

REPUBLIC OF KENYA
THE NATIONAL
ASSEMBLY
OFFICIAL REPORT

Wednesday, 21st October, 1987.

MORNING SITTING

ORAL ANSWERS TO QUESTIONS

Questions Nos. 513, 607, 443, 603, 121, 580, 616 and 548.
Questions Nos. 524 and 601 - Dropped.

QUESTIONS BY PRIVATE NOTICE

Land Sub-division in Kakamega District (Mr. Angatia) - Dropped.
Purchase of £924,000 from Central Bank by the Bank of India
(Mr. Lukindo) - Deferred.
Payment of Late Abuga-Abuga's Money to His Family
(Mr. Abuya-Abuya)

POINTS OF ORDER

Non-payment of Mr. Savi's Salary from 1981 - 1985 - ^{Week}
Minister to Let the Hon. Member Know of Mr. Savi's fate next ~~the~~

Ministers should Honour the Promises they Give in the House -
the Minister Concerned Promises to Issue a Ministerial
Statement Next Week After Investigating the Matter.

Termination of Road Construction Between Chemosit and Kisii -
Minister Responsible Requested to Make a Statement to Clear
the Air.

MOTIONS

Wananchi to Obtain Identity Cards in their Districts of
Residence - Mr. Mwaruwa on 14-10-87 - Resumption of Debate
interrupted on 14-10-87 - Negatived.

Additional Water Pipeline from Mzima Springs to Mombasa
(Mr. Kiliku) - Question Proposed - an Amendment Proposed
by an Assistant Minister for Water Development
(Mr. Kiptanui) - Debate interrupted without Question put.

H A N S A R D

Wednesday, 21st October, 1987

The House met at Nine o'clock.Mr. Speaker in the Chair

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No. 513

~~MR. SPEAKER: Mr. Kwachofi not here? Mr. Gachanja's
Question.~~

Question No. 524

~~MR. SPEAKER: Mr. Gachanja also not here? Next Question.~~

Question No. 607

~~MR. MUTHURA asked the Minister for Lands and
Settlement:-~~

- ~~(a) since there are many co-operative
and company farms which have been sub-
divided by un-registered surveyors,
what he is doing to ensure that these
farms are divided again by registered
surveyors to enable the shareholders
get title deeds easily; and~~
- (b) whether he could send a list of regi-
stered surveyors to the districts and
divisions for easier reference by these
land owners.

THE MINISTER FOR LANDS AND SETTLEMENT (Mr. Nyakiambo): Mr. Speaker, Sir, I beg to reply.

(a) It is true that there are some company and co-operative farms that have been sub-divided by unlicensed surveyors countrywide which is contrary to the Survey Act and Regulations.

According to the Survey Act and Regulations, all surveys for title purposes must be carried out by either a Government surveyor or a licensed private land surveyor. What this means is that all shareholders in companies and co-operative farms that have been sub-divided by unlicensed surveyors cannot get their title deeds.

In order to rectify this position, Mr. Speaker, Sir, both Government surveyors and private licensed land surveyors are already ^{re-}surveying such farms so that the shareholders can get title deeds to their plots.

(b) A list of all currently registered land surveyors has already been despatched to all district commissioners for their distribution to districts and divisions for easier reference by the land owners.

MR. MUTHURA: Mr. Speaker, Sir, first of all I would like to thank the Minister very much for his reply. In the third paragraph of ^{part} (a) of the reply by the Minister he says that Government surveyors and private licensed land surveyors are already ~~re-~~ re-surveying such farms. Could the Minister point out areas where this is being done again? This is because there are several areas where farms were sub-divided by unlicensed land surveyors. Could he pinpoint some areas where this is happening right now?

MR. NYAKIAMO: Mr. Speaker, Sir, according to my information here, it is true that certain farms have been surveyed by unlicensed land surveyors and the Government has had to re-survey them. Most of these farms in Laikipia West and Gatarakwa. The Government is already working on these farms.

MR. MATE: Mr. Speaker, Sir, according to his reply, the Minister says that there are some unlicensed surveyors who have done work which they are not supposed to do and that wananchi have lost money through ignorance. Could the Minister tell us what action the Government is taking to make sure that these wananchi are not cheated any more by these unlicensed surveyors?

MR. NYAKIAMO: Mr. Speaker, Sir, that is the reason why the Questioner asked this Question. That is also the purpose of sending a list of all currently registered land surveyors to all district commissioners.

MR. SHIKUKU: On a point of order, Mr. Speaker, Sir. I do not think the Minister replied to the supplementary question asked by the hon. Member. What action has the Government taken against these unlicensed land surveyors? This is because they have committed a crime by sub-dividing farms when they knew very well that they are unlicensed. What action did the Minister take in this regard? This is because these people acted unlawfully.

MR. NYAKIAMO: Mr. Speaker, Sir, I said, in my reply, that the land owners whose farms were surveyed by these unlicensed land surveyors run the risk of not getting any title deeds. As a result of that we licensed private land surveyors and the list was sent to the district commissioners for their distribution to districts and divisions for easier reference by the land owners. This will enable our people to get information as to who to go to. So, I would have thought that that was the right action to have been taken by the Government.

MR. NUTHURA: On a point of order, Mr. Speaker, Sir. Let the Minister be fair to the hon. Members in this House. These people have committed a crime by doing a job they were not qualified to do. The hon. Member wants to know what action the Minister is going to take against these people who committed this crime. So, let him be fair to the hon. Member, and the House, as a whole. He should tell this House what action he is intending to take against these people. These are thieves!

MR. NYAKIAMO: Mr. Speaker, Sir, I am as much concerned about this matter as anybody else. If the hon. Member wants to know whether these people have been arrested by the police, the truth is that they have not been arrested. I do not know whether this has now been done but I can check on it.

MR. SPEAKER: Let us move on to Mr. Koske's Question.

Question No.443

MR. OMIDO, on behalf of Mr. Koske, asked the Minister for Labour:-

- (a) whether he is aware that 39 employees of Chaimen Estate of Brooke Bond Limited in Kericho District are complaining that they were under-paid their leave allowance in 1985; and
- (b) why they were under-paid; and
- (c) what action he is taking to ensure that the complainants are paid their dues.

THE ASSISTANT MINISTER FOR LABOUR (Mr. arap Metto): Mr. Speaker, Sir, I beg to reply.

(a) These employees have never reported their complaints to my Labour Office at Kericho. However, after receiving this Question, I carried out an investigation and I have established that the complaint is not in relation to leave allowance for 1985. The rate of leave allowance which was applicable in 1985 was KShs.18.65 per day as specified in a ^{Collective Bargaining} ~~SA~~ agreement signed in 1984.

The problem which has led these employees to complain arises from a misunderstanding over the interpretation of the ^{Collective Bargaining} ~~SA~~ agreement which was signed in December, 1986, two years later. This agreement was negotiated after Kenya had adopted a five day working week and, as such a higher rate of leave allowance at KShs.27.30 per day was stipulated.

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THE ASSISTANT MINISTER FOR LABOUR (Mr. arap Metto) (Ctd.):

When Kenya reverted to a six-day working week early this year, the rate of leave allowance was reduced to Sh.22/75 per day.

This consequential reduction of the rate and the amounts payable has apparently not been fully understood and appreciated by the workers of Cheimen Estate. The Union, has, however, accepted the new rate because its downward adjustment was a logical consequence of having reverted to a six-day working week.

(b) In view of the answer in part (a) above, the workers in question were not underpaid in 1985 or thereafter.

(c) My investigations indicate that these employees have ~~misunderstood~~ the interpretation of the ^{consequential} ~~consequential~~ adjustments which have had to be made in the 1986 agreement between their Union and the employees in so far as this relates to the payment of their leave allowance. The Union and the employers in the other estates have encountered no problem in this regard. Under the circumstances, therefore, I would recommend that the employees of Cheimen Tea Estate be advised to see their Union for the necessary explanations.

MR. OMIDO: Mr. Speaker, Sir, under the provisions of the Employment Act and the Wages Regulations Order, where an agreement entered into between the workers and the employers and the terms of that agreement are better than those provided in the General Wages Order, then the terms of the agreement takes precedence. Where the Union has negotiated ^{worse} ~~what~~ the terms ~~other~~ than those provided for in the Wages Regulation Order, then the wages order provisions takes precedence. In this case, it is clear that the collective bargaining agreement provided for a better ~~x~~ leave allowance. Under what law did the Assistant Minister decide to reduce it and to accept what the employer had told him, ^{when} ~~and~~ it was contrary to the law?

le.
MR. arap METTO: Mr. Speaker, Sir, I do not think it is correct to say that there is contravention of the law here because if there ~~is~~ was any, the Union which is representing the employees would have taken it up with us. But in this regard, the Union is agreeing with us on behalf of the employees and, therefore, this does not arise.

MR. OMIDO: Mr. Speaker, Sir, it is the duty of the Ministry to ensure that the workers get a better share than that which is provided for. Why did the Ministry accept this when they knew that under the Collective Bargaining Agreement, it was provided that the workers receive Sh.27/30 per day whereas the one that the Ministry proposed on their Wages Regulation Order provided for only Sh.22/75? The Ministry knows that the provision of Sh.27/75 per day should have taken precedence because that was the agreement between the Union and the employer.

MR. arap METTO: Mr. Speaker, Sir, I have explained the reason why it came to only Sh.22/75. When we reverted to a six-day working week this figure came down. But I have said that where the Union and the employers agree, there is no way the Ministry or the Minister can intervene because in this particular regard, the Union on behalf of the employees have accepted and this is where I advised the Questioner to approach the employees and request them to ask their Union to explain this to them.

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MR. SHIKUKU: Arising from that reply, Mr. Speaker, Sir, and taking into account that it is part of our responsibility in this House to safeguard the interests of the workers and wananchi in general, and due to the fact that it has now been raised by an hon. Members of this House that this Union and the employer were mistaken, would the Assistant Minister take it upon himself to correct this error? Unions are not God and, therefore, they can make mistakes.

MR. Arap METTO: Mr. Speaker, Sir, according to the information available to me now, I do not see how I can take that responsibility, but if there is any particular law which has been broken, at this particular moment, I am not aware. However, if there has been any, then I will go and check and get the legal fellows to advise me on this and then I will take the necessary action. Otherwise, as far as I am aware, at this particular moment, there is no regulation which has been broken. As I have stated, the Union should have taken up this matter with our labour officer and it would have come to our notice.

MR. SPEAKER: We shall now move on to Mr. Shikuku's Question.

MR. OMIDO: On a point of order, Mr. Speaker, Sir. You have jumped my Question, which is No. 603.

MR. SPEAKER: All right, Mr. Omido's Question.

Question No. 603

MR. OMIDO asked the Minister for Labour:-

- (a) what kind of training M/S Butaric Agencies of P.O. Box 19474, Nairobi, conducts for Trainee Estate Agents, and,
- (b) what facilities they have for such training and what the qualifications of their instructors are.

THE ASSISTANT MINISTER FOR LABOUR (Mr. arap Metto): Mr. Speaker, Sir, I beg to reply.

My Ministry has carried out extensive investigations but has failed to establish what M/S Butaric Agencies of P.O. Box 19474, Nairobi, does and whether it conducts any type of training. The agency is not registered by the Directorate of Industrial Training as a trainer, or as a training levy contributor. Investigations to locate the physical address of this agency in the country have also proved fruitless.

MR. OMIDO: Mr. Speaker, Sir, Sir, quite a number of people have approached me in my office and have shown me letters indicating that this alleged firm trains estates agents and that the agency collects a substantial amount of ^{money} fees from these fellows after promising them that after training, they would find employment for them. However, these people do not get any form of training and they end up losing their money. I was wondering whether the Ministry would refer this matter to the police for investigation because the public are actually losing money. Mr. Speaker, you will remember that I raised almost a similar question in this House two or three years ago and ^a the fellow was found to be operating from a private house in Langata and had collected a lot of money and the police were able to locate him.

Would the Assistant Minister undertake to make more extensive investigations because the public are actually losing a lot of money?

MR. arap METTO: Mr. Speaker, Sir, it is true that my Ministry has taken steps to try to locate this company. In fact, I would like to say that initial search from the Registrar of Companies indicated that the owner of M/S Butaric Agencies of P.O. Box 30041, Nairobi, which are commission ^{agency} agencies, is a Mr. Christopher E. Gitau. However, a subsequent search in the office of the Registrar of Companies indicated that the company's file was lost.

Information available from the records of the Ministry of Lands and Settlement indicate that the business is located on Plot No. 209/695 Jivanjee Street, now Mfangano Street, Nairobi. Physical search was carried out from door to door and from floor to floor, but there was no evidence of the existence of such business in the building where the above plot is situated. Therefore, Mr. Speaker, Sir, I think, as was suggested by the hon. Member, the Questioner, we may end up referring

this matter to the police for further investigations.

MR. MUTHURA: On a point of order, Mr. Speaker, Sir. The Assistant Minister seems to be in darkness. The hon. Members said that w_{an}anchi have been going to his office complaining and they have shown him documents to the effect that they have paid some money to this firm. I was wondering whether the hon. Member could assist the Assistant Minister to locate this place. If they knew where they paid the money, possibly, the hon. Member could assist the Assistant Minister in locating the place so that they can know where the firm is. I am saying this because the Assistant Minister seems to be in darkness.

MR. OMIDO: Mr. Speaker, Sir, after receiving ~~some~~ some of these complaints, I have tried to ask these fellows w_hether they could trace the firm, but the office where they paid the money no longer exists. As I said, this is a company which appears to be swindling the public of their money and, I think, it is only the Government whic_h can be in a position to locate the firm ~~wh~~ because they have the means to investigate the matter and protect the public interest~~s~~.

MR. arap METTO: Mr. Speaker, Sir, ~~Sir~~, my Ministry is very much concerned about this company in the same way that the hon. Member and the House is concerned because members of the ^{Public} public have been losing ^{money} and I think as was suggested by the hon. Member, - - -

MR. SHIKUKU: You think you cannot get the fellows!

MR. arap METTO: Mr. Speaker, Sir, the hon. Member is putting words into my mouth. What I am saying is that we are going to use our office to see to it that we investigate the matter further, even if it means referring it to the police.

MR. SPEAKER: We shall move on now to Mr. Shikuku's Question.

Question No.121

MR. SHIKUKU asked the Minister for Transport and Communications:-

- (a) who authorized the lifting of the ban on the movement of lorries, trailers and other heavy trucks travelling between 6 p.m. and 6 a.m., and
- (b) whether he is aware that this lift of the ban is the cause of many accidents on our roads and, if so, what he is doing to ensure that the ~~carriage~~ ^{carnage} carriage on the roads is minimised.

THE ASSISTANT MINISTER FOR TRANSPORT AND COMMUNICATIONS (Mr. Keriri):

Mr. Speaker, Sir, I beg to reply.

