Kwa hivyo, mtu anayesimama hapa Bungeni na kusema kwamba watu wa Nyanza Kusini walimpigia mayowe Makamu-Rais, hawezi kutufanya tuamini kuwa anataka umoja. Hivi sasa Makamu-Rais yuko hapa. Ninataka kusema kwamba alipokuwa huko Nyanza Kusini, tulimkaribisha kwa upendo kila mahali alipozuru. Kwa hivyo, itakuwa ni vibaya sana ikiwa

watu na Nyanza Kusini watasikia leo usiku kwamba walimpigia Mtukufu Makamu-Rais makelele. Wakati wa tarehe 21—

*(Several hon. Members rose on points of order)*

**Mr. Speaker:** Will you resume your seats!

**Mr. Orenge:** On a point of order, Mr. Speaker.

**Mr. Speaker:** Yes. Bw. Orenge, what is your point of order?

**Mr. Orenge:** Mr. Speaker, Sir, is the Minister not misleading the House by saying that the hon. Member indicated that the people of South Nyanza heckled the Vice-President when he said there was a small group of people who were planning to do so? It was not the people of South Nyanza but it was a small group of people which was planning to do so. Is he not misleading the House?

**The Minister for Energy (Mr. Okwanyo):** Bw. Spika—

**An hon. Member:** Your time is already finished.

**Mr. Speaker:** Your time is over, Mr. Okwanyo.

**Mr. Munyasia:** Ahsante sana. Bw. Spika. Pia mimi nimesimama kumshukuru Rais wetu kwa yale mengi ambayo ametufanyia katika nchi hii. Nataka Wabunge wafahamu hivi: Kenya hii ina bahati kupata kiongozi ambaye anamcha Mungu; kiongozi ambaye anawasamehe hata mashetani. Bw. Spika, tunajua kwamba hata Jesu alisukubiwa msalabani na watu wabaya na hata akauzwa lakini aliwasamehe waliomfanyia mambo hayo. Huyu Rais wetu ni mtu wa Mungu aliyechaguliwa na Mungu. Kama ni nchi nyingine, watu wengine, hata Waheshimiwa Wabunge wengine hapa, hawangekuwako leo. Kwa hivyo, ni lazima tutoe shukrani kwa mtukufu Rais kwa sababu leo hakuna mtu yeyote ambaye yuko kuzuizini. Katika nchi nyingine watu wamejaa katika viziuzi.

*[Mr. Speaker left the Chair]*

*[The Temporary Deputy Speaker (Mrs. Onyango) took the Chair]*

Nataka kusema hivi: kitabu kitakatifu cha Mungu kinasema—mimi sikukitandika maana sikuweko—mtu wajua kwa viendo vyao. Nilipoingia katika Bunge hili nilipochaguliwa, nilitoa onyo na nikawaambia wale Waheshimiwa Wabunge wapa wajihadhari wasije wakanunuliwa. Maana ya kusema hivyo ilikuwa—

**Mr. Abuya Abuya:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Can the hon. Member substantiate his allegation by telling us who are these people buying the new hon. Members of this House?

**Mr. Munyasia:** Kama Mhe. Mbunge angenipatia nafasi ningemweleza. Sababu ya kusema hivyo ni kwamba tangu nilipoingia hapa mwaka wa 1963, mimi nimeona watu wakinunuliwa hapa kwa manoti mekundu kama ile ya "Wamasai".

**Hon. Members:** Na nani!

**Mr. Munyasia:** Na Waheshimiwa Wabunge wengine na hii ndiyo sababu nilisema kwamba—

**Hon. Members:** Oh No! He should substantiate!

**The Temporary Deputy Speaker (Mrs. Onyango):** Order! Bw. Munyasia wewe unafahamu wazi kwamba ukianza kusema maneno kama hayo, ni lazima uwe tayari kuyathibitisha. Pia, ningewaomba Waheshimawa Wabunge wasikilize badala ya kupiga kelele kwa sababu mnapopiga kelele, mengi yanaweza kuwapita bila kuyasikia. Bw. Munyasia, ningetaka uyataje majina ya wale ambao unasema uliwaona wakiwanunua Wabunge wengine kwa sababu hayo ni madai mabaya sana.

**Mr. Munyasia:** Bw. Naibu Spika wa Muda, ningependa kuuliana hivyo, lakini kama aliyefanya hivyo amekufa, mimi nafikiri kwamba itakuwa vibaya sana kumtaja na hivyo inajulikana wazi kabisa.

Bw. Naibu Spika wa Muda, ningetaka kuyaondoa hayo matamshi, lakini—

**The Assistant Minister for Co-operative Development (Mr. Ejore):** On a point of order, Mr. Temporary Deputy Speaker, Sir. Hili ni jambo muhimu sana na tena very serious. Mhe. Mbunge unasema kwamba Waheshimawa Wabunge wengine walikuwa wakinunuliwa hapa na kwamba yeye aliona watu wakipewa noti nyekundu kama ile ya "Wamasai". Sasa yeye ataweza kuuliana Bunge hili ni fulani na fulani ambao walifanya mambo hayo ili mambo yaishe kwa ufupi au ayaondoe matamshi yake?

**The Temporary Deputy Speaker (Mrs. Onyango):** Ni kweli nimemuuliza Mhe. Munyasia ayataje majina ya wale alisema kwamba walinunua wengine. Ingawa yeye alisema hadaye kwamba hangetaka kuuliana hivyo ati kwa sababu Mhe. Mbunge aliyefanya hivyo amekufa, nadhani kwamba hapo mbeleni alisema kwamba Waheshimawa fulani walinunuliwa na sio tu Mhe. Mbunge mmoja. Kwa hivyo, Bw. Munyasia kama huwezi kumtaja yule Mhe. Mbunge ambaye unasema sasa kwamba amekufa, utayaondoa madai hayo na kuomba msamaha kwa Wabunge wote.

**Mr. Munyasia:** Bw. Naibu Spika wa Muda, kwa heshima ya Kiti, na Wabunge wote pamoja na yule ambaye hatuko naye hapa sasa nimeondoa madai hayo na kuomba msamaha kwa Bunge. Nilikuwa nikisema—

**Hon. Members:** Shame! Shame on you!

**Mr. Munyasia:** Hakuna mambo ya shame. Nilikuwa nikisema kwamba Kitabu cha Mungu kinasema kwamba mtawajua kwa vitendo vyao. Kwa hivyo, hata tukisema hapa kwamba huyu ni mtu wa Nyayo na yule si wa Nyayo, tutajulikana kwa vitendo vyetu na sio maneno. Hii ni kwa sababu vitendo vina sauti kuliko maneno matupu.

Nikiendelea, ningetaka kusema hivi: sisi Wabunge 158 ambao tulichaguliwa na wananchi—Mimi nilichaguliwa na watu wa Kikuu West na nilipochaguliwa, sikuambiwa kwamba nikifika hapa Bungeni, nifuate fulani na nikimfuata fulani, I will be voted out. Kwa hivyo, tukiwa hapa sisi sote ni Waheshimawa Wabunge na haki yetu—

**The Temporary Deputy Speaker (Mrs. Onyango):** Wakati walio umekwisha.

**The Minister for Culture and Social Services (Mr. Nyagah):** Bw. Naibu Spika wa Muda, nataka kuchukua nafasi pia kujiunga na Wabunge wenzangu

katika Hoja hii ya kuahirisha Bunge hili kwenda likizoni ya Wabunge. Tukienda likizoni, tutaweza kujiunga na wananchi wenzetu ambao walituchagua na wale ambao hawakutuchagua kwa sababu hawakuwa na haki ya kutuchagua maana walikuwa wetoto, ili kuwahudumie. Isitoshe tutapata nafasi ya kutayarisha mipango ambayo inawafaa watu wetu wote kwa jumla wakati wa likizo hii. Pia, tutadumisha hali inayofaa kwa mwito wa Nyayo, yaani mapenzi, amani na umoja katika nchi hii.

Baada ya kusema hivyo, ningetaka kuwashukuru Wabunge wenzangu pamoja na Mawazini wote ambao tumetungana pamoja katika kuendesha shughuli muhimu katika kipindi hiki cha Bunge ili kuwahudumia watu wetu katika Wizara zote na kwa njia zote. Jambo hili limetuwezeshwa kufika mahali ambapo tumefika kwa wakati huu, mahali ambapo pameifanya taifa letu la Kenya kusifiwa na kuheshimiwa kwa sababu ya jinsi tumavyoendesha mipango ya maendeleo na jinsi tulivyo na amani. Mambo haya hayangepatikana isipokuwa kupoona amani kwa watu wetu. Hata ingawa wanasema hivi au vile, hapa na pale, mwishowe, hakuna mtu yeyote katika Kenya anayependa kuona hali tuliyokuwa nayo katika mwaka wa 1952 mpaka mwaka wa 1960 ikiitokea tena. Huo ni wakati ambapo watu walikuana na watu wakatabika sana mitaani na mashambani na huo ukawa kama mwongozo wa kutuzia tusifanye mambo kama hayo tena.

Basi, tukienda likizoni hii, natumaini kwamba yale ambayo tumejitunza katika Kipindi hiki na ambayo hayafai kwa mifano, mambo ya kushambuliana sisi wenyewe au ya kutoa porojo, yangepaa kukomeshwa kabisa ili tukifika mwaka kesho, Januari au Februari, tuwe na mtindo mpya wa kufanya kazi kwa niaba ya wananchi wa Jamhuri hii ya wananchi na Serikali ya Nyayo.

Bw. Naibu Spika wa Muda, kutafuta njia za short-cuts au njia za kufupisha mwenendo, kunaweza kutuletea taabu kubwa sana. Hili ni jambo ambalo limetajwa hapo mbeleni tulipokuwa tukipigania Uhuru wetu na mmoja wa Wabunge wakati huo. Mtukufu Rais alisema na akaomba kwamba sikur moja hatutakuwa katika hali ya kusikitika kwa sababu ya maneno ambayo yalitoka katika midomo yetu au kwa vitendo vyetu ambavyo ni kinyume cha haki na uhuru wa ndani. Nina hakika kwamba tumefika kiwango cha kuzuia mambo hayo yasiye yakatokea ili tuweze kuendesha Kenya. Tukiya-fuata maneno ya Mtukufu Rais wetu mpendwa juu ya jinsi tumavyostahili kukaa sisi wenyewe kwa wenyewe, wakubwa kwa wadogo, Wabunge kwa Wabunge, na raia kwa raia, tutaweza kujenga nchi ambayo itakuwa mifano mwema katika Africa na dunia nzima kwa jumla.

Nikiimaliza, ningetaka kusema kwamba Mungu aipatie Kenya maisha marefu na pia chama cha Kanu na Rais wetu hivyo hivyo ili Kenya izididi kudumu.

Ahsante sana.

**Mr. Lalampaa:** Ahsante sana, Bw. Naibu Spika wa Muda, kwa kunipatia nafasi hii ili niweze kusema mchache juu ya Hoja hii. Ningetaka kuchukua nafasi hii kutoa shukrani kwa Mtukufu Rais kwa kuingoza nchi hii barabara.

**Mr. Abuya Abuya:** On a point of order, Mr. Temporary Deputy Speaker. When hon. Lalampaa caught your eye, was it in order for hon. Mbarire to continue standing?

**The Temporary Deputy Speaker (Mrs. Onyango):** No it was out of order. Continue, Mr. Lalampaa.

**Mr. Lalampaa:** Bw. Naibu Spika wa Muda, ahsante sana. Nilikuwa nikisema kwamba ningependa kuchukua nafasi hii kutoa shukurani na pongezi kwa Mtukufu Rais kwa kuiongoza Kenya vizuri tangu aliposhukiliwa usukani. Kama sisi wiongozi tunataka kuendeleza nchi hii sawa-sawa kama vile Mtukufu Rais anatuliongoza, ingefaa tufuate mwenendo na mfano wa Mtukufu Rais ambaye amejipatia hesima katika Kenya, katika Africa na ulimwengu kwa jumla. Wakati Mtukufu Rais alichukua uongozi hakufanya hivyo kwa nguvu na ikiwa sisi wiongozi wengine tunataka kufaulu mi lazima tuwe na miongozi yake na tufuate mwenendo wake ili sisi pia tufanikiwe kama alivyofanikiwa. Nchi hii inaendelea vizuri kwa wakati huu na ninashangaa wiongozi wengine katika nchi hii wanatafuta nini. Nchi ya Kenya inaendelea kukua kwa amani, mapenzi na umoja ambazo zinabubiniwa na Mtukufu Rais na sijui tunataka Kenya ya aina gani ikiwa itabitaki marbo kama haya. Tunajua kuwa hakuna mgawanyiko kwa wananchi wa kawaida; ni wiongozi peke yao ndio wanabusika. Ningependa wiongozi kusichukua nafasi ya wananchi waliotuchagua na kutupa nafasi nzuri kujia hapa kuwatatiza kwa vile hii haitakuwa haki na tutakuwa tumewakosea. Ni wajibu wetu sote kuhakikisha kwamba kuna amani na upendo kulingana na mwenendo na msemu wa Mtukufu Rais.

Bw. Naibu Spika wa Muda, nikiya upande wa maendeleo, ningeisihhi Wizara ya Maji kuwapatia wananchi maji kabla ya ule mwaka wa 2009 waliotaja hapo awali. Kuna sehemu nyingi kavu katika nchi hii na ningeoriba Wizara ya Maji kuwapatia wananchi wa sehemu hizo maji. Wananchi wakipatiwa maji basi hata chakula kitapatikana cha kutosha kwa sababu hata mvua ukinyesha au isinyeshe utaweza kulima kwa vile utanyunyizia maji mashamba yako na kupata mazao ya kutosheleza mahitaji ya nchi hii na pengine kupata mazao ya kupeleka nje. Akiba yetu ya pesa za kigeni itakuwa katika hatari kama tutaeendelea kutumia pesa hizo kununua mafuta na chakula pia. Njia moja ya kumaliza tatizo la ukosefu wa chakula ni kuwapatia maji wananchi ndipo walime chakula cha kutosheleza mahitaji yao.

Bw. Naibu Spika wa Muda, ninafuraha kuwa Mhe. Waziri wa Ustawi wa Mifugo yuko hapa na ningemuomba aangalie wananchi ambao ni wafugaji wa ng'ombe hasa wale wanaofuga ng'ombe wa kienyeji. Kwa wakati huu ipaonekana kwamba habari za ng'ombe wa gredi zinaangaliwa vizuri na Wizara lakini ningependa kusema kwamba hata wale ng'ombe wa kawaida wanahitaji kuangaliwa. Nasema hivi kwa sababu ng'ombe wa gredi hupatiwa sindano ya kuzua ugonjwa wa midomo na miguu lakini wale ng'ombe wa kienyeji walio sehemu ya Samburu hawajapata sindano hiyo. Wananchi wa sehemu hiyo wanaendelea kupata matatizo kwa vile kila mara kuna quarantine katika wilaya hiyo. Pia, tungetaka kuwe na minada ya ng'ombe kila wakati na Wizara iangalie bei ya ng'ombe. Mpaka sasa katika

sehemu ninayowakilisha, Baringo na Marsabit wa sehemu nyingine katika Mkoa wa Kaskazini-Mashariki bei ya kilo moja ya ng'ombe aliye mzima ni K.Sh. 3.15. Hata kuku hawezi kununuliwa hivyo. Bei ya ng'ombe ni lazima iongezwe.

Pia, ningependa kuzungumza juu ya Kenya Meat Commission. Ni jambo la kusikitisha kuona kwamba vituo vya Serikali vingi hununua nyama mahali tofauti na Kenya Meat Commission kwa vile Kenya Meat Commission ni halmashauri ya Serikali, vituo vyote vya Serikali katika nchi hii vingenuua nyama kutoka kwa Kenya Meat Commission.

Kwa haya machache. Bw. Naibu Spika wa Muda, naunga mkono.

**The Assistant Minister for Urban Development and Housing (Mr. Tuva):** Ahsante sana, Bw. Naibu Spika wa Muda. Kama vile Waheshimiwa Wabunge wanavyosema ninekuja sasa hivi, lakini kwa bahati nzuri nimeshika macho yako.