(a), The Government has authorized the lifting of the ban on the movement of lorries, trailers and other heavy trucks travelling between 6 p.m. and 6 a.m.

(b) According to the available statistics, the lifting of the ban is not the cause of the increased number of accidents on the roads. Accidents involving the heavy trucks are fewer than those involving cars and light utility vehicles. The Government has introduced the Traffic Amendment Act, 1986, which is intended to minimise the carnage on our roads, if fully complied with by motorists and other road users.

MR. SHIKUKU: Arising from that reply, Mr. Speaker, Sir, there must have been a reason why the Government banned the travelling of these heavy vehicles on our roads between that specific period. Assuming that there was a reason, could the Assistant Minister tell the House why they lifted the ban? Is it because the situation had improved and, if so, by what percentage?

MR. KERIRI: Mr. Speaker, Sir, there are always reasons for making decisions and also for rescinding them. This is not the first ban that has been lifted in this country. However, as I said, statistics do, in fact, indicate that the increase in the number of accidents was not necessarily caused by these heavy trucks on the roads, but by other things.

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For example, Mr. Speaker, before the ban, accidents increased annually by 11 per cent; between 1976 and 1979 - that is a range of four years. During the ban, accidents increased by 14 per cent over the same period of time. This is an indication that even with the ban, the increase of accidents was higher than before the ban. Taking the other aspect of road transport into account, including the hauling of goods, this must have slowed down because there were no lorries ~~xxxx~~ travelling at night. So, the Government found that there was a reason for lifting the ban.

MR. LUKINDO: Would the Assistant Minister tell this House whether it is correct to say that this ban was lifted only by the pressure from the lorry owners but not due to decrease in the number of accidents?

MR. KERIRI: I am not aware of that, Mr. Speaker.

MR. SHIKUKU: Arising from the reply which he gave to my previous supplementary question as to what was the reason for banning the vehicles from using the roads and then later lifting the ban, will he tell this House why in the first place they banned the movement of heavy vehicles and the reason for lifting the ban? He has not told the House that. Why was the ban imposed in the first place and why was the ban lifted in the second place?

MR. KERIRI: Mr. Speaker, Sir, the hon. Member knows very well that his Question is based on the reasons why the ban was imposed. It was imposed as an effort to reduce accidents at night; a fact which he knows and that is why he asked the Question. Now, after some time it was found out that, in fact, while this ban was hurting the economy, it was not in fact, reducing the accidents.

MR. MUTHURA: If I remember very well, when the late hon. Leonard G. Ngala was the Minister for Transport and Communications, he complained about these accidents and after travelling at night from Nakuru to Nairobi, he imposed a ban on this night movement of heavy vehicles but later on it was lifted. So, when the ban was placed once again, there must have been a better reason for that action.

MR. MUTHURA (CTD):

Is the Assistant Minister telling the House and the nation that the situation improved so much that the ban had to be lifted. This is the second time after 1971.

MR. KERIRI: Mr. Speaker, Sir, I am not saying that the situation had improved so much. All I am saying is that the ban did not, in fact, achieve its purpose, but it continued to hurt the economy. So, I am not saying that the situation improved so much; there was nothing like that.

MR. MATHENGE: On a point of order, Mr. Speaker, Sir.

MR. SPEAKER: Order! Let us make sure that it is a real point of order.

MR. MATHENGE: On a point of order, Mr. Speaker, Sir.

Is the Assistant Minister in order to mislead the House? The Question inquires him to tell us ~~in~~ about the number of accidents caused by the heavy vehicles during the night. In his reply, he talked about the economy being boosted by those lorries. Is he in order to mislead this House?

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MR. SPEAKER: That was a part of the reply that was given. I think you had better try very hard to raise a real point of order, and not a Supplementary Question.

MR. MUTHISO: Mr. Speaker, Sir, arising from the answer given by the Assistant Minister, to the effect that it was discovered that banning these vehicles from travelling at night was hurting the country's economy, is he telling the House that before this consideration was thought of, the Ministry had not carried out a proper survey to know exactly whether banning night travel by these vehicles would hurt the economy or not, or was this ^{as} a result of some pressure applied by those who own these vehicles?

MR. KERIRI: Mr. Speaker, Sir, as all hon. Members are aware—

(Noise)

—if only they could listen to the answer to this Supplementary Question, our planning is based on pragmatic thinking. At one stage, one factor weighs more heavily on us than another. The factor of life must weigh more than all the others. At that time, the Government thought that night travel by heavy trucks was the cause of most road accidents. We also had to put some consideration to the economic contribution made by these trucks, but we thought we would do better by banning them from night travel in order to save lives, even if the economy was going to suffer. After some years, however, it was found out that the rate of accidents was still increasing. All these accidents could not necessarily have been caused by these heavy vehicles. In fact, more accidents occur during the day, than is the case at night. So, this is no reason why we should continue banning these vehicles from travelling at night when we know that we are hurting our economy and not saving lives.

MR. MWAKILEO: Mr. Speaker, Sir, could the Assistant Minister tell the House which are the majority between the accidents taking place at night and those ^{occurring} ~~occurring~~ during the day?

MR. KERIRI: Before I sat down, Mr. Speaker, Sir, I said that the accidents occurring during the day are more than those taking place at night.

Question No. 601

MR. SPEAKER: Is Mr. Wakiendo not here? We will leave his Question until the end.

Question No. 580

MR. MUNYAO asked the Minister for Education:-

(a) whether he is aware that the original certificates for Ordinary and Advanced level examinations take unnecessarily too long to come out after the examination results are out; and

(b) whether he will assure this House that such certificates will be released to students along with examination results.

THE ASSISTANT MINISTER FOR EDUCATION (Mr. Kisiero): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that the original certificates for the Ordinary and Advanced level examinations are issued one year after the release of examinations results because the logistics involved will not allow for the issue of these certificates with the results. Furthermore, after the release of results, there follows a period for receiving enquiries from candidates and then making necessary corrections. My Ministry, through the Kenya National Examinations Council, needs ample time to settle all such enquiries so that the issue of the certificates is final.

(b) I wish to assure the House that during this period, candidates are not inconvenienced because they are given result slips to present to prospective employers or institutions of higher learning. My Ministry, through the Kenya National Examinations Council, also issues certifying statements to employers and institutions in respect of any student, on request. Under these circumstances, therefore, my Ministry does not plan to issue certificates at the time results are released, as the current system is working well.

MR. MUNYAO: Mr. Speaker, Sir, I am surprised that the Ministry needs a year to correct errors. In ^{view of} accordance with the reply given by the Assistant

MR. MUNYAO (CTD.):

Minister, is he aware that there are some institutions which do not accept result slips and that, therefore, this inconveniences students?

MR. KISIERO: Mr. Speaker, Sir, I am not aware that there are any institutions which would insist that students must get original certificates. All these institutions are a part of our Government, and they know very well that in case a student cannot make available a result slip, they can always get in touch with the Kenya National Examinations Council, or our Ministry, after which we will certify that such-and-such a student ^{obtained} ~~obtaining~~ such-and-such marks. So, I would be surprised to hear that there are any such institutions as the hon. Member refers to.

MR. MUNYAO: Mr. Speaker, Sir, is the Assistant Minister aware that if a student wants to pursue overseas education, some colleges and universities need examinations transcripts, and not result slips? That kind of requirement would not be satisfied by a mere result slip.

MR. KISIERO: Mr. Speaker, Sir, as I said earlier, there would be no way of giving students original certificates immediately examinations results are released, but if such students are being offered places overseas, most of the institutions admitting them are associated, in one way or another, with our Ministry of Education, or the Kenya National Examinations Council, which is recognised in many countries, particularly in the Commonwealth. So, such overseas institutions should be able to get in touch with us, and we certify a candidate's pass.

MR. KIRIOR: Mr. Speaker, Sir, may I know what period is given by the Kenya National Examination Council for receiving complaints from candidates making and the necessary corrections?

MR. KISIERO: Mr. Speaker, Sir, the Council takes about one year to remark examinations where there have been complaints and for the Security Committee of the Kenya National Examinations Council to check the new marks obtained after remarking. Once we have known the exact figure of the students who have passed and made all the necessary correction of names, we print

MR. KISIERO (CTD.):

certificates in Britain. We have to print the exact number of certificates required so that when they come here, they are neither in excess ^{no} or in short. We need about one year to carry out this exercise.

Question No. 616

MR. MUTISO asked the Minister for Water Development:-

(a) why the employees of survey teams under the Machakos Integrated Development Programme (M.I.D.P.) are not paid field disturbance allowances; and

(b) whether he can direct that these teams now doing survey work in Yatta, Kibauni and Machakos Town be paid these allowances.

THE MINISTER FOR WATER DEVELOPMENT (Mr. Mwendwa): Mr. Speaker, Sir,

I beg to reply.

(a) The employees of survey teams under the M.I.D.P. are paid field disturbance allowances every three months. It has been found more practical and convenient to pay these allowances every three months.

(b) The allowances for the teams now working in Yatta, Kibauni and Machakos Town have already been paid.

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MR. MUTISO: Mr. Speaker, Sir, while agreeing with the ^{reply} he has given to part (a) of the Question, could he be more specific about part (b) and tell the House when they were paid, how many they were and how much money they were paid.

MR. MWENDWA: Mr. Speaker, Sir, I do not have the figures for the number involved ^{now} and ^{paid as} the amount of money ^{out} of their allowances, but they were paid on the 28th September, and ~~the~~ 3rd October.

MR. MUNYAO: Mr. Speaker, Sir, I agree with the statement just ^{made} given by the Minister, but, as far as I know disturbance allowance is usually paid monthly. Is this the same disturbance allowance that is being ^{paid} after three months, or which disturbance allowance is he talking about?

MR. MWENDWA: Mr. Speaker, Sir, there is ^a disturbance allowance paid when one moves from one station to another, but that is given once after so many years. But, these are field officers who move from one place to another in shorter periods and, thus, this is what is called disturbance. It is not possible to pay ^{them} it the day after they move because you have to go and look for them to find out where they are in order to pay them. So, that is why it is easier to pay them after every ~~three~~ months, after collecting the relevant data.

MR. MUTISO: Mr. Speaker, Sir, I still feel that the Minister is not being fair. He should be in a position to tell the House how much money was paid to these workers. This is because he cannot simply say that they were paid. He must have more information on that. Do we have to accept that they were paid, and yet we are not shown any evidence at all? What evidence has he got to prove that they have been paid?

MR. MWENDWA: Mr. Speaker, Sir, I believe my officers in the field and ^I when they tell me that they have done something, I regard that as good evidence for whatever I wanted to know. ^{do not} I have ~~not got~~ the information he is asking for. ~~I have already said I~~

MR. MWENDWA (ctd.):

I have already said that I do not have the information on how much they were paid and the number of workers that was involved. But, if he, particularly wants that information, then I could always let him have it.

Question No. 548

MR. SIFUNA asked the Minister for Water Development:-

- school
- (a) whether he could provide borehole water through Kefinco to Kabula Secondary School, Bulondo Health Centre, Sangalo Secondary School, Chief's Centre at Kitale, Manyanja Market, Mechineru Dispensary, Siritanyi School, Siekumulo School and Lwanda Secondary School; and
 - (b) whether he is aware that institutions in these areas and the people are having water problems and if so, what action he is taking to assist them.

THE MINISTER FOR WATER DEVELOPEMENT (Mr. Mwendwa): Mr. Speaker, Sir, I beg to reply.

(a) Manyanja Market and Siritanyi School have already been provided with boreholes and hand pumps. Siekumulo School has been provided with a protected spring. The other places, that is, Kabula Secondary School, Bulondo Health Centre, Sangalo Secondary School, the Chief's Centre at Kitale, Lwanda Secondary School and Machimeru Dispensary are outside the area covered by the agreement between Kenya and Finland, consequently, KEFINCO is not in a position to provide them with borehole water.

However, this area will be covered under the Bungoma Rural Water Supply Scheme which is now at the tendering stage.

(b) The Minister is aware that the institutions referred to and the people of the area are having water problems and that is why Bungoma Rural Water Supply Sheme has been designed. It is expected that once this project is completed, the water problems of the area in question will be solved.

MR. SIFUNA: Mr. Speaker, Sir, I am surprised to get that answer from my hon. friend. We do not have borehole water at Siritanyi School. We have it at Siritanyi Market which is over 10 kilometres from the School. That is why I asked specifically water for Siritanyi Primary School, and not the Market. Secondly, the protected spring at Siekumulo School is non-existent. Could the hon. Minister tell us which protected spring ~~is~~ ^{is} he referring to at Siekumulo School because there is nothing of that sort?

MR. MWENDWA: Mr. Speaker, Sir, the information I have here is that Siekumulo School has a protected spring provided. I have not got the local name. Again, if the Questioner would prefer me to call it by the local name, I will find out and let him know.

MR. SIFUNA: Mr. Speaker, Sir, I would like to inform my hon. friend that there is nothing like a protected spring at Siekumulo School. I would like the Minister to go and get a proper answer and maybe give us borehole water at this particular place. I remember in 1981 - and let the Minister be very careful about this matter - there was this Bungoma Rural Water Scheme which was advertised and tendered for in the local dailies and as well as in the Weekly Review. It is now seven years since the so-called Bungoma Rural Water Scheme was advertised, but nothing up to now has taken place. What is he telling us now by saying that it is under tendering stage when they did so in 1981?

MR. MWENDWA: Mr. Speaker, Sir, I am saying that the tenders are being considered.

MR. SIFUNA: On a point of order, Mr. Speaker, Sir. I wonder whether the Minister is very serious about this matter? I have just told him that in 1981 the Minister for Water Development tendered for this Bungoma Rural Water Scheme. Now, he is telling us again that it is under tendering stage. How many tendering stages do we have if they advertised this tender in 1981?

MR. MWENDWA: Mr. Speaker, Sir, the information I have is that the scheme is under tendering stage.

MR. SPEAKER: We go back to Mr. Mwachofi's Question.

MR. MWACHOFI: Bw. Spika, naomba msamaha kwa kuchelewa.

Question No. 513

MR. MWACHOFI alimuuliza Waziri wa Nchi, Ofisi ya Rais:-

- (a) Kama anafahamu kwamba pale 23.2.87, Bw. Mathew Mhindoo alipoteza mfuko wake katika gari la abiria KWP 051 na kwamba alipiga ripoti katika kituo cha polisi Kamukunji (Police Case No.112 of 1987);
- (b) Ilikuwaje kwamba baada ya kupiga ripoti kila juma (majuma kadhaa) polisi walimuamuru Bw. Mhindoo asirudi huko tena; na
- (c) Anamshauri mwananchi huyu achukue hatua gani.

THE ASSISTANT MINISTER, OFFICE OF THE PRESIDENT (Mr. Kubai):

Bw. Spika, naomba kujibu.

- (a) Sina habari.
- (b) Kutokana na jibu langu katika (a), swali hili halipo.
- (c) Ikiwa ni kweli kwamba Bw. Mathew Mhindoo aliupoteza mfuko wake katika gari la abiria, anashauriwa apige ripoti katika kituo cha polisi cha Kamukunji au kituo kingine chochote cha polisi.

MR. MWACHOFI: Bw. Spika, jawabu la Waziri Msaidizi, nafikiri, hata yeye mwenyewe akikubaliana nami, ni la kusikitisha sana. Swali hili si Swali Maalum. Wizara imekuwa nalo kwa miezi minne sasa, na maelezo yote kuhusu Swali lenyewe katika sehemu ya (a) na (b), ni kwa nini analipotosha Bunge hili kwamba hana habari? Itakuwaje amuulize huyu mwananchi mtukufu kwamba aende polisi Kamukunji, na hali katika sehemu ya (a) ya Swali hili inaonyesha wazi kwamba alipiga ripoti huko tarehe 23.2.87? Sasa ataenda kupiga ripoti ya kuwashtaki polisi au ataenda kupiga ripoti ya kumshtaki nani?

MR. KUBAI: Bw. Spika, kulingana na ripoti tuliyoipata kuhusu Swali hili ni kwamba hakuna ripoti ^{iliyopokelewa} ~~ilivyotolewa~~ na kituo cha polisi cha Kamukunji kutoka kwa Bw. Mathew Mhindoo kwamba tarehe 23.2.87 alikuwa ameupoteza mfuko wake katika gari la abiria KWP 051. Hata haijulikani hiyo kesi nambari 112 ya 1987 ya polisi kama ilivyotajwa ^{ilitolewa} ~~ilitoa~~ wazi kwani hakuna rekodi hiyo katika kituo cha polisi cha Kamukunji. Ikiwa ni kweli kwamba Bw. Mathew Mhindoo aliupoteza mfuko wake anashauriwa ayapeleke maelezo hayo katika kituo cha polisi cha Kamukunji au kituo kingine chochote cha polisi. Zaidi ya hayo, hakuna mwananchi yeyote anayekatazwa kupiga ripoti katika kituo cha polisi wakati amepoteza mali yake.

MR. MWACHOFI: Bw. Spika, inakuwa vigumu kujua nitamwambiaje Waziri Msaidizi kwa sababu huyo mwananchi anasema hivi katika barua yake:-

"Nilienda Kamukunji Polisi Station kuandikisha statement baada ya kuwajulisha polisi. Wakaniambia nirudi asubuhi. Niliporudi huko nilipewa polisi wawili tukaenda Nyamakima. Tulipokuwa njiani hiyo wakaniambia nitoe 'chai'. Nikakataa. Tulipofika kwenye ofisi ya Nunguni Bus, polisi waliingia ndani. Wakaongea na meneja. Wakapewa pesa. Wakaniambia tuende kwa sababu kondakta ametumwa kuutafuta mfuko. Ikawa sasa wakaniambia niwe nikienda kupiga ripoti kwa polisi station crime office No.8, second floor. Nikaenda kila wiki, na baadaye Inspekta akaniambia -- Waliniambia, 'Mambo yako hatutaki. Wakanifukuza nisifike tena kwa hiyo polisi station".

Sasa ikiwa hali ni hiyo, Bw. Spika, ^{mwananchi} ~~mwananchi~~ wanafanywa hivyo, na sasa anaambiwa aende kituo hicho hicho cha polisi, swali ambalo namuuliza Waziri Msaidizi ni kwamba ataenda huko kuomba msaada kwa nani kama wale ambao walikuwa wakimsaidia ndio walimfukuza?

MR. KUBAI: Bw. Spika, Hatuna hiyo habari zaidi ambayo ilitolewa na mhe. Mwachofi kutokana na habari tulizopata kutoka kituo cha polisi cha Kamukunji. Vile sasa tuna habari hiyo, ni --

MR. LUKINDO: Jambo la nidhamu, Bw. Spika. Nidhamu yangu ni kusema kwamba Bw. Mathew Mhindoo aliniandikia barua kusema kwamba bas la kampuni ya 'Wendo wa Nunguni' liliachwa na sanduku lake lenye bidhaa nyingi sana. Aliziandika bidhaa hizo katika barua. Nami nikamjulisha aende kwa kituo cha polisi. Ni kweli alikwenda katika kituo cha polisi cha Kamukunji. Lakini ajabu ni kwamba polisi ~~wali~~ ^{walishikamau} ~~shikama~~ na kondakta wa lile bas mpaka wakayapuza madai ya bwana huyo. Polisi na kondakta huyo wakafanya walivyofanya mpaka Mhindoo akapoteza sanduku lake pamoja na mali yake. Jambo hili halikuandikwa katika rekodi za polisi. Kwa hivyo, Ofisi ya Rais haina habari hii?

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MR. SEIKUKU: Jambo la nidhamu, Bw. Spika. Jambo langu la nidhamu linahusu Swali hili. Mhe Waziriri Msaidizi, Bw. Kubai, amesema ukweli ule anaoufahamu. Kwa kawaida kama kuna Swali ni juu ya Wizara kuuliza kituo kinachohusika kuipatia majibu. Kwa vile sasa ni wazi kwamba maafisa wa polisi wenyewe walihusika katika vitendo 'vichafu', mhe Waziri Msaidizi hangeweza kupata ukweli huu anaopewa. Kwa vile sasa Bw. Mwachofi na Bw. Lukindo, ambao ni waheshimiwa Wabunge, wanamfahamisha ukweli wa mambo kama yalivyokuwa, anaweza kukubali kwenda kuyachunguza maneno haya upya yeye mwenyewe akitumia mbinu nyingine, na sio ile mbinu iliyotumiwa na kituo cha polisi, na aliletee Bunge hili jibu?

MR. KUBAI: Bw. Spika, ndiyo

(applause)

MR. SPEAKER: Order! Mr. Gachanja's Question.

Question No. 524

MR. SPEAKER: Mr. Gachanja, is still not here?

Let us move on to Questions by Private Notice.

QUESTIONS BY PRIVATE NOTICE

(MR. ANGATIA) to ask the Minister for Lands and Settlement:-

- (a) Is the Minister aware that the Kakamega District Land Registrar and Surveyor are sub-dividing parcel of land No. W/Kabras/Lukeme/793 belonging to the Late Sakwa Malala before succession procedures are gone into?
- (b) Could the Minister stop the sub-division intended to be carried out on 16.10.87 to enable the heirs file a succession suit in court?

MR. LUKINDO: Mr. Speaker, Sir, I beg to ask the Minister for Finance the following Question by Private Notice.

(a) Is the Minister aware that £924,000 was purchased from the Central Bank of Kenya for delivery to Bank of India, Ref. Purchase (10300) of 25.5.84?

(b) Why did the Central Bank of Kenya authorise this sale?

MR. SPEAKER: Is there anybody here from the Ministry of Finance?

Next Question.

MR. ABUYA-ABUYA: Mr. Speaker, Sir, before I ask my Question By Private Notice, and the Attorney-General replies, may I make a correction. There is only one ^{hon:} Abuya-Abuya in the whole of the Republic of Kenya. The reply I have just received ^{a reply} from the Attorney-General, ^{which} and ~~this~~ reply he is taking about ^{the} 'late Abuya-Abuya'.

HON. MEMBERS: It is late Abuga-Abuga!

MR. ABUYA-ABUYA: If he looks at the name in the Question, he will see that it is completely different. I am not yet 'late'.

Mr. Speaker, Sir I beg to ask the Attorney-General the following Question By Private Notice.

(a) Is the Attorney-General aware that the family of the late Abuga Abuga, Administration Cause No. 285 of 1985, had applied to the Public Trustee to have the money deposited with Barclays Bank Kisii, by the late Abuga, paid to them?

(a) Since all information regarding the above has been supplied, will he now pay this family without further delay?

THE ATTORNEY-GENERAL (Mr. Muli): Mr. Speaker, Sir, I must apologise for the typing error. I hope this sort of ^{typographical} typing error did not cause a lot of embarrassment to the hon Member. The deceased that we are talking about is the late Abuga Abuga, and not Abuya-Abuya. So, that mistake should be corrected immediately to read Abuga Abuga and not Abuya-Abuya.

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

(a) I am aware that the Public Trustee has received funds due to the estate of the late Abuga Abuga from the account with ^{the} Barclays Bank of Kenya at Kisii. Nonetheless, the said funds cannot, now, be released to the deceased's family as the same is subject to certain statutory and administration charges plus other outstanding legal formalities pertaining to the deceased land Ref. No East Kitutu/Kebirichi/165.

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21.10.87.

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THE ATTORNEY-GENERAL (Mr. Muli)(ctd.):

Mr. Speaker, Sir, I wish to refute the suggestion or idea that all particulars regarding this case have been received by the Public Trustee because the Public Trustee has, on several occasions, written to one of the widows demanding all the land certificates to enable him proceed with the transfer of the said immovable property. However, all these efforts have been without success. I will appeal to the hon. Member for Kitutu East, through the Chair, and the District Commissioner, Kisii, to try and assist us by providing the land certificates and other particulars to enable this estate be brought to immediate conclusion.

MR. ABUYA-ABUYA: Mr. Speaker, Sir, while agreeing with the Attorney-General that the information he requires has not been forwarded, the matters pertaining to this case are being handled by the District Commissioner, Kisii, and I have looked at the file in the district commissioner's office and I have not seen ~~any~~ any letter from the Attorney-General's Office asking for these particulars. If any letters have been written to that effect, could the Attorney-General lay copies of those letters on the Table?

MR. MULI: Mr Speaker, Sir, I have letters here addressed to Mrs. Teresia M. Abuga starting from 29th September, 1986. The one of that date, in part, says:-

"Could you please send land certificates of the said immovable property to me at your earliest?"

The one dated 2nd February, says in part:-

"I refer to my letter Ref..... I regret you have not sent me these certificates. Your quick response to this matter shall be highly appreciated".

The other one dated 11th May, in part, says:-

"I would appreciate the land certificates to enable transfer of this property".

Mr. Speaker, Sir, since I have done my best, could the hon. Member try to kick the ball from that side and then I will be able to assist?

MR. ABUYA-ABUYA: Mr. Speaker, Sir, could the Attorney-General then try to consider releasing the money which, at the moment, has nothing to do with the land so that the late Mr. Abuga's family could utilise it for paying school fees while he deals with the immovable property?

21.10.87.

MR. MULI: Mr. Speaker, Sir, I have explained the law of the Public Trustee. Incidentally, that Department is being reorganised to be called Administrator-General, where the Public ~~Trustee's~~ Trustee's Section will be. Now, the Public Trustee does not deal with matters of this nature ~~in~~ piece-meal; his first duty is to assemble the estate of a deceased person. When he has done that, he then gets the letters of administration of the whole estate. On obtaining the letters of administration from a court, then the Public Trustee is able, by law, to distribute the estate, including immovable property just like in this case. All that I can do is that if the family of the late Mr. Abuga has some financial problems and they make an application to the Public Trustee for a modest sum, a reasonable sum can be advanced to them. I would be quite pleased to ~~make~~ advance some money but not to release the whole estate.

POINTS OF ORDER

MR. SIFUNA: On a point of order, Mr. Speaker, Sir. In April this year, there was a Question raised in this House in connexion with the Ministry of Water Development about a Mr. Savi who is working with the Ministry and who had not been paid his ~~xx~~ salary from 1981 to 1985. The Minister for Water Development promised this House that Mr. Savi would be paid all his dues. ~~Taxxxx~~ In June this year, the Minister wrote a letter to the Permanent Secretary, Ministry of Water Development, asking him to speed up the process of paying Mr. Savi but, up to now, the said employee has not been paid his dues. Could the hon. Minister make a Ministerial Statement and tell the House when Mr. Savi will be paid his dues?

THE MINISTER FOR WATER DEVELOPMENT (Mr. Mwendwa): Mr. Speaker, Sir, it is not possible for me to ~~xy~~ say, at this point in time, when Mr. Savi will be paid his dues. However, if the hon. Member gives me time, I will be able to let him know sometimes next week.

21.10.87.

MR. SHIKUKU: On a point of order, Mr. Speaker, Sir. It is becoming a habit in this House for Ministers not to respond to the matters we raise here immediately. Whether that is deliberate or no, I do not know. However, I am worried about the dignity and honourability of this House as far as the Front-Bench is concerned. We are soon losing the trend of affairs in the House.

Mr. Speaker, Sir, on 7th October, 1987, I listed statements which were required ~~to~~ to be made here by Ministers, starting with the Attorney-General and other Ministries. Up to now, I have not seen any Minister coming up to make any such statements which they promised the House to make. You can now see that this issue has been raised by hon. Sifuna and the Minister for Water Development is saying that he is going to have a look at it. Now, for how long can we tolerate this state of affairs? It is either we behave honourably in this House or we are no longer hon. Members of Parliament, particularly the Front-Bench.

THE MINISTER FOR HEALTH (Mr. Matiba): ON a point of order, Mr. Speaker, Sir. I guess that the hon. Member includes the Ministry of Health——

MR. SHIKUKU: No, I do not.

THE MINISTER FOR HEALTH (Mr. Matiba): Oh, he does not. Thank you. I must appreciate that.

Mr. Speaker, Sir, on Wednesday, 14th October, 1987, the hon. Member for Butere, Mr. Shikuku, raised a matter concerning ~~the~~ procurement of drugs in this House and made a number of allegations regarding the purchase and requisition of the same by my Ministry. He accused a senior member of my Ministry's staff of almost corrupt ~~pr~~ practices in the matter of the intended purchase of drugs. Following that, my Assistant Minister who was in the House promised that I was going to make a statement to the House this week. I was on a tour of Nyanza Province, and I only returned to Nairobi over the weekend. I had hoped that I was going to make a statement to the House this morning but, unfortunately, I was not able to get myself ready because there are a number of points I am investigating which are very serious

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21.10.87.

THE MINISTER FOR HEALTH (Mr. Matiba)(ctd.):

and about which I must be clear in my own mind when making a statement in this House. I do not want to leave this House in any doubt as to exactly what is happening. For the time being, I can assure the House that no drugs have been acquired as yet and, therefore, nobody has been awarded the tender to supply ~~the~~ drugs to the Ministry of Health. I am investigating the matter to see how far some of the allegations go and then I will decide accordingly.

END..... I



THE MINISTER FOR HEALTH (Mr. Matiba)(Ctd.)

I intend to make the statement on Thursday next week because, by that time, I will have had all the details that I want.

MR. SHIKUKU: On a point of order, Mr. Speaker, Sir. May I correct one point the hon. Minister has said, that I accused a senior member of his staff of funny dealings in the purchase of drugs. I only referred to the senior officer's letter of extension of the tender but not purchasing. If he goes with that in mind, it might help him to do a good homework so that he comes and tells us. Secondly, when the Minister comes to reply to this House, I would like him to deny or accept whether he did not receive any letter from the Attorney-General and the Criminal Investigation Department to the effect that this Indian, Shailesh Patel - the middle name is very hard to pronounce - should not even tender for the Ministry.