Kwanza, ningependa kutoa pongezi kwa Mtukufu Rais kwa kuweza kuendesha mambo ya bara hili la Afrika kutoka alipokuwa mwenyekiti wa Umoja wa Nchi Huru za Afrika mpaka sasa kwa njia nzuri sana. Miongozi wa Mtukufu Rais yanasifiwa katika nchi mbalimbali za Afrika. Hivi majuzi tulikuwa huko nje na tukasikia sifa ambazo Rais wetu anazipata. Wakati Mtukufu Rais alikuwa anachukua uenyekiti wa Umoja wa Nchi Huru za Afrika, sisi wiongozi hapa tulihidi kwamba tutamsaidia kwa kuacha kuteta kati yetu sisi wenyewe kusudi akili yake yote iwe juu ya kutatua matatizo mbalimbali ya Bara hili. Lakini baada ya Mtukufu Rais kuchukua uongozi huo ambao sote tunajivunia, naona kwamba wiongozi wengine wanaanza kuchimbana hukio na huku mpaka nchi nzima ina wasi wasi hivi sasa juu ya siasa za nchi hii ya Kenya. Hapokuwa mimi ni mtu mdogo, mimi ni mwenyekiti wa Kanu katika wilaya na ninafikiri nina haki ya kutoa mawaidha kidogo katika nchi hii. Ningependa tumaache Mtukufu Rais sendeshe mambo ya Afrika na sisi tukazene kujenga nchi yetu kwa nguvu zetu zote. Haya yanaweza kufanyika tu ikiwa sisi tutaacha hii tabia ya kichawi ya kutafuta ni nani ambaye ni mzuri na nani mbaya. Tabia hii ya kichawi mara nyingi tulifikiria kwamba labda wale ambao hawakuendelea sana ndio wanaipenda lakini ajabu ni kwamba watu ambao wanaheshimiwa sana katika nchi hii ndio sasa wanachukua kazi hii ya kuwaudhi na kuwachokoza watu wengine wanaopenda amani katika nchi hii. Wiongozi kama hao sidhani kama wanaweza kujivuna kwamba wanataka maongozi ya Nyayo.

Bw. Naibu Spika wa Muda, ningependa kueleza vile vile kwamba mwaka jana Bunge hili lilijadiliana juu ya Sessional Paper No. 4 ya Economic Policies and Prospects. Pia, si kitambo sana na nafikiri ni jambo la ambapo tulimaliza kujadiliana juu ya National Food Policy. Sessional Paper hizi zote zinataka kuveka Kenya katika njia ambayo itaweza kujitegemea yenyewe katika mambo ya uchumi na mambo ya chakula. Tumechoka kuagiza chakula kutoka ng'ombe na tumechoka kuomba misaada kutoka ng'ombe ya maendeleo na vile vile ya chakula. Kwa hivyo, ningependa wale ambao wanabusika na utekelezaji wa mambo haya yanayohusika na

**[The Assistant Minister for Urban Development and Housing]**

maendeleo ya nchi hii wafanye kazi hiyo na mioyo yao yote kwa sababu wakati wa utekelezaji wa mambo mazuri yanayopendekezwa katika Sessional Papers hizi utaona kwamba watu wanasahau maongozi yaliyotolewa. Kwa hivyo, ningependa tusitumie Sessional Papers hizi tu kutuwezeshwa kwenda kuomba pesa ng'ambo kuja kutengeneza mambo yetu hapa. Ningependa hizi Sessional Papers mbili za maana sana ambazo tumezijiadili na ambazo tunaweza kuzitaja siku yoyote tunapozungumza na wageni. zisitumiwe tu kuweza kuomba pesa za kuja kutengeneza mambo yetu.

Jambo ambao ningependa kueleza kuambatana na makaratasi haya ni jambo ambalo nchi zinazoendelea za African, Caribbean and Pacific zinapigania sana. Nchi hizi zinapigania sana bei ya mazao yetu na tunalalamika kwamba bei ya mazao yetu iko chini katika soko la dunia na vile vitu tunavyonunua kutoka kwa nchi hizi ni ghali. Ningependa Serikali ijiingize katika mambo haya kwa sababu kuna mazao mengine tunayopelika ng'ambo lakini tunapata bei duni kabisa na sijui ni akina nani wanaohusika na kupanga bei hizi. Baadaye sisi nchi za African, Caribbean and Pacific tunaziomba zile nchi zinazonunua mazao haya zitupatie pesa za msaada. Nafikiri msaada huu huitwa Stabex. Kwa hivyo, utaona ni wajibu wetu sisi wenyewe kuona mazao yetu yanapata bei ya juu ili kulipia jasho la watu linalotoka katika mashamba. Ningependa kueleza kwamba—

**An hon. Member:** Korosho!

**The Assistant Minister for Urban Development and Housing (Mr. Tuva):** Ndiyo, korosho na mazao mengine kama hayo.

Bw. Naibu Spika wa Muda, ningependa kueleza kwamba hivi sasa nchi ya Zambia imeweza kuweka usimamizi wa mazao juu ya watu wenyewe, yaani wakulima.

Kwa hayo machache, Bw. Naibu Spika wa Muda, naunga mkono.

**The Temporary Deputy Speaker (Mrs. Onyango):** Mr. Wacira.

**An hon. Member:** Si yeye amekuja saa hii!

**Mr. Wacira:** Nakushukuru sana, Bw. Naibu Spika wa Muda, kwa sababu nilikuwa nikifikiri mimi ni mfupi lakini—

**The Assistant Minister for Tourism (Mr. Mwithaga):** On a point of order, Mr. Temporary Deputy Speaker, Sir.

**The Temporary Deputy Speaker (Mrs. Onyango):** There is a point of order, Mr. Wacira.

**The Assistant Minister for Tourism (Mr. Mwithaga):** Mr. Temporary Deputy Speaker, Sir, in view of the fact that this Recess is going to be a long one because the House will be adjourned *sine die*, and we shall have to go over the year, is it not really justified that we have a little bit more time, say, half an hour extra, to be able to have more Members to participate in the Adjournment Motion?

**The Temporary Deputy Speaker (Mrs. Onyango):** Well, the answer rests with the House; so I will put the question.

*(Question put and agreed to)*

**Mr. Wacira:** Bw. Naibu Spika wa Muda, nafikiri wakati wangu umechukuliwa na sijui kama nitaongezwa wakati kidogo.

Kwanza, nitaanza kwa kumshukuru Mtukufu Rais kwa yote yote aliyoyafanyia nchi hii. Hasa, ni lazima niseme Mtukufu Rais alipokuwa kule Nyandarua na Nakuru alisema mambo ambayo yaliiletea nchi hii utulivu tulio nao sasa. Hii ni kwa sababu Mtukufu Rais anawajua Wakenya kushinda mtu mwingine yeyote, na alisema watu 16 milioni wa nchi hii ni watu wa "Nyayo", na huo ni ukweli. Basi, nadhani wale ambao walikuwa wanafuata utetezi wa kuwaangalia maadui wao na kusema kuwa wao si watu wa "Nyayo" ni heri wakome kufanya hivyo kwa sababu Rais mwenyewe anajua watu wake ni wake kwa namna gani.

Bw. Naibu Spika wa Muda, sisi wengine tumekuwa victims of circumstances za aina hii. Ikiwa mtu hakupendi, anaenda kukusengenya huku na kule na kusema wewe si mfuasi wa "Nyayo". Ningetaka kusema wazi kuwa mimi ni mtu wa "Nyayo" kamili, na wale ambao walikuwa wakitaka kuniharibia jina na kunisengenya-sengenya ni heri wakome kwa vile Mtukufu Rais mwenyewe anajua mambo yalivyo.

**An hon. Member:** Wapotelee mbali!

**Mr. Wacira:** Bw. Naibu Spika wa Muda, nasema hayo kwa sababu wakati Mtukufu Rais alipokuwa katika Bunge hili juzi, alisema kazi wa wengine ni kuwachungulia wengine na wakiamka kidogo wanawapiga. Je, huo ni mundo gani? Najua watu wote katika Kenya zinama wanajua ni viongozi gani wanaowataka. Kazi yetu sisi viongozi ni kuwapa wananchi matunda, na si kuwapatia damu. Ukichungulia sana, utaona wale wanaojifanya wako karibu sana—Ningetaka kuwambia watu hao kwamba wakati mmoja, "treasurer" wa Mungu aliangaliwa na kuonekana yeye ndiye aliyekuwa mbaya kushinda wengine wote, naye alitupwa mbali. Kwa hivyo, ingefaa wengine wachungulie vizuri wasije wakateremshwa kwenye ule moto mkali kwa sababu ya unafiki.