THE MINISTER FOR HEALTH (Mr. Matiba): Mr. Speaker, Sir, as can be expected, that will be part and parcel of the statement that I will make when I come here on Thursday next week. As far as the point regarding the senior executive of my Ministry is concerned, namely, the Director of Medical Services, the hon. Member here might not have made that specific allegation. However, impressions created in the Press were very bad. In fact, the headlines in one of our daily newspapers were "Director of Medical Services named in a Drugs Scandal". That was the headline. So my statement is not without foundation.

MR. SPEAKER: Next order.

MR. ABUYA ABUYA: On a point of order, Mr. Speaker, Sir. With your permission, I would like to ask the Minister for Transport and Communications to make a statement to clear some allegations that the road under construction between Chemosit and Kišii, whose contract has been terminated has moved to site to acquire

MR. ABUYA ABUYA (CTD.):

equipment worth millions of shillings without the decision of the Government, and that a section of his Ministry is in favour of this and, as a result the Government will lose a lot of money. If that is the case, we would like to have a statement from the Ministry of Transport and Communications to the effect that there will be no favouritism. He should assure the House that there are no officers who are in favour of this contractor to acquire the equipment worth millions of shillings. On top of that there are allegations that he will be paid a sum of ~~x~~ about Shs.70 million, therefore deflating the whole amount of the contract which is Shs.146 million. We would like to have a clear statement from the Ministry of Transport and Communications regarding this issue. ~~Thisxxxxxxx~~ Thank you, Mr. Speaker, Sir.

MR. SPEAKER: Let us move on to the next order.

MOTIONS

THAT, considering the fact that Kenyans are free to live, work and settle in any district of their choice within the Republic of Kenya irrespective of their districts of origin; this House urges the Government to allow wananchi to obtain the national ~~x~~ identity cards wherever they are within the country without requiring them to obtain prior clearance from the Provincial Administration (i.e. Chiefs) ~~x~~ of their original Districts.

(Mr. Mwaruwa on 14.10.87)

(Resumption of Debate interrupted on 14.10.87)

MR. ANYUMBA: Thank you very much, Mr. Speaker, Sir for giving me this opportunity.

Mr. Speaker, Sir, unfortunately, I stand to oppose this Motion very, very much because there are a number of reasons for opposing it.

AN HON. MEMBER: You have been bribed!

MR. ANYUMBA: I have not been bribed because none of us takes a bribe. One opposes a ~~Motion~~ or supports a Motion on basis of ^{principle} ~~principle~~, and I will oppose it on ~~thix~~ these grounds.

One, the possession of the national identity card of Kenya implies that the holder is a Kenya citizen. ~~Sxxxxxly~~
Secondly, it also implies that the holder can go forward and register as a voter in Kenya.

(END....J)

MR. ANYUMBA (ctd):

Thirdly, Mr. Speaker, Sir, it goes on to imply that the holder of the identity card can get a job and work in Kenya because he is a Kenya citizen. These are three straightforward conditions. We know that the demand for our national identity card is great particularly from nationals of neighbouring countries. These people would like to come and work in Kenya or enjoy the peace and liberty prevailing in Kenya ^{while} pretending to be Kenya citizens. These people are, therefore, working hard day and night trying to get the national identity cards. If the police investigate, they will find out that these people are Kenya citizens illegally.

We can recollect, Sir, that our law ~~xxx~~ courts have been busy prosecuting a number of non-Kenya citizens who have been in possession of our national identity cards illegally. This ~~x~~ has been going on and I have no doubt that the Mover of the Motion can remember what has been going on around Ngong area apart from other cases which he must obviously have read in the Press.

MR. MWARUWA: On a point of order, Mr. Speaker, Sir. I am not aware of what the hon. Member is alleging. Could he substantiate who happened to be a non-Kenya citizen and was issued with an identity card?

MR. ANYUMBA: Mr. Speaker, Sir, we all read newspapers. This instances have been going on since identity cards started to be issued with a view of acquiring the voters cards. There was a report in the newspapers on how a member of the provincial administration had been issuing identity cards to non-Kenya citizens in the Ngong area. All that was contained in the newspapers.

MR. MWARUWA: On a point of order, Mr. Speaker, Sir. I would like to inform the hon. Member that we are not working through the Press and this House does not work ~~and~~ on the strength of what is contained in the newspapers. He has alleged that there are some people who are not Kenya citizens but were issued with identity cards. I would like him to substantiate this and give the names of those people and when that took place.

MR. ANYUMBA: Although I am not going to withdraw that, I would like to ask the Speaker to give me a little time so that I can go to the library here and extract that report from the newspapers. I am sure the hon. Member read that story although he is denying ^{it} ~~in that respect~~. Mr. Speaker, Sir, as I said earlier and I do not want to repeat —

MR. MWARUWA: On a point of order, Mr. Speaker, Sir.

MR. SPEAKER: Order! Sometimes, Mr. Mwaruwa, you are interrupting without grounds.

MR. ANYUMBA: Thank you very much, Mr. Speaker, Sir. The hon. Member is making me repeat myself at times. With your permission, Sir, I would like to emphasize three more points so that it can go on record why I am opposing the Motion. First of all, I said that the possession of our national identity card implies that the holder is a Kenya citizen; secondly, the holder can proceed and register himself to vote during Parliamentary and civic elections; thirdly, he can work in Kenya as a Kenya citizen. This is because the identity card shows that he is a Kenya citizen. These advantages should be made available to Kenyans alone and not to non-Kenyans.

We know ^{how hostile} ~~the~~ people, particularly from our neighbouring countries, have been pursuing the possession of Kenyan identity cards so that they can be ~~h~~ able to enjoy the peace and tranquillity we have here and even work amongst our people. It is, therefore, important to ensure that any person who is issued with a Kenyan identity card, is a Kenya citizen or else, we are going to have foreigners in this country pretending to be Kenyans. This matter does not end there but will also touch on matters of security. If there is laxity in the issuing of identity cards, we can also have agents of hostile governments pretending to be innocent citizens and be issued with identity cards. The only way by which we can ensure that we are issuing our identity cards to Kenya citizens is to make sure that the man we are identifying to be issued with an identity card, is known by the local administration. This must go right down to his home district; he must be identified by his chief and assistant chief.

The Mover of the Motion mentioned that he exercise becomes too slow when chiefs have to ^{be} consulted. That is another matter all together. The exercise can be hastened. I know that when the Government started registering voters, the exercise was slow but due to the pressure we had put on the Ministry concerned, they were able to make available more and more registration units which hastened the exercise very much. The exercise can be hastened as ~~was~~ opposed to merely issuing identity cards to anybody who may wish to obtain it anywhere in Kenya.

Mr. Speaker, Sir, I completely oppose the Motion and insist that we identify each and every person by saying he is a Kenyan and then issue him with an identity card.

With these few remarks, Sir, I beg to oppose the Motion.

THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES (Mrs. Ogot): Mr. Speaker, Sir, I stand to oppose the Motion that people should be issued with identity cards regardless of where they come from in the country.

The reasons are simple. First of all, it is a fact that Kenyans can work wherever they wish starting from Mombasa to Busia; eastern and western. This is only possible when the identity of the person has been ascertained that he is a Kenyan. We have just been going through the rigorous exercise of issuing identity cards to both men and women. The procedure laid down by the Government has enabled young Kenyans to get their identity cards very quickly. This is because, where there has been doubt, - I am giving the example of Yala Division - of a young married woman or a young person who has been living with his parents in the city, the chiefs ~~and~~ and assistant chiefs have been able to quickly identify the boys and girls. This also applies to those who have lost their identity cards. Identification of these people has been very easy through the local administration. This is very important because issuing of identity cards and thus making people Kenya citizens would be very dangerous because anybody can cross the border on foot or otherwise to acquire an identity card if nobody questions him. One could go ahead and register many non-Kenyans to the detriment of our

THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES (Mrs. Ogot) Ctd:

people. This is not only on the job issue, but also on the security of the nation. The Mover of the Motion might have had good intentions but what benefit would it give Kenyans to have so many young people from other countries crossing the border and registering as Kenyans? Would it not infringe on the rights of Kenyans both his sons and daughters as well as mine?

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THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES (Mrs. Ogot)(c)

I, therefore, feel that since the procedure has been moving on very smoothly in all parts of Kenya and to have enabled us to register over six million people in a very short time, there would not be any need to take a short cut on this issue.

The second point is that I would like to say a word of thanks to the Provincial Administration for having co-operated with the KANU officials and speeded up the issuing of identity cards. This has happened everywhere, including the area which hon. Mwaruwa represents. As regards that issue, there has not been any handicap or delay apart from the fact that there have been a few complaints from some areas that some assistant chiefs and chiefs were probably trying to ask for little amounts of money before these forms were signed. By and large, the exercise was done speedily and in very good spirit and co-operation between the people, the Government, and KANU.

With those few remarks, I beg to oppose the Motion.

THE ASSISTANT MINISTER FOR COMMERCE (Mr. Lalampaa):

Ahsante sana Bw. Spika kwa kunipa nafasi hii, ili pia niseme machache juu ya Hoja hii.

Ninasimama kuipinga Hoja hii kwa sababu ni hatari kwa usalama wa nchi hii. "It can be a security risk", ikiwa tuta-ipitisha Hoja hii. Sababu ya kwanza ni hii: Mgeni akitoka nchi jirani, na kuelekea Mombasa na kuwaambia wale maofisa wanaotoa vitambulisho kwamba anatoka Busia, Kakamega, Kisumu, Samburu, Embu, au Kirinyaga itakuwa vigumu sana kwa maofisa kumjua huyu mgeni bila kupitia kwa chifu au chifu msaidizi ili waweze kujua kama huyu mtu angestahili kupatiwa kitambulisho. Ikiwa Hoja hii itapitishwa, wageni wengi watajiandikisha kama Wanakenya bila ruhusa cha Serikali na watu wa Kenya. Jambo kama hilo linaweza kuwa hatari sana, kwa sababu hata unaweza kuandikisha wapelelezi kutoka nchi za nje. Watu kama hawa wanaweza kuchukua vitambulisho

THE ASSISTANT MINISTER FOR COMMERCE (Mr. Lalampaa)(contd):

kisha wakafanya upelelezi katika nchi hii. Kwa hivyo, Hoja hii ni hatari sana kwa usalama wa nchi hii.

Muda mrefu hupotezwa wakati mwananchi anapoambiwa aende achukue kitambulisho mahali ambapo alizaliwa. Kile ambacho Serikali inahitaji ni thibitisho kutoka kwa chifu au chifu msaidizi ambaye anamjua yule mwananchi. Chifu ndiye anaweza kusema, "Fulani wa Fulani ni mzaliwa wa sehemu fulani, katika tarafa fulani, katika wilaya fulani". Baada ya thibitisho kutoka kwa chifu au chifu msaidizi mwananchi huyo anaweza kupewa kitambulisho cha Jamhuri ya Kenya. Jambo hili unafanywa ili/makosa ya kuandikisha wageni ambao baadaye wanaweza kuwa hatari kwa usalama kwa taifa la Kenya.

Bw. Spika, ningependa kuwaomba Waheshimiwa Wabunge wengine waipinga HOja hii kwa sababu itahatarisha usalama wa wananchi wa Kenya.

MR. MWARUWA: How!

End L

THE ASSISTANT MINISTER FOR COMMERCE (Mr. Lalampaa) (S.P.):

Bw. Spika, Mhe. Mwaruwa ananiuliza 'how'. Mimi sitaki kuyarudia ^{yale} niliyoongea kwa sababu ni kinyume ~~x~~ cha Kanuni za Bunge. Nimesema kwamba Hoja hii ikipitishwa, itakuwa hatari kwa usalama wa nchi hii.

Bw. Spika, ingefaa vitambulisho vya Kenya viwe vikipewa wananchi wa Kenya peke yao na ^{pamoja na} sio/wageni. Kama kuna mgeni yeyote anayetaka kuwa Mwanakenya, basi sheria iko wazi; njia ya kujiandikisha iko wazi. Mtu kama huyo anatakiwa atume maombi yake kwa Serikali na yatafikiriwa. Kama mtu huyo amekuwa ~~katika~~ nchini ~~ya Kenya~~ kwa muda mrefu akiwa mgeni, na kuna sababu ya kumfanya asitake kutoka humu nchini, kuna sheria inayomruhusu mtu kama huyo kutuma maombi yake kwa Serikali ili ~~p~~ apewe kitambulisho cha Kenya. Lakini, haifani mgeni yeyote kutoka nchi ^{nyingine} ~~yeyote~~ ~~kuingiwa~~ kupewa kitambulisho mara tu aingiapo Kenya. Ikiwa hivyo, wageni wengi watapewa vitambulisho vya Kenya na huenda wakachukua nafasi za kazi ambazo zingekuwa za watu wa Kenya. Vile vile, jambo hilo laweza kufanya idadi ya watu katika nchi hii kuongezeka.

Kwa hayo machache naipinga Hoja hii.

MR. MUTISO: Thank you very much, Mr. Speaker. Let me also join my colleagues in opposing this Motion because it is an unfortunate one. The Mover of this Motion usually brings very good Motions into this House and we whole-heartedly support him. But this time, I will not support him.

A ^{national} /identity card is a very important document because it gives the holder all the constitutional rights of that nation. In fact, even when one is applying for a passport, he is first of all asked to produce his identity card. In the identity card, it is indicated clearly where one was born and other details. Our system of Government is so good in ensuring that it does not let into the country people who come in camouflaged in one way

MR. MUTISO (ctd.):

or another, who would end up becoming spies, saboteurs, agents of imperialism and all other kinds of agents. It is difficult to tell the origin of a person by merely looking at him - his colour does not mean very much as far as a person's origin is concerned. For instance, you might not tell the difference between the Asians who were born in Mombasa or the Waswahili. It might be difficult for you to tell whether that person is a Kenyan citizen unless you have ---

MR. KILIKU: On a point of order, Mr. Speaker, Sir. Could the hon. Member speaking define the word 'Waswahili'? Who ~~w~~ are Waswahili?

MR. MUTISO: Mr. Speaker, Sir, I was talking about those people who have a different colour ---

MR. LUKINDO: On a point of order, Mr. Speaker, Sir.

~~MR. SPEAKER:~~ No, I would like to hear what hon. Mutiso is saying.

MR. MUTISO: Mr. Speaker, I wish the hon. Member would be patient because we want to make a legislation on a very important matter and, therefore, the views of other hon. Members should be heard in silence and with respect.

I was saying ~~that~~ that people from the ~~K~~ Coast who are not totally black - they have a mixture of colours - and their day-to-day language is Kiswahili are the people we call Waswahili. This is a normal thing, and the hon. Member should not ask me to substantiate the obvious.

MR. MWARUWA: On a point of order, Mr. Speaker, Sir.