*(Laughter)*

Bw. Naibu Spika wa Muda, nchi yetu tukufu imepata bahati kubwa sana. Ni jana tu ambapo Mtukufu Rais alikwenda kufungua Masinga Dam, na alisema ekari 100,000 zitanyunyiziwa maji ili tupate chakula. Nili-shukuru sana juu ya jambo hilo kwa sababu maji mengi sana yanakwenda katika Bahari ya Hindi, na hakuna mtu anayeyatumia. Kwa hivyo, wakati umefika ambapo Wizara ya Kilimo ingefaa kuanzisha mipango mingi, hata ikiwa ni mipango midogo midogo, ili tusije tukanunua vyakula kutoka nchi za ng'ambo.

Bw. Naibu Spika wa Muda, nikigusia juu ya kahawa, ni lazima niseme zao hili limekuwa likiiletea nchi hii fedha za kigeni ambazo tunazihitaji sana kwa maendeleo yetu hapa. Ni lazima mkulima aangaliwe vizuri ili asiye akanyanyaswa mpaka mwishowe awe hawezi kuli-mia au kupalilia kahawa. Ninasema hivyo kwa sababu, ukichungulia vizuri, utaona kwamba mkulima wa kahawa anakatwa pesa kuanzia katika primary societies, kupitia kwa unions; county councils; Kenya Planters Co-operative Union na kwingineko. Nadhani ni lazima

[**Mr. Wacira**]

jasho la mkulima lilipiwe kwa njia ya kuondoa wale watu wa katikati ambao wamefanya "mrija" kuwa mrefu sana. Ni lazima "mrija" huo ukatwe ili mwenye kahawa naye apate matunda kwa sababu hili ni jasho lake na ni haki yake.

**Mr. Wamwere:** Operation "kupe"!

**Mr. Wacira:** Ninaambiwa eti inaitwa operation "kupe", lakini ni lazima huyo "kupe" tumnyunyizie dawa ili aondoke, na mwananchi mtukufu apate faida ya jusho lake.

Bw. Naibu Spika wa Muda, mwisho ningependa kuongea juu ya co-operative movements. Hakuna ubaya katika co-operatives, na ninamshukuru Waziri wa Ustawi wa Vyama vya Shirika. Kile kilichoko ni kwamba, wengi wa watu ambao hawako katika co-operative movements wanaona wivu na wameanza kuchochea na kujaribu kuharibu co-operatives.

*(Hon. Members stood in their places)*

Kwa hayo machache, Bw. Naibu Spika wa Muda, naunga mkono.

**Mr. Wamwere:** Ameunga mkono! Ameunga mkono!

**Mr. Wacira:** Bw. Spika wa Muda, milioni Waheshimiwa Wabunge wengi wamesimama na nikafikiria kuwa wakati wangu ulikuwa umekwisha, lakini naona bado nina dakika chache. Ni lazima Mhe. Wamwere anisikilize vizuri.

Nilikuwa nikisema kwamba, co-operative movements ni—Kaeni chini!

**The Temporary Deputy Speaker** (Mrs. Onyango): Order! Order! Let us hear hon. Ddaiddo.

**Mr. Ddaiddo:** Thank you very much, Mr. Temporary Deputy Speaker, Sir. What I would like to say is that the good jobs that are done by His Excellency the President are so many that we cannot count them. If we, hon. Members of Parliament; Assistant Ministers and Ministers, could read and understand the mind of His Excellency the President, or learn and understand what he speaks and does, then we would be doing justice to this country and the people at large.

Mr. Temporary Deputy Speaker, Sir, to me, the Ministers have done a good job. Very many things have been done this year; nearly every Minister has tried his best to do a lot towards the development of this country, and I cannot pin-point every one of those who have done a good job. However, I have just a few as examples. I would like to touch on the question of agriculture. I am sure that the Minister for Agriculture is doing his best because he is actually trying to heed and do what the whole country would like to do in order to produce enough food. In my constituency, allow me to take it as an example, there are the small irrigation schemes. The schemes have started very well and I am sure that if the civil servants concerned could use more time on them, a lot of food could be produced there and feed the country.

Mr. Temporary Deputy Speaker, Sir, as far as education is concerned, both Ministers for Higher and Basic Education must be congratulated because they have done a lot. They had time to increase schools

and expand colleges; they have had time even to modify the education system in Kenya and, therefore, we must thank them.

Mr. Temporary Deputy Speaker, Sir, I would also like to thank the Minister for Transport and Communications for trying all that he can to make sure that there are telephone services in nearly every place. You will find that roads have been maintained. I sometimes thought that my own constituency was forgotten but I am happy to see that the roads have been graded and things are good now. So, the Minister must be congratulated for his work.

Mr. Temporary Deputy Speaker, Sir, I also wish to thank the Minister for Livestock Development who has tried his best to see that he improves the standard of livestock in this country. He is also trying his best to see to it that he even increases the number of livestock in Kenya so that Kenya becomes an exporter of meat. I am sure that as far as this is concerned, he should be thanked too, though he should also try to make sure that meat inspectors do work on Saturdays and Sundays.

Let me come to the Ministry of Co-operative Development. This Ministry should try to pull up its socks. This Ministry should try its best. However, the Ministry is doing some work because we have seen some changes. We have seen the new Commissioner of Co-operatives and I am sure that this man will support the Government in pulling out the dead wood in the co-operatives, so that things work faster and better for the benefit of the shareholders in the co-operative societies.

Mr. Temporary Deputy Speaker, Sir, allow me also to thank the Minister for Environment and Natural Resources, who is also trying his best to see to it that the Ministry does its work well. However, I must complain here and "cry" and appeal to the Minister to try his best to help us—

With those few remarks, I beg to support.

**Mr. Mwidau:** Ahsante sana, Bw. Naibu Spika wa Muda, kwa kunipa nafasi hii ili nizungumze hapa. Hata hivyo, mimi nitazungumza ile lugha ambayo itafahamika katika Bunge hili leo. Nataka kuzungumza ile lugha ambayo itafahamika sana katika Bunge hili. Ni matumaini yangu, na ninaamini sana kwamba, watu wote katika Bunge hili wana dini. Ninaamini kwamba kila Mhe. Mbunge ana dini kwa sababu tuli-poingia katika Bunge hili baada ya kuchaguliwa, kila Mbunge aliapishwa hapo mbele ya Bw. Spika kufuatana na dini.

Bw. Naibu Spika wa Muda, ukifungua Biblia katika Waraka wa Kwanza wa Mtume Paulo aliowaandikia Wakorintho— Ukiangalia mlango wa 13 wa Waraka wa Kwanza wa Mtume Paulo kwa Wakorintho, utaona kwamba Mtume Paulo anazungumza juu ya upendo katika mlango huo wa 13. Kwa hivyo, kwa vile wengi wetu wanafahamu lugha hiyo, ningewaomba wachukue Biblia na kusoma mlango huo wa 13 wa Waraka wa Kwanza wa Mtume Paulo aliowaandikia Wakorintho.

**The Assistant Minister for Livestock Development** (Mr. Shikuku): Wakumbushe!

**Mr. Mwidau:** Bw. Naibu Spika wa Muda, nafikiri rafiki yangu, Mhe. Shikuku, anaelewa sana kwa sababu alisoma sana masomo ya dini, lakini—

**Hon. Members:** Amesahau!

**Mr. Mwidau:** Mtume Paulo alisema, "Hata Mungu alinipa uwezo wa kuweza kuyasikia maneno ya malaika; na unipe uwezo hata wa kuweza kuuchukua mlima ule na kuuweka mahali pengine, ikiwa sina upendo, basi mimi ni kama upatu unaofanya makelele".

(Applause)

Kitu cha maana sana ni upendo. Usimshutumu mwenzako kabla hujajichunguza wewe mwenyewe kama jinsi unavyoichunguza motokaa yako unapoiendesha.

**Mr. Khasakhala:** Hear! Hear!

**Mr. Mwidau:** Bw. Naibu Spika wa Muda, wakati umefika kwamba ukweli ni lazima uwe na thamani yake wenyewe. Ni lazima ukweli huo ujitegemee wenyewe; usiwe ukweli unaotegemea ni mtu gani anayesema. Ikiwa ukweli hautachukuliwa kwa thamani yake, ukweli una tabia mbaya sana. Hiyo ni kwa sababu kama Mhe. Shikuku anavyosema kila siku, ukweli ni Mungu.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** Hear! Hear!

**Mr. Mwidau:** Ukweli ni Mungu. Utaona hata katika vitabu vyetu vya dini kuwa hata Nabii Yusufu alisingiziwa na ndugu zake. Ni lazima tufahamu kuwa tunayoyazungumza kila siku ni mambo yaliyotokea miaka mingi sana, na kwa hivyo, ni lazima tuyachunguze. Na mambo yaliyotokea miaka mingi hiyo, mwisho wake ulikuwa na nini?

Bw. Naibu Spika wa Muda, ni kiendelea, nawa-shukuru sana maofisa wa usimamizi wa Mkoa wa Pwani. Tumepata ushirikiano mzuri sana kutoka kwao, na ndio ukasikia kuwa Mkoa wa Pwani uko kimya sana. Vile vile, ninawashukuru maofisa wa polisi kwa sababu wameweka amani sana huko pwani. Maofisa wote wa polisi upande wa pwani wametuwezesha kuwa na amani.

Vile vile, ningependa kuwashukuru wafanyakazi wa reli sana kwa kazi ngumu waliofanya wakati wa kutuletea nafaka; yaani yale mahindi na ngano, na walifanya kazi usiku na mchana bila kuchoka.

**An hon. Member:** Mahindi hayo yako wapi?

**Mr. Mwidau:** Bw. Naibu Spika wa Muda, pia ninawashukuru watu wa Kenya Ports Authority. Juzi walikuwa karibu kuyapoteza maisha yao kwa sababu ya kazi ya kuuzima moto uliotokea kwenye meli iliyo-teketea. Vile vile ninawashukuru sana kazi inayofanywa na Manispaa ya Mombasa; ni kazi nzuri sana.

**The Minister for Local Government (Mr. ole Oloitipitip):** You are right!

**Mr. Mwidau:** Kwa hivyo, Bw. Waziri unayehusika na mambo hayo, vile vile ninawashukuru zaidi.

Bw. Naibu Spika wa Muda, katika mawakilisho yangu, watu wengi walioko huko ni Waislamu, lakini

hapa leo ninashukuru sana Wamishonari na hasa wa kanisa la Baptist. Hawa wamefika buko na kutusaidia katika Harambee zetu, na sasa wametuwezesha kujenga Likoni Harambee Secondary School. Kwa hivyo, mimi kwanza kama Mwislamu, tena ninawashukuru Wamishonari wa kanisa la Baptist. Ahsante sana, Bw. Naibu Spika wa Muda.

**The Assistant Minister for Local Government (Mr. Gumo):** Ahsante sana, Bw. Naibu Spika wa Muda, kwa kunipatia nafasi hii ili nami niseme machache. Kwanza, ningependa kutoa shukrani kwa Mtukufu Rais kwa kazi yote ambayo amefanya kwa miaka hii yote, kututafutia chakula na mambo mengine mengi. Hapo majuzi, sisi sote tulikuwa tukilialia hapa kuwa hakuna chakula. Sasa kuna chakula na pia, Mungu ametusaidia mwaka huu kwa kuwa tumepata mvua ya kutosha—

**The Minister for Local Government (Mr. ole Oloitipitip):** Hatuna mvua sisi kwetu!

**The Assistant Minister for Local Government (Mr. Gumo):** Tumepata mvua ya kutosha na tumepata mahindi ya kutosha. Kwa hivyo, mwaka ujao, itaonekana kuwa hakutakuwa na njaa tena, na ni lazima tuyatunze haya mahindi.

Bw. Naibu Spika wa Muda, ni jambo moja tu ambalo nalikuwa ninataka kusema, nikiwa ninawakilisha mawakilisho ambako hutoka mahindi kwa wingi. Wana-nchi wa Trans Nzoia wamefanya kazi ya ajabu mwaka huu. Wamepanda mahindi ya kutosha na mazao yamekuwa mengi, na pengine huenda tukapata magunia 4 milioni au 5 milioni. Lakini, wakulima wa sehemu hiyo wameanza kusumbuliwa tena. Sasa mambo kama yale yaliyokuweco zamani yameanzishwa tena. Hivi majuzi tulikuwa tukilia kuwa hatuna mahindi, na sasa ukipeleka mahindi yako kwa National Cereals and Produce Board, unaambiwa kuwa mahindi yako ni mabichi; wanakufukuza au inakubidi ulipe Sh. 15 kwa gunia moja la mahindi, eti ni gharama ya kuyakusha mahindi hayo. Sasa mkulima atapata nini ndani yake? Sasa bei ya gunia ni Sh. 95 na tunafia na kuuliza kama bei inaweza kuwekwa juu. Huko tena wanatoza Sh. 15 kwa gunia za kukausha. Sasa mkulima atapata nini ndani yake? Bei ya mafuta imekwenda juu na bei ya kila kitu imeenda juu na tena wanatoza Sh. 15 za kukausha gunia moja la mahindi. Sasa mkulima anarudi na Sh. 80 tu. Hizi 80 hazitoshi. Kwa hivyo, ningetaka kuwauliza wale watu wa National Cereals and Produce Board wakiwa chini ya Ofisi ya Mtukufu Rais waangalie mambo hayo. Mwaka jana tulikuwa tuna-tipa Sh. 5 kwa kukausha gunia moja la mahindi, lakini sasa imekuwa Sh. 15 ambazo ni nyingi zaidi.

Mambo hayo yasipobadilishwa kwa haraka sisi tu-kiwa mpakani, pengine wengine huenda wakachoka na huenda haya mahindi yakapata njia ya kuingia kule kwingine na hii itatuletea balaa tena. Ni lazima tuangalie mambo hayo sawasawa. Kuna smugglers ambao wanajua kuangalia mabali ambako polisi wanapatia. Kwa hivyo, ningetaka kuiomba National Cereals and Produce Board urudishe chini bei ya kukausha mahindi ili kiwango cha juu zaidi kiwe Sh. 5 halafu mambo yawe sawasawa.



**[The Assistant Minister for Local Government]**

Yale mambo mengine ambayo wengine wali-kuwa wakisema hapa kwamba kuna groupings, yametuchokesha. Hata wafanyakazi wa Serikali siku hizi wanauliza mkuu wa wilaya yuko group gani. Hata wakuu wa wilaya wameshindwa na kufanya kazi yao kwa sababu ya groupings. Ukimwita mgeni mheshi-miwa kwako, hata mkuu wa wilaya wakati mwingine anaogopa kwa sababu anafikiria kama huyo pengine si mtu wa Nyayo na pengine akija huko, atakuja kufutwa kazi. Sasa mambo yamekuwa magumu. Hata sisi Wabunge tukitaka kumwalika Mhe. Onamu, wengine wanasema, "A, Onamu huyo si mtu wa Nyayo" au "Pengine mtu wa Nyayo mi huyu". Sasa mambo yamekuwa magumu.

Pengine mambo hayo yametokana na pesa kama vile Mhe. Munyasia alivyosema. Hii ni kwa sababu pengine Harambee ndiyo inaleta taabu hizi. Kwa hivyo, ni lazima tuyaangalie mambo hayo. Mtukufu Rais anasema hivyo, na kesho wengine wanasema mengine. Pia anajaribu kunyorosha mambo lakini wengine wanajaribu. Sasa tumeshindwa na hayo mambo. Wale ambao wanafuata Nyayo kama sisi, hatujui tuko katika group gani. Sisi tunamfuata Mtukufu Rais tu. Kuhusu wale wengine ambao wanazunguka zunguka kwa groups, hayo ni mambo yao au shauri yao. Wananchi wanajua wako katika group gani. Kazi yetu sisi ni kufuata Nyayo za Mtukufu Rais. Hiyo tu. Kuhusu wale ambao wazafuta nja nyingine, hayo ni shauri yao.

**An hon. Member:** Maliza!

**The Assistant Minister for Local Government** (Mr. Gumo): Saa zangu bado.

Kwa hayo machache, naomba kuunga mkoni. Ahsante.

**The Assistant Minister for Tourism** (Mr. Mwithaga): Mr. Temporary Deputy Speaker, Sir, I would like to say very few words in the few minutes that I have.

Since we are going to the country-side, we should now speak a little bit more frankly and in the real truth. I would like to say that politics, and being politics, politicians know their game. Because they know their game, they realize and accept clearly that there is very little equilibrium in politics.