MR. MUTISO: Mr. Speaker, Sir, would you please protect me from these hon. Members?

MR. MWARUWA: On a point of order, Mr. Speaker, Sir.

I come from the Coast and I am not very black. I speak Kiswahili but I am not a Mswahili. Could the hon. Member substantiate and

MR. MWARUWA (ctd.):

tell us who the Waswahili are? We would like to know that.

MR. MUTISO: Mr. Speaker, Sir, I was doing exactly what the hon. Member is asking me to do. I said that the people who use Kiswahili as their normal daily language of communication and who do not have a black skin are the people we know as the Waswahili from the Coast. If the hon. Member holds a different view, that is a matter of opinion.

What I want to say, Mr. Speaker, Sir, is that our system of Government is so good that it is organized in such a way that --

MR. SHIKUKU: On a point of order, Mr. Speaker, Sir. I am sorry to take my hon. friend's time. He is talking about the Waswahili, but the Mover, when he was moving this Motion, said that there is some sort of discrimination against those with black skins, but those with^a brown colour are not asked about their ancestry.

MR. MUTISO: Mr. Speaker, Sir, I just gave an example of the people from the Coast. I am now coming to the black people. It would be equally difficult to tell the difference between a person from Bungoma or some other part of Western Kenya at the boundary, who speaks Luhya or Bukusu, and those people living across the Boundary in Uganda. It is not easy to tell whether such a person is a Kenyan or a Ugandan. We, therefore, need a system by which we should ensure that we issue identity cards only to Kenyans. We have such a system ~~where~~ whereby we have provincial commissioners heading provinces, district commissioners heading districts, district officers heading divisions, chiefs heading locations and even assistant chiefs heading sub-locations. All these positions are held by Government officers. This goes right down to the village, to facilitate the identification of individuals. For example, if I went to my chief, he would say,

MR. MUTISO (ctd.):

118.0.
 "This is Gideon Munyao Mutiso who was born in this location, and we know his parents." [There, therefore, cannot be any ~~any~~ question of somebody trying to camouflage his ~~id~~ origin in order to get ~~and~~ Kenyan identity card. Some ~~pe~~ people, ^{from foreign} ~~some other~~ countries, have ^{consciously} been issued ~~x~~ with identity ~~cards~~ cards, ~~of these~~ ~~countries,~~ only to be discovered much later when the damage has been done. Some people only use passports; ~~a~~ they do not have identity cards. We have heard of spies who only got discovered after they had caused a lot of damage. We do not want that kind of thing to happen to Kenya. I, therefore, ~~s~~ fully support the idea of issuing identity cards to those ~~w~~ people who have been identified from the villages from which they claim to have come from and up to the district commissioner or the provincial commissioner. With that kind of system, our nation shall remain free from infiltration by saboteurs, agents and that kind of people.

Mr. Speaker, Sir, I feel that this ~~Mt~~ Motion has been a very unfortunate one and it would to be opposed vehemently.

END M. 

MR. HATE: Mr. Speaker, Sir, I also stand to oppose this Motion very strongly. The meaning of having an identity card, is to be able to be identified and if someone cannot be ~~is~~ identified, then he should not be given an identity card because he has not been identified.

Sir, as it has been said before by hon. Members, this Motion is very unfortunate and I think the Mover might have slept badly that night. This is because, if we allow something like this to happen in the Republic, we shall be jeopardizing the affairs of the whole country, our Government and the whole system because anybody from any part of the globe will be free to come and ~~be~~ register in Kenya as a Kenya citizen. So the present system of issuing of identity cards is even supported by wananchi; the local old men and the elders because they also assist in the process of identification. Not anybody come forward and say that "I am a Kenyan and I should be given an identity card". In fact, I strongly doubt whether any sensible system of government would allow something like this one to be done so haphazardly the way the Mover has proposed because it would be very dangerous, as I said earlier on.

Sir, I would also like to thank the Office of the President for conducting the recently ended exercise of registering people. They were moving from one location to the other registering people using the established system, but not the one that my hon. friend is trying to advocate. They assisted those without identity cards to get them to enable ~~is~~ them to register as voters. It was a nationwide exercise. We appreciate the kind of work they did in Western, Eastern, Central and North-Eastern Provinces. They did not stay in their offices; they moved from place to the other registering people. I wish to register my thanks for the kind of good job that was done by the Office of the President.

Sir, at this juncture when debating this unfortunate Motion, I would like to remind the Government that some school leavers leave school at the age ~~the children are~~ of 15 years and they cannot be registered before they have ~~attained~~ attained age of 18 years. For a period of about two or three years, they cannot be employed because they have not attained the age of 18 to be able

MR. MATE: (Ctd.):

to be issued with identity cards. I think it would be a good idea to consider the plight of these youngsters because not all of them continue with education after Standard VII or VIII. So, there is that period after Standard VIII when they cannot be issued with identity cards because they have not attained the required age of 18. This is an issue which I think the Government should consider to know what should be done with those youngsters who leave school when they cannot get identity cards because they have not attained the age of 18 years. This is an issue which requires Government attention.

Finally, Sir, it has been decided by hon. colleagues that this Motion should be opposed by every hon. Member in this House because by supporting we will be jeopardizing the whole system of our Government.

With those few remarks, Mr. Speaker, Sir, I beg to oppose the Motion.

END N....

MR. OMIDO: Thank you very much, Mr. Speaker, Sir. I also rise to oppose this Motion very strongly. This Motion, in part, says:

"this House urges the Government to allow wananchi to obtain the national identity cards wherever they are within the country without requiring them to obtain prior clearance from the Provincial Administration--"

Mr. Speaker, Sir, we are now opening our registration of persons system to very serious abuses. Anybody will come from anywhere and walk to any registration centre in the country and say that he is a Kenyan and he will get an identity card because no clearance from the Provincial Administration will be required. That is a very dangerous thing to do, Mr. Speaker, Sir.

Mr. Speaker, Sir, what I would suggest here is that the Government should look into the system of registration of persons in this country with particular emphasis on those young men and women who are leaving school. The registration teams should move into schools so that as boys and girls ~~rep~~ prepare to leave school, after attaining the age of 18 years, they are issued with identity cards. These ~~em~~ boys and girls ~~were~~ should leave school with identity cards. This is because when we let these children come out of school without identity cards then the registration centres will get flooded with these youngsters. You will find that it will be very difficult indeed for these registration centres to cope with these large numbers of youngsters seeking identity cards. I say this because I have experienced the problem at Makadara in my constituency. There are ~~me~~ very many young people queueing for registration every day. This problem could ~~have~~ ~~xxx~~ be eased a bit if we sent registration teams to schools like Alliance High School, ~~H~~ Kenya High School and Nairobi School where boys and girls are completing Form VI and are going out to ~~train~~ either continue with university education or to join other Kenyans in other fields of our development.

The arrangement that I have just mentioned is acceptable. But let me say that the question of allowing anybody to move to any registration centre and to obtain an identity ~~card~~ card without prior clearance from the Provincial Administration is very, very dangerous. We could have ~~many~~ non-citizens registering as citizens and as some of my colleagues have said here, these could be people who are sent into this country to come and sabotage our economy and so on. So, you will find that since you have registered them as citizens of this country you cannot send them out of the country. This could be a very dangerous thing.

So, ~~in~~ with these few remarks, Mr. Speaker, Sir, I strongly oppose the Motion.

THE ASSISTANT MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT(Mr. Adichareh): Ahsante sana Bw. Spika. Mimi pia nasim_ama kuungana na wenzangu ~~katika~~ kuipinga Hoja hii. Hii ni kwa sababu Hoja hii itauhatarisha us_alama wa nchi hii. Ninasema hivyo kwa sababu ikiwa sisi tutatoa ruhusa ili kila mtu awe akijia-ndikisha ~~mapa~~ ko kote aliko tutakuwa tunaihatarisha nchi hii. Mambo yatakuwa mabaya k hasa katika wilaya zilizoko kwenye mipaka yetu na jirani zetu. Ni lazima mtu ambaye anataka kupewa kitambulisho ~~awa~~ awe anajulikana vyema na chifu au naibu wa chifu. Hii ni kwa sababu watu wakikubaliwa kuchukua vitambulisho bila barua ya aina yo yote kutoka kwa chifu, watu wengine kutoka nchi jirani wataweza kuingia Kenya na kupewa vitambulisho. Tukifanya hivyo tutakuwa tunaitusi na kuichezea sheria yetu. Si jambo jema ~~kwa~~ kamwe kuwapa vitambulisho watu ambao wanaweza kuwa maadui wakubwa wa nchi hii. Ijapokuwa tunataka watu wetu wapate vitambulisho hatusemi jambo hili lifanywe bila uangalifu wo wote. Kwa mfano mtu akisafiri kutoka Moyale hadi Mombasa na kusema "Mimi natoka Moyale" yule ofisa wa Serikali kule Mombasa atajuaje kwamba mtu huyo ~~ameto~~ ametoka Moyale, Mandera au Samburu?

MR. KILIKU: Jambo la nidhamu, Bw. Spika. Ni sawa kwa Waziri Msaidizi kusema kwamba hakuna Mbunge yeyote atakaye-unga mkono Hoja hii? Anajuwaje, na hali kuna wengi ambao hawajazungunza?

(There was noise in the Chamber)

MR. SPEAKER: Order! That was his opinion, and he is entitled to it.

THE ASSISTANT MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (Mr. Adichareh): Asante sana, Bw. Spika. Ninafikiri maoni yangu yanakaribia kuwa sawa na ya kila Mbuge. Sisi ndio tunaazitunga sheria za nchi hii; na tukiwa wenye kutunga sheria, hatungetaka kuitusi sheria ya nchi hii. Kama kunaye mwananchi ambaye amekatazwa kitambulisho, hiyo ni kesi ambayo inaweza kufanyiwa kando. Lakini kusema mtu yeyote, popote alipo katika nchi hii apatiwe kitambulisho, bila kujua kule atokako ni jambo lisilokubalika hata kidogo kwa sababu sisi tuna nchi jirani na watu kutoka nchi hizo wanaweza kuingia kutoka humo na kusema wao ni wananchi wa Kenya. Kwa mfano, watu wanaweza kuingia kutoka Somalia, Ethiopia, Tanzania au Uganda na waombe kupewa vitambulisho. Hivyo ndivyo kutumia mamlaka h vyema? Je, tutakuwa tukilinda amani ya nchi hii? La, hatukubali mtu yeyote apewe kitambulisho mpaka naibu wa chifu aseme "Mimi najua mama na baba ya huyu mtu, na amezaliwa hapa". Mtu akitambuliwa na chifu anaweza kupewa kitambulisho. Kama si hivyo, Hoja hii ni lazima ipingwe kabisa.

Kwa hayo machache, naomba kuipinga Hoja hii.

MR. SPEAKER: It is now time for the Government responder.

THE ASSISTANT MINISTER, OFFICE OF THE PRESIDENT

(Mr. Kubai): Mr. Speaker, Sir, I beg to reply to the Motion, on behalf of the Government.

I would like to thank the hon. Member for Mombasa North for bringing this Motion to this House. Ideally, the Motion is an appreciation of the existing freedom enjoyed by Kenyans whereby they are free to work and settle in any of the districts in this country.

I also wish commend in general, the other hon. Members who had the opportunity to contribute to this Motion. I want to assure them on the outset that their views have been taken very seriously.

Sir, registration of persons is an exercise of importance to any nation, ours included. It is through this paramount exercise that eligible Kenyans are issued with identity cards - a very important document indeed. An identity card is a document required for ~~xxxx~~ various purposes. For example, recruitment into the armed forces, as a form of identification in financial institutions like banks, post offices, payment of salaries and so forth. The possession of an identity card is also a requirement for those wishing to register themselves as Kanu members and the just concluded voters registration exercise. It is imperative therefore, that those holding Kenya identity cards are in actual fact, true citizens of this country. The prevailing peaceful and stable economic and political situation in this country today under the able and wise leadership of President Daniel arap Moi, undoubtedly, ~~has~~ has attracted many aliens into the country as refugees and otherwise.

END P.....

J.K.

THE ASSISTANT MINISTER, OFFICE OF THE PRESIDENT (Mr. Kubai)(Ctd.):

It is not a secret that these are aliens who take the slightest advantage of any slackness in the registration process and present themselves for registration. Hon. Members, too, are aware of the dangers inherent in a situation where aliens may be able to register themselves as Kenyans. It is necessary for us, as Kenyans, to guard ourselves from such ^{an} eventuality by sealing all possible loopholes to ensure that ^{no} non-Kenyans is issued with an identity card.

Mr. Speaker, Sir, regretably, what this Motion is urging the Government to do is to relax the existing registering system of ^{vetting} applicants seeking to obtain ^{identity} cards. The provision of Cap.107 of the Laws of Kenya, demands that careful vetting of applicants be done accurately, as improper output would ^{Subsequently} substantially render proper identification impossible. In the absence of proper identification, ~~it~~ ^{and} illegal registration of non-Kenyans would result/that would endanger the security of this country. The existing system of registration of persons is geared to ensure that the registration of non-Kenyans is curbed. All applicants have, therefore, to be vetted by the provincial administration officials of their home districts; that is chiefs and assistant chiefs. This system, however, ~~is~~ cumbersome, is the best alternative possible as these officials are the best people suited to determine really those who are of true citizenship status, or otherwise. As intimated above, we have today in our country many aliens and we should not allow a situation where these people will be able to register themselves and, thereby, acquire Kenyan citizenship status by compromising the vetting system of applicants.

Mr. Speaker, Sir, the number of applicants has been on the increasing ~~trend~~ over the years. The increase can be attributed to the many young Kenyans who are becoming of age after the completion of High School education. More recently, the high demand for registration has been occasioned by both Kanu Membership drive as well as the registration of voters. But, all in all, to be able to cope with this trend, the Government has gone a step ahead by expanding the program. As of today, registration centres have been opened in virtually all administrative divisions in the country. To date, a total of 8,723,676 Kenyans have been issued with identity cards.

THE ASSISTANT MINISTER, OFFICE OF THE PRESIDENT (Mr. Kubai)(Ctd.):

Finally, Mr. Speaker, Sir, I would like to assure this House that the Government is taking the registration of persons very seriously ~~it~~ in response to many complaints that are being raised. At the same time, the security of this nation must be guarded very jealously, indeed, by all of us. Every attempt will, however, be made to make sure that the issuance of identity cards, to genuine Kenyans, is done expeditiously.

With these few remarks, Mr. Speaker, Sir, I beg to reject this Motion, on behalf of the Government, in view of the grave security implications the exercise may have if the existing ~~of~~ vetting system of registration is relaxed.

MR. MBORI: Mr. Speaker, Sir, first I am grateful to the Mover of this Motion, Hon. Mwaruwa, Member for Mombasa for having brought this Motion at this time, when registration of young persons from schools and other places over the age 18 years, is being done throughout the country. Mr. Speaker, Sir, I say I am grateful to the hon. Member for bringing this Motion to the House because I have ~~the~~ taken time to observe what takes place during the registration of young persons by the administration staff and one really wonders ^{about} ~~at~~ the slow rate at which these young persons are being registered in order to obtain their identity cards. The rate is not only slow but frustrating. The young persons are indeed being frustrated.