Mr. Temporary Deputy Speaker, Sir, I say this because we have been told of all types of groups in this House and outside the country. There has been a lot written in the Press; there has been a lot said by each individual who wants to state his own stand.

I would like to say this, Mr. Temporary Deputy Speaker, Sir, that some of those people who fought for freedom—and I am one of them if hon. Kuguru does not know—I lost five years of my youth during the colonial days in jail and in detention and, therefore, he must know that when we speak here it is because we know the origin of our politics!

**Hon. Members:** Tell him; teach him!

**The Assistant Minister for Tourism** (Mr. Mwithaga): The origin of our politics was first of all to liberate this country, with the advent of independence unite our people into one—working force—which happened

—and continue to run this country in total unity so that the children of our children may inherit that unity and stability.

*(Applause)*

Mr. Temporary Deputy Speaker, Sir, some of us are fathers of children and, as I said here yesterday, I am a father of seven!

**An hon. Member:** Seven only? Very few indeed!

**The Assistant Minister for Tourism** (Mr. Mwithaga): Therefore, my interest is to the future of those seven children and their children, and so all my interests are in Kenya.

Mr. Temporary Deputy Speaker, Sir, we have one President, one Constitution and all the authority of this Republic as per our Constitution is vested in the President and nobody else. Therefore because it is so vested in the President then we are all equal; and because we are all equal as citizens of the Republic and hon. Members of Parliament, it is cheap politics to attempt to use clandestine politics of ganging up. Clandestine politics is hypocritical and criminal; its motives are criminal! Every clandestine politics, if it is not struggle for freedom, say, in a colonial country, but in a free country, it is criminal politics.

*(Applause)*

I say this, Mr. Temporary Deputy Speaker, Sir, because we have to be open with each other and we have to play our politics openly because we are all serving one Republic. Therefore, I will say that some people have tried even to tempt Nakuru into new political order. We have clashed with them and I want to say here publicly that if any member of the Government, be he a Minister or a public servant of whatever order, who will want to re-introduce Kihika Kimani in Nakuru politics, he is also digging up his political grave.

*(Applause)*

Mr. Temporary Deputy Speaker, Sir, I am saying this on behalf of Nakuru District. There are some people in this country who think that they are more politically intelligent than others. I want to say this: that same fellow was used by some other people in the previous regime to create problems in this country. Some people have taken upon themselves the duty of "cleaning" him up and they are now presenting him again to the people as their agent. That is politics of turn-coats and those politicians are turn-coats too!

*(Applause)*

**Mr. Wamwere:** Well spoken!

**The Assistant Minister for Tourism** (Mr. Mwithaga): I beg to support.

**Mr. Hassan:** Thank you very much, Mr. Temporary Deputy Speaker, for giving me this opportunity to join my friends in contributing to this Motion of Adjournment.

Mr. Temporary Deputy Speaker, much has been said by leaders in this country, particularly in this Parliament, that elected leaders—

**Mr. Abuya Abuya:** On a point of order. Would you not agree with me, Mr. Temporary Deputy Speaker, that there is too much noise in the House?

**The Temporary Deputy Speaker (Mrs. Onyango):** Yes, there is a lot of noise in the House, and therefore, I would request all Members to listen to what the hon. Member who is speaking is saying because we only have a few minutes left.

**Mr. Hassan:** Thank you, Mr. Temporary Deputy Speaker. I was saying that much has been said by the leaders in this country, particularly those who are in this Parliament, that the elected leaders in this country should be given a chance, or their rightful place, in order to lead properly.

Mr. Temporary Deputy Speaker, what is happening is that the workers who are charged with the duty of implementing what this House has debated on and passed have all of a sudden taken overall the leadership. The elected leaders in this country have a little role to play. What happens is that we, the elected leaders, or Members of Parliament, do not know whether we are the representatives of our people, because what we say in this Parliament is rarely implemented, in that it is just passed as a written document but it is never implemented. When we go to the Government offices to discuss certain matters on behalf of the people we represent, whatever we discuss is just dismissed as *siosa* by those concerned. Now, we are wondering whether this country is being led by the civil servants or by the elected leaders.

Mr. Temporary Deputy Speaker, although Members of Parliament have M.P. plates on their cars, I would like to say that they are actually losing their value. You are actually incriminated because of having that M.P. plate in front and behind your vehicle. Wherever you pass with your car bearing that M.P. plate, you find police harassing you, or stopping your vehicle and telling you to stand on the side of the road, and if you explain to them that you are in a hurry going somewhere on an urgent matter, you hear a police man without any rank asking you "Wanesiasa wangapi ambao tumeona", which is very embarrassing. Even if we complain to their senior officers, nothing is done. So, sometimes we suspect that they may be discrediting us whereas we are the elected leaders and representatives of the people of this country. I would, therefore, like to request those who are in charge of the police, or the Administration Police, or whatever those people with the guns are, to talk to them so that they can have a better approach when dealing with the leaders or the representatives of the people of this country.

Mr. Temporary Deputy Speaker, it appears that all the evils which are done in our area are just dismissed because of security, and this is actually doing more harm than good to the people in that area. I am saying this because anything evil can be done in that place and it is just dismissed on security ground, which is very bad. It appears that whatever contribution we make in this House is no better than a written work which is just put on a shelf and forgotten about. Therefore, I would like to request the Government to see that something is done about these issues. Let everybody

be given his rightful chance to play his role in this country, and let leaders be protected.

Mr. Temporary Deputy Speaker, when we are talking about food policy, I am wondering whether we are talking about maize, beans, rice and other food crops which are planted on the ground and then they shoot up and after a number of months they become ready and you start eating them, or whether the lives of animals are also included in this. If this is included, then the lives of animals also need protection. We would like the lives of animals in the North-Eastern Province to be protected.

I beg the support.

**Mr. Abuya Abuya:** Mr. Temporary Deputy Speaker, Sir, I would like to make a few remarks on this Motion on Adjournment of the House. I would like to begin my speech by criticizing this House. We have had an occasion when the Bills have been brought into this House and then rushed through. I would like all hon. Members of this House to realize that the interest of this country rests in this House as a supreme body that makes the laws that govern this country. We must cherish and make sure that there should be that power to enact the laws. We have committees of this House which have remained dormant. I would like to urge that these committees be revived and be involved in the matters that go along with the making of the laws in this country and the welfare of the hon. Members in this House.

Mr. Temporary Deputy Speaker, I would also like to say that it is going to be very sad if we are going to give room for this House to lose its fame. This House is not taken seriously because the laws that we pass here are thrown, or left in the shelves. I would like to say that the day when our people will lose confidence in this House, would be the day for the doom of this country. Recently—and I hope this is not going to be repeated—hon. Members of this House and who were elected by the people through the democratic process, which we have accepted, were harassed. We were harassed. I would like to point out that whoever is going to use Government institution to harass hon. Members is going to do damage to this country. It would be dreadful when the day of reckoning comes. I can see that that day is not very far if we are going to continue belittling Members of this hon. House who are elected by the people through our accepted democratic system.

Mr. Temporary Deputy Speaker, I would also like to say that corruption in the Civil Service and in all areas in the Republic should be fought with all the strength we have so that we revive the morale of our people. We should make them serve well all institutions and believe in Parliament.

Mr. Temporary Deputy Speaker, I would like to say that during the next Session of Parliament I hope that the Front-benchers will see sense by realizing that hon. Members do not just oppose Bills or any other Government matters for the sake of it. Hon. Members merely contribute to the business of this House bearing in mind their love for this country.

(Applause)

**[Mr. Abuya Abuya]**

Mr. Temporary Deputy Speaker, I would also like to say that farmers, particularly pyrethrum farmers, have suffered quite a lot. I would like to urge the Ministries of Co-operative Development and Agriculture to ensure that the Kisii farmers, or the pyrethrum growers in the country, are paid as soon as their crop is delivered.

**An hon. Member:** Why only Kisii?

**Mr. Abuya Abuya:** Mr. Temporary Deputy Speaker, I mention Kisii because we produce three-quarters of the crop. I have said that all the farmers in the country should be paid in time. I am a nationalist.

I would also like to say that the Civil Service and all of us should ensure that the money that has been voted in this House is properly utilized. Mr. Temporary Deputy Speaker, Sir, there are some people who swindle or steal Government money and I am surprised that nothing is done about them.

Sir, I would like to say that the health services in this country, particularly the district hospital in Kisii, are in a very bad situation. This hospital is very old now. I would like to urge the Ministry of Health to do something about it immediately.

Mr. Temporary Deputy Speaker, Sir, I would also like to say that the people of Kisii who grow a lot of cash crop should be assisted.

With these few remarks, I beg to support.

**The Assistant Minister, Office of the President (Mr. Keen):** Mr. Temporary Deputy Speaker, Sir, I would like to take this opportunity to congratulate His Excellency the President for all the heights of prosperity, political stability, peace, love and unity, that he has propelled throughout our Republic. I think the same too goes to his election as the Chairman of Organization of African Unity. Since his election as the Chairman of the Organization of African Unity, quite a lot of problems are all nearing to be solved in this continent of Africa. I am quite sure, Sir, if His Excellency's term of office was to be extended for another one year, the problems of Africa will have been solved and Africa as a continent would have a new shape in terms of world international affairs. I am quite sure too, Sir, that before the end of his term of office, Namibia will see a ray of independence—a hope of independence.

Mr. Temporary Deputy Speaker, Sir, at the same time, I think I would be failing in my duty if I do not pay any tribute to the hon. Members of this House for the manner in which they have conducted themselves inside and outside this House. I think the standard of debating here has been very high indeed and I think it is not the intention of Government or the Front Bench here to muzzle the Back-benchers. I think their contribution is great and I am quite sure that Government takes seriously whatever they say on the Floor of this House. Apart from a few isolated cases, Sir, because we have 171 Members of Parliament here and we had a few ugly cases but I think the public and the nation should not consider that all Members of Parliament are irresponsible. There are black sheep everywhere.

Sir, quite a number of things have been said about groups. If groups do exist, this is unpalatable, unhealthy and uncalled for. I think we all belong to one group here and that is the group of His Excellency the President. We are all committed to the philosophy of Nyayo, that is peace, love and unity and anybody who is short of Nyayoism up to the letter Z should reconsider himself. I think everybody, as far as I know, that is all the 16 million of Kenyans are all Nyayo and ardent followers of His Excellency the President. There is no need for us to provide measuring gadgets such as thermometers and so on to measure who is more Nyayo and who is less Nyayo or who is not Nyayo. As far as we all are concerned, we all are for Nyayo and there is no need for us to form groups. Whoever has been appointed, we must know that it is the President who appointed and he is the one who dismisses and I think people should be contented with whatever appointments they have been given. I think we are all collectively here dedicated to the service of this nation and we all are devoted to serve our people and therefore the establishments of certain factions, be they political factions or tribal factions, are unwarranted for the peace of this country. We need peace, we need love and we need unity above anything else. It is therefore upon us to make sure that as we go for this Christmas holidays to inform our people that there are no groups anywhere and that we are all followers of the President. It is up to us to tell our people to be united. We have seen what political divisions has meant to many parts of Africa and we do not need those divisions therefore. Our loyalty is direct to the President and we do not need to go to Nakuru or Kajiado in order to be loyal to the President. We are all committed to the philosophy of peace, love and unity.

Mr. Temporary Deputy Speaker, I would also be failing in my duty if I do not say here that after fighting with my colleague, the Minister for Local Government for the last 20 years, we have resolved our differences. I would like to appeal to the hon. Members of this House, particularly those hon. Members from Kirinyaga, to follow the same example of living in peace. I would like to pay tribute to His Excellency the Vice-President, the Minister for Constitutional and Home Affairs and the Minister for Local Government for such big Harambee efforts. Since I cannot match their contributions, I can only wish them a merry and prosperous New Year.

With those few remarks, I beg to support.

**Mr. Midika:** Thank you, Mr. Temporary Deputy Speaker. I will be very short indeed because time is running out.

**The Assistant Minister for Livestock Development (Mr. Shikuku):** On a point of order, Mr. Temporary Deputy Speaker, I do not wish to interrupt the hon. Member but I would like to seek your guidance so that in future we have those who have been attending this Parliament speaking more rather than having people who have been absenting themselves.

**Mr. Midika:** Mr. Temporary Deputy Speaker, I am very grateful indeed for that point of order. I think hon. Shikuku is right. We have too many people in here today while we have had Members of Parliament not coming to this House even when the Bell is rung. We want to come back from Recess and find this House full every day until we go away for another Recess.

Mr. Temporary Deputy Speaker, to continue with my speech, I would like to say in this House that I have a lot of faith in the people of this country. As hon. Mwithaga and hon. Keen said, I think what is spoiling us here is that we do not understand protocol. We must know protocol: the number one main in this country is the President of this country, who has his Cabinet. In this Cabinet there is the Vice-President and if you go treating him as if he is not anything, then you do not know the protocol of this country. That is a fact! We must know where we lie and we must know that this country belongs to the people who brought us here and not to the individuals. We must know that it is a shame for a place like Kisumu to have no water when there is fresh lake water near that town that cannot be finished even by the angels of heaven. It is a shame that in such a country like this one that has all the potential should have authorities such as the Lake Basin Development Authority and yet we do not hear of the work they are doing. It is a shame that in this country, where we need food, some people should use our most fertile land to grow flowers instead of food for the poor people of this country. It is a shame! If I had time to speak during the debate on the National Food Policy, I should have told them that we have only 20 per cent of fertile land and it should be used for food production and not for growing flowers. We cannot grow carnations instead of maize: those who grow carnations to export so that some European houses can be beautified must learn to grow food for the poor people of this country.

Mr. Temporary Deputy Speaker, we want to go home and make friends. I want all the hon. Members who do not know where Nyando, where we get all the sugar we need in this country, is to come there on

16th January, 1982. They should all come to Nyando because I want them there. I think hon. John Keen will lead the group of hon. Members who will come there. I want them all to come to Nyando and see my problem; I want them to see the problem of the people who are really Nyayo. We are only interested in food production and not divisions. The people who know what protocol is are the people of Nyando. On 17th January, 1982 we will all be in Ugenya and after that we will be at Nakuru and then come back as very good people to this House.

Mr. Temporary Deputy Speaker, I hope that during this Recess the molasses plant at Kisumu will start functioning by January, 1982 and if the hon. Okwanyo is here he should listen very carefully. If it does not start functioning, we will want to know why it cannot do so. We also want to know whether or not this country is going to import sugar again because the farmers have been treated badly. We want sugar in this country to be produced by Kenyans and we do not want to import it again. We want to produce all that we require in this country. We also want to come to this House again without hearing of floods in Nyando and Bunyala. These are important things that we must look into.

Mr. Temporary Deputy Speaker, I want to say that I have faith in the hon. Members of this House, the people of this country, the Speakers of this House and everybody. But that faith must be preceded by trust. We must have trust among us. Wananchi are asking us how a Minister of the Government can criticize the Vice-President and Minister for Finance. What is wrong with them?

With those few remarks, I beg to support.

*(Question put and agreed to)*

#### ADJOURNMENT

**The Temporary Deputy Chairman (Mrs. Onyango):** Hon. Members, the House is adjourned *sine die*.

*The House rose at Seven o'clock.*



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Fourth Parliament—Third Session

VOLUME LVI

Tuesday, 29th September, 1981 to Thursday, 3rd December, 1981

### EXPLANATION OF ABBREVIATIONS

Notice of Motion = NoM; Motion or question withdrawn = Wdn; Dropped = Drpd; Disallowed = Dsilws; Written Reply = (WR); Private Notice Question = (PN); Bills: Read First, Second or Third Time = IR, 2R, 3R; In Committee = IC; Report = R; Consideration of Report = ConR.

*N.B.*—The full titles and numbers of questions are only shown against the names of the members who actually asked the questions and the Ministers/Assistant Ministers who made the official Government reply. Only the Questions numbers (in brackets), followed by the column numbers, are shown against the names of members asking supplementary questions.