N.D. You will find somebody attending this exercise for one week, one month or even several months. When a person goes to apply ~~a~~ for an identity card, he is told to come the following Monday or Friday and this is continued non-stop. This is more embarrassing to young women who ~~are~~ have reached the age of 18 years. These women are told to produce their baptismal certificates, or their school leaving certificates, and if they do not have any of these, they are asked to produce letters from their fathers confirming ^{that} ~~whether~~ they are truly married to their husbands and that their names are such-and-such. These are some of the obstacles that have come in the way of the registration of young persons. I would like to give an example of Oyugis, which I represent in South Nyanza, where young people have been standing out in the sun day in day out. Sometimes, ~~these~~ some of these young people are told to bring their affidavit, ^{to prove that they are married,} before they are issued with identity cards.

MR. MEORI (Ctd.):

Mr. Speaker, Sir, I think the Mover of this Motion has brought it at the right time when this exercise is being carried out and ^{the system is} frustrating our young ~~xxx~~ persons. These are the people who are going to take up our places as leaders, in this House and elsewhere, but they are being frustrated. This is why I am saying that this Motion ^{was come} ~~was~~ brought to the House at the right time. I believe also that as a father, you can have a daughter or a son living with you at Mombasa. ~~with~~ I am not very clear whether it is mandatory that when your son or daughter wants to be issued with an identity card, he or she must go all the way to Busia to be issued with the identity card. Similarly, I could have my son or daughter attending school at Nyeri, or even at Machakos, but I come from Nyanza. When my son or daughter attains the age of 18, I do not think it is fair for the young boy to come all the way from Nyeri or from Mombasa to South Nyanza to be issued with an identity card.

END Q

MR. MBORI (CTD.):

I am of the opinion that the Mover of this Motion was right in bringing up the Motion at ~~such~~ a time as this. I support him in that this Motion should remain as it is so that our young persons, wherever they may be, are issued with identity cards without these unnecessary obstacles. To me, it sounds as if we are discriminating against young persons; our offspring who are going to succeed us. I do not know how we want this thing to be done.

When I was young -- I do not know whether this was right -- I was given my identity card in Nyeri, although I come from South Nyanza. Why did the colonialists not return me to South Nyanza in order ^{for me} to obtain my identity card there? I believe that this Motion is right. Those who oppose it have a right to do so, but I am of the opinion that this Motion should remain the way it is, so that our young persons are issued with identity cards because, as Kenyans, they deserve the cards. If Kenyans are to live wherever they choose in Kenya, why would you expect a Masai from Loitokitok to go back there in order to obtain his identity card there whereas he is working somewhere, ^{at} say, ^{at} Kisumu or Kakamega? How is this going to be done?

Mr. Speaker, Sir, I believe that this Motion has come up at the right time and that these obstacles, which have been put upon young people by the Administration, ~~stuff~~ must be removed forthwith in order to allow our young people to get their identity cards. Who does not know the importance of an identity card? Getting an identity card means that you qualify as a mature Kenyan at the age of 18 years, ^{to be} a voter; ^{and you become} to be voted for; and a man who is able to look for ^{his} your livelihood tomorrow. In the absence of an identity card, no Government, private firm or any individual person will offer you any job. If young people are continually denied identity cards just because they must go back to their places of origin, then they are being denied their future livelihood, in Independent Kenya, and this is a shame on us.

With these few remarks, Mr. Speaker, Sir, I beg to support this Motion.

THE MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (Mr. Biwott):

Thank you very much, Mr. Speaker, Sir---

MR. SHIKUKU: On a point of order, Mr. Speaker, Sir. I seek your guidance here. The Government Responder responded to this Motion, and I wonder whether one could move a slight amendment. I think this is possible. I have been trying to do this, but I have failed miserably.

MR. SPEAKER: I think we are, more or less, moving on to the next stage.

THE MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (Mr. Biwott):
Thank you very much, Mr. Speaker, Sir, for giving me these few minutes to contribute effectively to this Motion. I think there is some confusion here. If you read the Motion, as it stands at the moment, you will see that it leaves wide open the possibility of foreigners having access to our identity cards.

(Applause)

MR. SHIKUKU: On a point of order, Mr. Speaker, Sir. This is where we have a problem.

(Mr. Biwott stood up)

Could the hon. Member resume his seat?

Is the Minister not repeating what we have been told more than a dozen times, just because he was not here to hear it? The same argument has been repeated, and it is now being repeated again. Is that in order? Is the Minister aware that Standing Order No. 87 forbids such repetition?

THE MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (Mr. Biwott):
Mr. Speaker, Sir, I think that this is calculated just to waste my time. It is very important that this Motion be understood very clearly. In fact, this is the reason why the hon. Member, who is now interjecting, has asked for an amendment.

From the way the Motion is written, and considering the fact that our borders are inhabited by people who transcend them, if the Motion is passed in this form, there will be a possibility of an influx of people into the country to register themselves because of the flexibility of our own system that will exist. So, ^{this is} because of the security aspect of the matter; ~~it is~~ ^{not the} ~~necessity of~~ ^{necessity of} ~~necessary for~~ our people to get identity cards, because this is their right.

THE MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (CTD.):

The need to ensure that eligible Kenyans are registered easily and without many problems is valid, but this Motion does not portray that particular picture. The Government has clearly rejected the Motion because of its wide presentation. The presentation is such that if the Motion were passed, we would be in danger. The argument that ^{now} the Member for Kasipul Kabondo advanced is right. Kenyans must register, be identified and feel proud of having their own identity cards. This is patriotism. Registering yourself anywhere, provided that it is known that you properly belong to Kenya, is perfectly in order. I obtained my identity card away from my own district because I could identify that I come from a particular place. So, the issue here is not ^{the} ease with which Kenyans are enabled to get their identity cards, but the fact that from the way the Motion now stands, it is so wide open and if it is allowed to pass in this form, we will have a grave security danger because anybody across our borders, speaking the same language and having relatives on this side of the borders, can walk in and easily get an identity card. In that case, we will have problems in no time.

Let us not forget that today Kenya is so secure that everybody wants to be identified with it.

MR. SHIKUKU: We have already been told that.

THE MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (Mr. Biwott): Even if you have been told this, it does not do any harm to also have a bit of—

MR. SHIKUKU: On a point of order, Mr. Speaker, Sir. Should we allow our Standing Orders to be flouted? Standing Order No. 87 has not been amended. You should not repeat your own or anybody else's argument. Is the Minister now in order? He has not been here whereas we have been, listening to this argument, and we are already fed up with it.

MR. SPEAKER: Well, he now knows where he slipped. This is just because he was not here when this was said.

THE MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (Mr. Biwott):

Mr. Speaker, Sir, I am fully aware of the Standing Orders of this House, so

THE MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (CTD.):

I know about the issue of repetition, but I have not repeated anything. Even if you check what I am saying in the HANSARD tomorrow, you will not find it identical to what has already been said. Therefore, this cannot be repetition. The whole of my sentence construction must be different from that of my colleagues who spoke before me.

K.S.
 The issue at hand, as it is now, is not that the Government is against facilitating the registration of persons. We are all involved in the exercise of recruiting Kamu members and issuing identity cards to all eligible Kenyans. We know that this is a major requirement across which we come daily. Qualified young people would like to register themselves, but this has to be done in such a way that those people who have infiltrated into our country are not registered as Kenyans, because of the lack of thoroughness in our system. No country in the world has a registration system which is so loose that anybody can come in and register himself. We must ensure that we in Kenya have the best registration system. K.P. I am not saying that the present registration system is water-tight, but it ^{is} as good as it can be. There could be loopholes in it, and this is where the Government could be urged to ensure that adequate facilities are given so that Kenyans do not get frustrated or held up in registering themselves. The Government could be urged to ensure that the officers who deal with such registration spare no effort in seeing that every Kenyan who needs to be registered is registered. However, that is a different issue from the one that is being presented in this Motion, as it is at the moment. It is precisely for that reason that we are opposing the Motion. We are Kenyans and elected Members of Parliament, although some of us sit on the Front Bench. It is not less important to us in the Front Bench than it is to Back-Benchers to ensure that our people are registered. They are Members of Parliament just as we are, and we all have similar problems.

END R

THE MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (Contd.):

It is the security of the nation that comes first. It is the 'undiluted' Kenyan that we must protect to make sure that when he walks at night and says, "I am a Kenyan", he is truly a Kenyan. Otherwise, we will have so many people who will be 'marauding' having obtained Kenyan citizenship and, therefore, have access to our passport, and use it to go out and attack our own country.. We know of one or two cases who have had access from other countries and are now taking us to task.

With those few remarks, Sir, I beg to oppose the Motion.

MR. SPEAKER: It is now time for the Mover to reply.

MR. MWARUWA: Mr. Speaker, Sir, with permission from the Chair, could hon. Lukindo and hon. Shikuku each be allowed two minutes to contribute to this Motion?

MR. LUKINDO: Ahsante sana, Bw. Spika. Namshukuru sana mhe. Mbunge kwa kunipatia nafasi.hii.

Kusema kweli, Bw. Spika, kitambulisho ni kitu cha maana sana katika Kenya. Lakini wakati wa kukipita, masharti juu ya kupata kitambulisho ni lazima yawekwe mkazo kweli kweli. ^{Nakubaliana na} ~~Nakubaliana na~~ ^{Nakubaliana na} ~~Nakubaliana na~~ haya kabisa. Lakini kwa mara ya kwanza, mtu wa Kenya akipata kitambulisho, kwa hakika ni lazima apitie kwa naibu wa chifu, chifu mwenyewe na yeyote yule ili kuhakikisha kwamba yeye ni mwananchi wa Kenya. Lakini ajabu ni kwamba wakati mwingine mtu hupoteza kitambulisho, na yeye anafanya kazi mbali sana. Pengine anaibiwa pamoja na vyombo vyake. Yeye anafanya kazi Mombasa au mbali sana. Akipoteza, anakuwa anapiga ripoti kwa polisi. Mimi sioni ^{na} ~~na~~ sababu mtu huyo aliyepoteza kitambulisho ~~chake~~ na duplicate au nakili yake iko kwa mkuu wa wilaya ^{na} ~~na~~ sisi ni kwa nini inamlazimisha arudi mpaka akamuone naibu wa chifu na chifu ili apate nakili ya kile kitambulisho chake. Nafikiri kufanya hivyo ni kupoteza wakati pamoja na pesa.

MR. LUKINDO (Contd.):

Kwa hivyo, Hoja hii naiunga mkono sana. Ni heri marekebisho yafanywe kwa sababu sisi tumeletwa hapa na wananchi, na mahali wanaoona wakitatisika, wanatuambia sisi. Pia, kulingana na Katiba yetu ya Kenya, tuna uhuru wa kurekebisha, kuondoa, na tuna uhuru wa kuongeza sheria nyingine. Kwa hivyo, ikiwa sheria inawaumiza wananchi ambao tunawawakilisha hapa, sioni ni kwa nini matakwa ya wananchi waliotutuma hapa yapuuzwe. Hiyo ni kusema kwamba ningeonelea marekebisho yafanywe ili watoto wachanga wapatiwe vitambulisho vikipotea bila ya kuenda kwa naibu wa chifu. Hii ni kwa sababu sheria yoyote inatungwa ili kuwafaa wananchi lakini siyo eti sheria isimame kama mti na haiwezi kuondoka. Watu wenyewe ndio wanaopaswa kubadilisha sheria ili iwafae. Kwa hivyo, marekebisho yakifanywa, Bw. Spika, mimi nitaiunga mkono Hoja hii.

MR. SHIKUKU: Thank you very much, Mr. Speaker, Sir. It is just too bad that I did not catch your eye in the course of this debate. I was here throughout from the beginning.

Facts are, the Motion is not as bad as it has been painted to be. Facts remain that there is discrimination, and that is what the hon. Mover said when he was moving the Motion. When you are black in Mombasa, it is impossible for you to get your identity card. But if you happen to be 'brownish' or slightly 'whiter', then there is no problem at all. This is the issue we are supposed to look at now.

Secondly, Mr. Speaker, Sir, --

THE MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (Mr. Biwott):
On a point of order, Mr. Speaker, Sir. That is a very serious issue because Kenya stands for all, and Kenya has no discrimination at all. If there is discrimination, can somebody substantiate that it is so?

MR. SHIKUKU: Mr. Speaker, Sir, you can see the problem this House has got. The hon. Member was not here. It was spoken by the hon. Mover himself, and this is what made him bring this Motion here.

MR. SHIKUKU (Contd.):

We want anybody, from wherever he is, to get his identity card ^{there} rather than sending him way back to where he originated from. That was the problem. I, Mr. Shikuku, was born in Lake Magadi,, and I was brought up in Butere. When I came up for a job I was registered at Lake Magadi. I got my identity card there. They did not send me back to Butere to look for my assistant chief. The essence of this Motion is to have all --

THE ASSISTANT MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (Mr. Adichareh): On a point of order, Mr. Speaker, Sir. The hon. Member or Mover is talking of discrimination and want this to be substantiated. We do not have any discrimination in Kenya. We shall not allow anybody to cross the border and be given identity card.

MR. SHIKUKU: Mr. Speaker, Sir, if the hon. Member wants substantiation, I would like to do it right for him here. We know there is discrimination in this country. For instance, one day, an African - an employee of the Voice of Kenya - was beaten up here by a Mhindi, and the Mhindi has never been taken to court! The other day we had Hemed and Maitha case in Mombasa. Today, we have Hemed being forgiven and Maitha is not being forgiven. This is happening in Mombasa. We know of so many cases. I do not know why this Minister sleeps! There is discrimination in this country, and there is no use --

MR. SPEAKER: Mr. Shikuku, will ^{you} speak on the Motion?

MR. SHIKUKU: Mr. Speaker, Sir, I am speaking on the Motion. I have been challenged to substantiate that there is discrimination in the country, and that is what I am trying to do now.

MR. SPEAKER: Okay, you may go back to the subject matter.

MR. SHIKUKU: Mr. Speaker, Sir, may I continue.

THE MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (Mr. Biwott): On a point of order, Mr. Speaker, Sir. I raised this point of order so as to do something to end discrimination in this country.

THE MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (Contd.):

The hon. Member who is now speaking, quotes the Mover. It is true that I was not there; I accept that. But he alleges that there is discrimination in Mombasa as far as registration of persons is concerned. We want to know who was discriminated against in this identity card registration where somebody else was given an identity card and an African was refused so that action can be taken?