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(1) **The Minister for Co-operative Development**  
(The Hon. R. S. Matauo)  
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(2) **The Assistant Minister for Co-operative Development**  
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(3) **The Assistant Minister for Co-operative Development**  
(The Hon. P. Ejore)  
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**Culture and Social Services—**

**(1) Minister for Culture and Social Services**  
 (The Hon. M. B. Mudavadi)

**(2) The Assistant Minister for Culture and Social Services**  
 (The Hon. J. Kalweo)

*Bill—*  
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**(3) The Assistant Minister for Culture and Social Services**  
 (The Hon. S. K. arap Metto)

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 (Tana South)

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**Echakara, S. A.—**

(Busia North)

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**Economic Planning and Development—**

**(2) The Minister for Economic Planning and Development**  
 (The Hon. Dr. Z. T. Onyonka)

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**(2) The Assistant Minister for Economic Planning and Development**  
 (The Hon. J. M. Angatia)

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**Ejore, P. B.—**

(Turkana West)

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**Ekidor, J. L.—**

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**(1) The Minister for Energy**  
 (The Hon. J. H. Okwanyo)

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**(2) The Assistant Minister for Energy**  
 (The Hon. F. Lotodo)

*Questions—*  
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**(3) The Assistant Minister for Energy**  
(The Hon. K. B. Mwamzandi)

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**(1) The Minister for Environment and Natural Resources**  
(The Hon. A. J. Omanga)

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**(2) The Assistant Minister for Environment and Natural Resources**

(The Hon. H. M. K. Adicharch)

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**(3) The Assistant Minister for Environment and Natural Resources**

(The Hon. P. Leakey)

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**(4) The Assistant Minister for Environment and Natural Resources**

(The Hon. J. M. Kariuki)

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**Fayo, H. A. H.—**

(Isiolo North)

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**Foreign Affairs, Ministry of—**

**(1) The Minister for Foreign Affairs**

(The Hon. Dr. R. J. Ouko)

**(2) The Assistant Minister for Foreign Affairs**

(The Hon. K. Muni)

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**(3) The Assistant Minister for Foreign Affairs**

(The Hon. E. M. Mweu)

**Gachukia, (Mrs.)—**

(Nominated Member)

**Motion—**

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**Gautama, K. C.—**

(Parklands)

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**Gichuru, J. S.—**

(Limuru)

(See Office of the President, Minister of State)

**Gituma, J. H.—**

(Meru South-West)

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(Kamukunji)

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**Gumo, F. F.—**  
 (Kitale East)  
 (See Local Government, Assistant Minister for)

**Hassan, A. K.—**  
 (Garissa North)  
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**Health—**

**(1) The Minister for Health**  
 (The Hon. A. K. Magugu)  
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**(2) The Assistant Minister for Health**  
 (The Hon. J. Njiru)  
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**(3) The Assistant Minister for Health**  
 (The Hon. Dr. E. W. Wameyo)  
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**(1) The Minister for Higher Education**  
 (The Hon. J. J. Kamotho)  
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**(2) The Assistant Minister for Higher Education**  
 (The Hon. M. Kubo)  
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**(3) The Assistant Minister for Higher Education**  
 (The Hon. W. E. Mwita)

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**Hirsi, A. A.—**

(Wajir South)

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**Information and Broadcasting—**

**(1) The Minister for Information and Broadcasting**  
 (The Hon. P. Oloo-Aringo)

*Motion—*

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**(2) The Assistant Minister for Information and Broadcasting**  
 (The Hon. N. Mbogori)

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**(3) The Assistant Minister for Information and Broadcasting**  
 (The Hon. A. Okuku)

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**Industry—**

**(1) The Minister for Industry**  
 (The Hon. Munyua Waiyaki)

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**(2) The Assistant Minister for Industry**  
 (The Hon. M. S. Aden)

*Motion—*

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**(3) The Assistant Minister for Industry**  
 (The Hon. H. C. Waiithi)

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(Kitui South)

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**Kagiri, E. K.—**

(Nominated)

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**Kahengeri, G.—**

(Juja)

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**Kakoi, R. M.—**

(Yatta)

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**Kalulu, F. M.—**

(Mbooni)

(See also under Office of the President (State), The Assistant Minister for)

**Kalweo, J. I.—**

(Nyambene)

(See also under Culture and Social Services, The Assistant Minister for)

**Kamotho, J. J.—**

(Kangema)

(See also Higher Education, The Hon. Minister for)

**Kamuren, W. Y.—**

(Nominated)

*Motion—*

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**Kanindo, P. O.—**

(Homa Bay)

*Motions—*

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**Kanja, W.—**

(Nyeri)

**Kanyama, Dr. J. J.—**

(Meru South)

*Questions, Supplementary—*

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**Karauri, M. A.—**

(Nyambene South)

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**Kariuki, G. G.—**

(Laikipia West)

(See also under Office of the President, State, The Hon. Minister for)

**Kariuki, J. M.—**

(Nyandarua North)

(See also under Environment and Natural Resources, The Hon. Assistant Minister for)

**Karume, J. N.—**

(Kiambaa)

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**Keen, J.—**

(Kajiado North)

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- Kiptanni, E. C.—**  
 (Baringo South)  
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- Kiragu, S.—**  
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- Kuguru, D. N.—**  
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- Kuria, E. N.—**  
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- (1) The Minister for Labour**  
 (The Hon. T. Mbathi)  
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 (The Hon. S. A. Echakara)  
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**(3) Assistant Minister for Labour**  
 (The Hon. S. T. Nassir)

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**Leakey, P.—**  
 (Lang'ata)

(See also under Ministry of Environment and Natural Resources, the Assistant Minister for)

**Liban, G. H.—**  
 (Moyale)

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**(1) The Minister for Livestock Development**  
 (The Hon. Dr. A. M. Mango)

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**(2) The Assistant Minister for Livestock Development**  
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**(3) The Assistant Minister for Livestock Development**  
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**(4) Assistant Minister for Livestock Development**  
 (The Hon. J. M. Shikuku)

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**Lotitiyo, P. C.—**

(Samburu East)

(See also under Ministry of Transport and Communications, the Assistant Minister for)

**Lotodo, F.—**

(Pokot West)

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**Magugu, A. K.—**

(Githunguri)

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**Madhubuti, A. H.—**

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**Manandu, P. M.—**

(Kitui North)

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**Mango, M. A.—**

(Busia East)

(See also under Ministry of Livestock Development, the Minister for)

**Marita, L. A.—**

(Borabu North/Mugirango)

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**Matano, R. S.—**

(Kwale North)

(See also under Ministry of Co-operative Development, the Minister for)

**Matiba, K. S. N.—**

(Mbiri)

**Mbarire, J. N.—**

(Embu North)

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**Mbathi, T. K.—**

(Kitui Central)

(See also under Ministry of Labour, the Minister for)

**Mbogori, N.—**

(Meru North-West)

(See also under Ministry of Information and Broadcasting, the Assistant Minister for)

**Metto, S. K. arap—**

(Mosop)

(See also under Ministry of Culture and Social Services, the Assistant Minister for)

**Michoma, S. G.—**

(Nominated)

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**Midika, M. C. O.—**

(Nyando)

**Bills—**

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**M'Mbijiwe, G. K.—**

(Meru Central)

(See also under Agriculture, The Minister for)

**Mohamed, H. M.—**

(Nominated)

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(Baringo Central)

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**Mudavadi, M. B.—**

(Vihiga)

(See also under Water Development, the Minister for)

**Muia, G. S.—**

(Kilungu)

(See also under Office of the Vice-President and Ministry of Finance, the Assistant Minister for)

**Muigai, M.—**

(Gatundu)

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**Mulwa, J. K.—**

(Makueni)

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(Nakuru West)

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**Mungai, P. T.—**

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**Munyasia, P. N.—**

(Kitutu West)

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**Munyi, K.—**

(Embu East)

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**Murgor, C. C.—**

(Eldoret South)

(See also under Livestock Development, Assistant Minister for)

**Murila, J. K.—**

(Ikolomani)

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**Mutai, (Miss) C.—**

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**Mutisya, J. M.—**  
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**Muthura, C. N.—**  
(Laikipia East)

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(Kerio Central)

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**Mwachofi, M. M.—**  
(Wundanyi)

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- Mwamzandi, K. B.—**  
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- Mweu, E.M.—**  
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- Mwidau, A. N.—**  
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 (Kuria)  
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- Mwithaga, M. W.—**  
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- Nampaso, M. P. ole.—**  
 (Narok South)  
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 (Mombasa Central)  
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- Nepatao, J. K. ole—**  
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- Ngala, N. K.—**  
 (Kilifi South)  
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**(1) The Minister for Tourism and Wildlife**

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(The Hon. H. K. Kosgey)

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**(3) The Assistant Minister for Works**  
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