MR. SHIKUKU: Mr. Speaker, Sir, it is common knowledge. The black man in Mombasa is still down trodded. We know it. Even I gave the most recent example. Why did they not forgive Maitha? It is because he had wrong pigmentation ^{while} ~~It is because~~ that Arab Hemed ~~had to be~~ ^{was} cleared. We know and I know ^{it.} I speak as a very senior politician in this country that there is discrimination in the Coast. I know it, and that is why I fought the colonialists. I do not know where these hon. Members were? They were probably eating their potatoes in the kitchen. But I know it for certain.

THE MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (Mr. Biwott): On a point of order, Mr. Speaker, Sir. I must insist on this because it is good for the country. We must not confuse the issues. Maitha's is a Kanu affair, and we will deal with it when we are in Kanu. But we want substantiation on discrimination that pertains to the registration of persons which is a right, and not a privilege. People must be given identity cards. But we want to know who has been discriminated against so that action can be taken.

MR. SHIKUKU: Mr. Speaker, Sir, it is a shame that the hon. Minister should take my time when he had his time and told us nothing other than repeating himself. He ~~just sat~~ ^{should sit} down to listen to some wisdom from somebody who knows what he is talking about. Substantiation means that you either saw, know, and that is what you base your argument on. I know, I was there ^{and} I fought the colonialists. There is discrimination in the Coast. Even today people in the

MR. SHIKUKU (Contd.):

Coast are actually without land. They are all squatters. There is discrimination in the Coast.

MR. SPEAKER: Mr. Shikuku, may I remind Mr. Mwaruwa that he was the one who was to speak last, and the time is almost over. So, it is now time for the Mover to reply.

MR. MWARUWA: Thank you, Mr. Speaker, Sir. I beg to move.

(Question put and negatived)

End S.

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MR. KILIKU: Mr. Speaker, Sir, I beg to move the following Motion:-

THAT, in view of the fact that water flowing through Mzima Water Pipeline towards Mombasa cannot adequately serve the increased water consumption on West Mainland (where there are several industries and a large population); this House urges the Government to lay an additional water pipeline from Mzima to Mombasa to augment the present water supply.

Mr. Speaker, Sir, what has necessitated me to move such a very important Motion at this very time is that the present Mzima Water Pipeline was laid sometime back when there were very few people in this particular area and when there were no industries in the area. As we are talking here now, the demand for water in this area is very high although the capacity and the volume of the pipeline remain the same. We have been experiencing water shortage problems in Mombasa, especially in Mombasa West Mainland, where so many people want water which is hardly there. I am also moving this Motion on the strength of a promise made by a permanent Secretary in the Ministry of Water ~~Development~~ Development on the Christmas Eve of 1985. At that time, there was a serious burst of water pipes and there was no water in the area. The then permanent secretary in the Ministry of Water Development happened to tour Mombasa, and he promised wananchi that the Government was going to solve the problem in the area by laying an additional water pipeline. It is a long period of time from December, 1985, to now, and we have all along been waiting for what the permanent secretary promised the people. Nothing so far has happened. Maybe, what we were given was an empty promise aimed at ~~cooling~~ cooling down the people because they were complaining. Perhaps the permanent secretary was not serious. That is why I have to move this Motion at this time in order to remind the Ministry that they did a very big mistake by giving the people of Mombasa West Mainland a promise that did not materialise.

Mr. Speaker left the Chair

The Temporary Deputy Speaker (Mr. Mutiso) took the Chair

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MR. KILIKU (CTD.):

That is very serious. If a Government official knows that something is not going to happen, it is not good to commit the Government to wananchi such that wananchi start ~~think~~ thinking that the Government has failed to fulfil its promise when, in fact, it is a mistake made by the Government official.

Mr. Temporary Deputy Speaker, Sir, when this water supply was started in Mombasa, there was the Water Pipeline Board whose responsibility was to look into the water supply problems in that area. However, this Board was ~~the~~ dissolved some-times back and has not resumed its duties. That is the kind of problem I wanted to point out to the Ministry concerned. The other reason why we have this water shortage problem is that we have only three water tanks in this area, which ~~tanks~~ accommodate only 35 million gallons of water. We want more water tanks in this area so that ~~the~~ water can be stored in case of any shortage. The other cause of our problem is the pipeline from Baricho which comes ^{from} a place called Lango Baya ^{50 miles from} in Malindi. That pipeline was supposed to pump some 12 million gallons of water but it does not do so because of ~~the~~ the pumping system. In fact, the water that passes through that pipeline is only 8.5 million gallons per day. That is ~~such~~ another reason why we have problems throughout in Mombasa.

Sir, I do not know ~~why~~ why the planners in the Ministry of Water Development have been so short-sighted that they do not plan according to the demand of the people. It is ~~the~~ high time the Ministry recognised the problem of water in this country because we not only have such ~~problems~~ problems in Mombasa alone but also ~~are~~ elsewhere in the country. I take this opportunity to ~~to~~ thank His Excellency the President for appointing hon. Mwendwa the Minister for Water Development because he comes from a district which has been experiencing water problems. If those dry areas in this country are not going to get water supplied to them now, then it ~~is~~ will be quite unfortunate. There will not be any reason ~~why~~ why the country should not blame the Minister because he has a practical experience of water problems.

Mr. Temporary Deputy Speaker, Sir, everything we do ~~is~~ depends on water. When the Government Responder replies to this Motion, he should not forget the

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MR. KILIKU (ctd.):

promise which was given by a former permanent secretary in that Ministry of Water Development. I would also like the Government Responder to say something about the construction of more water tanks in ~~this~~ ^{the} area in question. When the Ministry is laying ~~the~~ water pipelines, especially in Taita/Taveta District, it should be done such that the pipeline has outlets in order to supply the people of Taita/Taveta and Kilifi with water. It is not good to ~~try~~ bypass wananchi when it comes to supplying either water or electricity. All people are equal and, therefore, there is no reason why a certain group of people should be bypassed when doing things like laying water pipes or installing electricity. In fact, ~~is~~ one of the reasons why the Mzima Water ~~is~~ Pipeline bursts all the time is that there are no outlets. To say the truth, the pipeline does not breathe when it is hot, something that makes it burst due to high pressure. Why can the planners who plan water pipelines not consider having outlets so that the pipe can breathe? It is common sense to see why we need outlets in pipelines.

Mr. ~~S~~ Temporary Deputy ~~Spe~~ Speaker, Sir, water problem is understandable to everybody in this House, and I will not take a long time talking about this very important Motion. I think the Ministry will do something this time. I also want to remind the Minister of another promise they ~~have~~ have given us. We have a lot of paper ~~for~~ promises. For example, we have been promised that by the year 2000 ~~it~~ everybody is going to have water supplied to him.

END..... T.

MR. KILIKU (cta):

Mr. Temporary Deputy Speaker, Sir, we are now in 1987 and we have only 13 years to go and this is a very short time to plan for anything. I do not know what efforts the Ministry has made to give the people water by the year 2000. If the Ministry does not do this, then it would be very bad. That is why I said that the Government's officials should not commit the Government by making promises which do not materialize. If they do ~~ix~~ not have money to accomplish their plans, they should speak the truth because the truth must prevail.

With those few points, I beg to move the Motion and with your permission, Sir, I would like to call upon my colleague, hon. Mwaruwa, to second this very important Motion.

MR. MWARUWA: Thank you very much, Mr. Temporary Deputy Speaker, Sir, to allow me to join my hon. colleague in ^{seconding} ~~moving~~ this Motion and I strongly support it.

THE ASSISTANT MINISTER FOR HEALTH (Mr. arap Cheboiwo): You are seconding and not moving the Motion.

MR. MWARUWA: You cannot correct me in the usage ^{the} of English language; I can teach you English!

The problem of water is not new in this country. Water is very important and we cannot do anything without water. Water has become very essential to everybody. Sir, particularly in my constituency, Mombasa North, and where my colleague comes from, that is, Mombasa West, availability of water has become ~~xx~~ very difficult; there is no water there. Last year, people in Mombasa North went for about a month without water. I brought that Question to this hon. House and later on moved a Motion to that effect. When the Minister and his Assistant Ministers came to reply, they did not satisfy me at all. They just came here with their papers and read them as though they were reading story ~~book~~ books. I would like the Minister, and his Assistant Ministers, to take very serious conderation with regard to water in any part of the country. This is because water is the key of whatever we do.

Before Independence, there was a good example which we must now take into account. This was in connection with having piped water from Taita to Mombasa. These ~~ix~~ pipes did not burst on any one day; they stayed under the earth for quite some time. During that time, there was no complaint about water because we were very happy about it. Since we took over, the Government has tried its best to make sure that water is made available to the people of this country. As my hon. colleague said, we really do not know what the Government officers who are running those Ministries are doing in their offices. This is because a water pipeline from Taita to Mombasa or from Mombasa to Nairobi, should be given time to breath. For example, after every 100 kilometres, water should be allowed to flow from a given pipe freely. This is to allow the pipes to have some breathing space instead of leaving them to burst. Since the officers of the Government are so much African and jelcussy of those people who are utilizing the water which is pouring freely by diverting it to their shambas and doing a lot of good cultivation, they decided to close those taps. In the event of doing so, these offic_ers cost the Government a lot of money in buying new ~~fix~~ pipes and replacing the old ones now and then.

Some time back, the Ministry laid a new pipe which did not last very long; it lasted for about one year before bursting. Secondly, it seems as though the Minister, his Assistant Ministers and engineers only buy very cheap materials for use. I do not know where they take the rest of the money. They should stand up and tell us. I can see an Assistant Minister for Water Development who is seated there is listening very carefully. I will be very happy if he can tell us where the rest of the money goes. This is because we pass money in this House for particular Ministry to be used only for that particular function. After they have got the money, things do not seem to go right. The Ministry lays plastic pipes which do not last very long. This is too bad. When we pass money for that good purpose, it should be used in a very good way.

While seconding this Motion, Sir, I would like to ask the Ministry to make sure that the problem of water is eradicated in all parts of the country. It is not only Mombasa which has water problems but also places like Machakos

Kitui, Kisumu, Lubyaland and so on. We have Lake Victoria which is full of fresh water. I do not see the reason why the Ministry does not make use of that lake to make the country rich with water; the country should not be left to suffer by not having water. What we see is the Minister and his Assistant Ministers driving big Mercedes Benz cars roaming here and there eating kuku because they have a lot of water in their houses. This is why they do not think of other peoples problems. For how long shall we be afraid of telling them the truth? I, Mr. Mwaruwa, the son of a woman, stand here to tell them the truth that they do not do their job properly.

While I am still on that, they should not bring in ^{the} questions that Mr Mwaruwa brings sensitive Motions or Mr. Mwaruwa is dangerous to the Government. That is wrong. I think some hon. Members who stood here and said that Mr. Mwaruwa brings sensitive Motions which are dangerous to the Government are wrong. It seems that they do not know the meaning of danger and if they do, then they should not say so. As an elected Member of Parliament, I have the right to bring any kind of Motion here and it is entirely upon this House to accept that Motion or not. They should not stand here to speak if they if have gone bankrupt of what to say; they had better sit down and keep quiet. They should not stand here and say: "Mr. Mwaruwa's Motions are so sensitive and dangerous." Do you put me into the class of Mwakenya? That is what you mean when you say that this Motions is going to be dangerous to the country. What kind of danger would that Motion have brought?

Mr. Temporary Deputy Speaker, Sir, I am more "Nyayo" than those people who call themselves "Nyayo". I would like them to understand that. They must remember that I was elected by the people in the same way they were elected. Such hon. Members are trying to be ignorant about the people who have elected them and that is why they ~~sit~~ stand here and say so. I am not trying to forget my people.

This Motion on water is very important and it will not be surprising to see some hon. Members standing and opposing it. I do not know what they are

MR. MWARUMA (ctd):

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up to. We must understand that jobs of Ministers and Assistant Ministers
have been given to other people. There are no more jobs *of that nature.*

END U *JK*

MR. MWARUWA (ctd.):

Even if an hon. Member stands up and opposes this Motion, he should know that he will not get ~~z~~ the post of an Assistant Minister or a Minister. All those chances have gone. We should stand here as men.

I was told by hon. Leakey, an European Member of Parliament, to withdraw my Motion. I, Mr. Mwaruwa, and conforming with my ^{manhood} ~~belief~~, and married with children, would be ashamed to withdraw that Motion. I would never withdraw it, and I did not. I wanted it to pass the way it was. I was defending my manhood.

THE ASSISTANT MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (Mr. Adichareh): On a point of order, Mr. Temporary Deputy Speaker, Sir. I think the hon. Member is not contributing to the current Motion, he is ~~z~~ talking on the previous Motion which was rejected. He should, therefore, revert to the current Motion.

MR. MWARUWA: Mr. Temporary Deputy Speaker, Sir, that Motion was very important, and we urge that the Minister and his ~~six~~ Assistant Ministers --

THE TEMPORARY DEPUTY SPEAKER (Mr. Mutiso): Order! Mr. Mwaruwa, you are seconding the current Motion, and would you please stick to it?

MR. MWARUWA: Mr. Temporary Deputy Speaker, Sir, I was on the right track, unless my hon. friend, the Assistant Minister did not understand my English. I do not speak American English because Americans speak broken English; I speak British English.

With those few remarks, I beg to strongly support this Motion.

(Question proposed)

MR. KIKUYU: Thank you Mr. Temporary Deputy Speaker, Sir, for ~~z~~ giving me a chance to support this Motion.

MR. KIKUYU (ctd.):

The Mover of this Motion, hon. Kiliku, had a very good idea. Most of our towns are expanding so fast, with people moving from rural areas to urban areas, such that the facilities offered by the towns are not sufficient, and neither are they anywhere near being adequate, to support the populations ~~there~~ there.

Mr. Temporary Deputy Speaker, Sir, considering that Mombasa is the second largest town in the country - second only to Nairobi, and considering that the Mzima water pipeline was laid a few years back, and that since it was laid, the population of Mombasa has increased drastically, and especially in the areas west of the Mombasa Island, where there are very many factories and large housing estates, it appears necessary that the Government should accept this Motion without amendment because it asks what the Government should be doing by now, unless it wants to be overtaken by events and the whole of the town is put into a water crisis.

Although the Motion is specifically on Mombasa Town, many other towns in the Republic are facing water shortages due to the ~~expansion of the~~ ^{increase} populations in them, and coupled with the starting of rural industrialization. This has put strains on the supply of water to those towns, such that most areas ^{in the towns} have ^{must} to have their water supply rationed, hence making town life a bit difficult. The Mover of this Motion had the idea of ^{having} ^{difficult} the life of the people in Mombasa, and especially in the Mainland areas where the population is expanding very fast, eased. As I mentioned earlier, these problems exist in most of our towns. Machakos is a ~~very~~ case in point. The water supply ~~which~~ in the town, which was put up in 1957, is not adequate to cope with the population which has increased almost ^{twenty-} ~~20-~~ fold. We, therefore, urge the Ministry to look, sincerely, into the planning of urban

MR. KIKUYU (ctd.):

water supply systems.

Whereas we would like to ^{See} have every home in the townships ^{having} ~~to have~~ piped ~~the~~ water, as a first step towards achieving this goal, we need proper planning of ^{urban} ~~urban~~ water supply systems. Urban areas do not have wells from which they could get water, like ^{it} happens in the rural areas. Likewise, they do not have rivers which are not polluted, like in the rural areas. The people in ~~the~~ ^{the} urban areas must be provided with piped water, otherwise, the rest of the waters ^{is} in the urban areas ~~are~~ polluted. We would, therefore, urge the Minister for Water Development to start planning seriously on water supply systems in the urban areas.

I am saying this ~~is~~ because most of the times, these planners are overtaken by events; they start planning for water when the town is already too congested. There is not enough water; the water that is available cannot allow industrial expansion, and it cannot even feed the population. We are also calling upon the water engineers in town to start thinking of re-circulating the available water if the resource, according to them, is so scarce that we cannot increase its supply from the wells, boreholes, rivers or dams that we have. Re-circulating this water would ease the problem of water shortages.


Mr. Temporary Deputy Speaker, Sir, we cannot go on saying that we are ~~going~~ giving our people adequate services when a woman in a place like Katulani in Machakos District has to travel for about four kilometers to fetch water, ~~and~~ you call ~~that woman~~ a woman who is in a town. How is that? We should not let life in town ~~to~~ deteriorate so much that a ~~person~~ person living in the town is worse off than a person living in a rural area ^{by far} when we consider the water situation in most towns in the country. If you take an example of those

MR. KIKUYU (ctd.):

people living on the slopes of Mount Kenya, and you will find that they are better endowed with water than a person in Mombasa Town or Machakos Town and yet we are calling these towns urban areas. Are these urban areas ^{affluent} affluent when the ^{living} conditions of living in them are so filthy due to lack of water? We urge the Minister and his staff to rededicate themselves and ~~we~~ start proper planning of urban water supply systems.

With those few ^{remarks} ~~remarks~~, I beg to support.

END V.



MR. MICHOMA: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving this opportunity to contribute on this timely Motion. Water is very essential to human life. It is also very essential in industrial activities. Without water nothing can be done in this world. I would like to say that the Ministry of Water Development has done a very good job. The Ministry has also told the entire population of Kenya that by the year 2000 A.D. we shall have water taps near the people's homes. This is impracticable, Mr. Temporary Deputy Speaker, Sir, because the Government does not have adequate funds to finance such a huge project. Let us call a spade a spade.

Mr. Temporary Deputy Speaker, Sir, I know that the Ministry of Water Development has its own planners. But those planners have misled this good Government of ours. We have to be told where we need to expand water supplies. We should also be told which districts need water more than others. This is the reason why His Excellency the President saw it fit to introduce the District Focus for Rural Development Strategy. Recommendations by district development committees have not been taken seriously.

Mr. Temporary Deputy Speaker, Sir, I have said time and again, in this Parliament and in the previous one, that there are urban centres which need water more than others. For instance the whole area of Ukambani and the North Eastern Province and parts of Rift Valley Province are very dry. These areas need water very desperately. But you will find that this problem has not been taken seriously by the Ministry of Water Development. For how long are the District Development Committees in Kitui, Machakos, Marsabit, Baringo and Samburu, going to make recommendations, one after another, without these recommendations being implemented?

Mr. Temporary Deputy Speaker, Sir, when the Minister for Water Development stands to respond to the views of hon. Members he should tell this House in very clear terms whether or not people should continue expecting water from the Ministry or whether they should devise their own methods of getting water. I think towns in this country have been planned without adequate water supplies. I have been to Machakos and Kitui and I know what I am talking about. The Mover of this Motion ~~is~~ says that Mombasa Town faces ~~numerous~~ ~~make~~ many water problems. Also Kisii Town which is expected to get water from Kuja River has no water.

AN HON. MEMBER: Where is the water?

MR. MICHOMIA: Where is the water? The Ministry must tell us where the water is. The Minister for Water Development must tell us whether priorities mean anything to his Ministry. You will find that those areas which were neglected during the colonial ~~era~~ era have not been taken into account.

Mr. Temporary Deputy Speaker, Sir, we have over-worked our leader - His Excellency the President. He is the only one who has been able to foresee what will happen in 200 years to come.

END.W....

MR. MICHOMA (Ctd.):

But some of us hon. Members do not see it that way.

THE ASSISTANT MINISTER FOR HEALTH (Mr. arap Cheboiwo): Especially the nominated Members:

MR. MICHOMA: Even some of the Government officers do not see it that way.

AN HON. MEMBER: Na Wabunge wakuteuliwa je?

MR. MICHOMA: If ^{some} the nominated Members are not seeing far, it is not hon. Michoma who is not seeing far. I must say this quite frankly because I am not one of them.

HON. MEMBERS: You are right!

MR. MICHOMA: Mr. Temporary Deputy Speaker, Sir, I would like the Minister, when he stands up to respond, to tell us how industries can be established in Kakamega, in Mombasa and in all towns so as to alleviate the problem of unemployment in this country.

Mr. Temporary Deputy Speaker, Sir, the hon. Member for Butere, hon. Shikuku, has said time and again in this House, that if you go outside here, you will find young school leavers coming to see hon. Members and asking them to seek employment for them. Mr. Temporary Deputy Speaker, I think - - -

QUORUM

MR. SHIKUKU: On a point of order, Mr. Temporary Deputy Speaker, Sir. I am sorry to interrupt the hon. Member on the Floor - - -

THE ASSISTANT MINISTER FOR HEALTH (Mr. arap Cheboiwo): ~~But why do you interrupt him?~~ But you have already interrupted him.

MR. SHIKUKU: I am doing it because I have to carry out my duty in this House, which is to ensure that this House has the requisite number of hon. Members.

AN HON. MEMBER: Do not talk about lack of quorum.

MR. SHIKUKU: Mr. Temporary Deputy Speaker, there is no quorum.

THE TEMPORARY DEPUTY SPEAKER (Mr. Mutiso): Yes, there is no quorum.

Will you ring the Division Bell?

(The Division Bell was rung)

THE TEMPORARY DEPUTY SPEAKER (Mr. Mutiso): We have a quorum now.

Will you continue, Mr. Michoma.

MR. MICHOMA: Thank you, Mr. Temporary Deputy Speaker. I was saying that
 town
 our/planners ~~who~~ are responsible for planning where water ^{supplies are} is going to installed,
 in accordance with the recommendations of the district development committees. ~~in~~
 From time to time, hon. Members in this House have raised Questions, one after
 the other, but they are always told, "Go back to your district development committee".
 The district development committees have done their job and we all know that Members
 of this House are Members of the district development committees, but for how long
 are we going to be told to go back to these committees? It is time for the Minister
 for Water & Development to come out and tell us, if there are no funds available,
 what the money which this country borrows every time, does. I think the Ministry
 of Water Development has a share in the blame and the Minister should tell us whether
 for water in
 it is possible for us to plan/our towns, or not. If it is not possible, he should
 tell us what to do because he knows better. We are not in the Maji House!

END X

MR. MICHOCIA (CTD.):

Those in Maji House should be able to tell us what ^{they are trying} ~~this House is trying to do;~~
^{otherwise,} ~~It is that~~ we should either forget all about water projects, ~~or not~~. We need water for human and animal consumption. When you go to shops, you find imported water in bottles. That is a shame. It is as if we have no water.

I would like the Minister, when replying, to tell us whether his Ministry should not help us in alleviating the problem of unemployment in this country. We can put up industries and youth polytechnics, but we cannot do this without water. This is a straightforward ^{Motion} and the Minister should be able to tell us what his problem is in the Ministry. Is it that he has no planners? His Excellency the President has ~~been~~ spoken on this issue time and again. Why does the Minister not heed what His Excellency the President has been saying? We cannot make him sing a "chorus" every now and then.

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

THE ASSISTANT MINISTER FOR WATER DEVELOPMENT (Mr. Kiptanui):

Mr. Temporary Deputy Speaker, Sir, I stand up to say that the Motion is straightforward. It has been the policy of the Ministry of Water Development to get a second water pipeline constructed from Mzima Springs to Mombasa. A promise to this effect has been there for quite a long time, but it has not been implemented. The problem that I would like to state here is that financial constraints have been experienced in the Ministry. We are doing our best to get a donor to finance this project, in order to alleviate the problem of water shortage in Mombasa.

We know that this pipeline was constructed a long time ago, but it was proved that it was not catering for the needs of the people of Mombasa, and other areas along the pipeline. What we did was that we initiated another project, ^{namely} at Sabaki Water Supply to cater for Mombasa, Kilifi and Lamu. This is a supplement to Mzima Springs Water Pipeline. Since what I have said is the policy of the Government, we accept the Motion, as it is, but with a minor amendment to the effect that it will be implemented when funds are available.

THE ASSISTANT MINISTER FOR WATER DEVELOPMENT (Mr. Kiptanui)(Ctd.):

It has been pointed out here that the Ministry should come out and tell this House what we are planning. The year 2000 is when we are going to launch the Decade for Water and Sanitation Programme. Our problem is money, and that is why I said that this Motion will be implemented when funds are available. We are unable to get enough money to construct this giant water supply. This project will cost much more money than we are able to get now. So, what we are doing is that we are negotiating with donor countries to give us money to fund the project.

END Y

THE ASSISTANT MINISTER FOR WATER DEVELOPMENT (Mr. Kiptanui)(Contd.):

We have plans and we are hopeful that before long, we will come out with an announcement that the second pipeline from Mzima be started. I also remember that we have been requested by this House to ~~take water~~ supply ^{water} to Machakos from Loitokitok spring. The other day, we witnessed His Excellency the President laying the foundation stone of the pipeline from Loitokitok to supply water to Machakos. That was as a result of funds being ^{made} available from ^{the} Australian Government. We hope we will be able to get a donor country to assist us in laying this pipeline.

Sir, when we talk of planners, we have them. But the constraint of funds is what makes the Ministry appear as if they do not have any plans. But they have. We have ^{recommendations} plans from the district development committees, and if we go by the system that is in practice that ~~is the~~ ^a district development committee has to identify the sources of water supply, when they send their proposals to the Ministry, we will go by ~~that~~ ^{that}. They also do the costing because the district water engineers are the people who have the knowledge for planning, and they know the cost of each project. So, we have not been able to finance all the projects within the Republic, but we are hopeful that before long, we shall get some donor countries to help us.

So, Sir, I beg to move the following amendment. After the word "Government" in the fifth line, insert the following words:-

"when funds are available".

Sir, I beg to move the amendment.

THE ASSISTANT MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (Mr. Mwicigi): Mr. Temporary Deputy Speaker, Sir, I want to second the amendment. What the Assistant Minister is saying is correct. The project is good, but we need money. The Assistant Minister also sees this problem that additional water is required along the Coast, both for local people and also for the tourists. The need is there.

Z. 2 - 21.10.87

THE ASSISTANT MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT

(Mr. Mwicigi)(Contd.):

Sir, there have been plans to have an additional water pipeline in that area. So, I want to thank the Mover of this Motion for coming up with that idea, and also request him to agree with this amendment because without money, and other resources, nothing can be done.

End Z.

21.10.87.

JMK

ASSISTANT
 THE MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (Mr. Mwicigi)(ctd.):

It is important for Mombasa to have more water. Whether it is the mainland, East or West, Mombasa should have more water because it is one of the most attractive areas around the world due to the beaches there. You get all sorts of people, including millionaires, wishing to go to Mombasa because it has all sorts of advantages. So, we hope that the Ministry will look for money in order to see to it that a water supply in Mombasa is expanded. We also hope that this area will be given the priority it deserves.

Mr. Temporary Deputy Speaker, Sir, water is so important that, perhaps, is it second to air which we breathe. Human beings need water for their survival; we need water for our livestock; we need water for our crops and we need water to fight against drought. So, water is almost the life of everything. It is important that the entire Republic of Kenya is covered with water. But, due to limited resources, we have to sort out what priorities water ~~should~~ should be given. The designers who decide on the sizes of pipes of water from point A to B often ignore the fact that population gets bigger and the demand for water goes high. They should consider the element of the population increase. Most of our designers design these things just for the present, and that is a mistake. If Mzima Pipeline was given the necessary consideration, perhaps, we could not be experiencing the present kind of problem. Let there be water everywhere. Let us utilise the waters of Lake Victoria, Lake Naivasha, Mzima Springs and ~~in~~ other sources of water to provide our people with water.

Sir, there is something else which is also equally important. For example, there is drought in a lot of areas of the Republic. ~~Kenya~~ However, soon there will be very heavy rains with flood water taking everything to Indian Ocean and the rest of the water will be going ~~in~~ through River Nile to the other side of Africa. Why can we not construct big dams to contain or to hold this water so that we can preserve it for a bad day? This is something which should also be considered in a ~~much~~ larger way.

21.10.87.

THE ASSISTANT MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (Mr. Mwicigi)(ctd.):

Mr. Temporary Deputy Speaker, Sir, now that we are talking about water, I would like to say that we need some more water in my area now that the place has another one more constituency called Catanga. We need one more intake so that the two constituencies do not share the ~~same~~ same intake when it has seven locations. If we had another intake, each constituency will be having its own water ~~scheme~~ scheme. The Government can also give us some extra funds to complete the part of Kandara Water Project which is not completed yet. It is important that we use water well where we have either Government-aided water schemes or where we have Harambee water schemes. What normally happens is that ~~we~~ where ^{there} is an easy flow of water, people tend to leave their taps open. When those pipes discharge water day and night, the consequences are not good because some people use more water than others. In fact, it is those people living on the lower sides who do not get adequate water.

END..... AA.



THE ASSISTANT MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (Mr. Mwicigi) Ctd:

Mr. Temporary Deputy Speaker, Sir, we have to consider donors who are helpful to us. The European Economic Community has done a lot and the International Monetary Fund can also take up some other projects. In each district, there are water project designs. When these designs are ready and we go to ask for aid while considering what we have in our files, it would make things much easier if we followed this procedure.

I do not want to take much time because there are other hon. Members who would like to speak. I would like for us to know one thing that we, as leaders of this country, should not sleep. We should ask ourselves: "Have we satisfied our people with a basic requirement called water?" Access to water helps women a great deal. This is because according to most of our traditions, fetching water from rivers is the responsibility of women. I am bold to state that if the responsibility of going to the river to fetch water ~~was~~ ^{was} men's, every home would have water today. But because women are the ones who are responsible for producing children and going to fetch water from the river, they bear a big burden and they should, therefore, be assisted. ~~Therefore, we should give~~ ^{Therefore, we should give} more consideration to those poor ladies who are doing this difficult job. ~~we~~ I would also like to re-emphasize the need of more water everywhere including Kandara. I would like to say we badly need a second intake for Kandara Water Scheme.

With those few remarks, I support.

MR. MUNYAO: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me time to say a few words on this very important Motion. I would like to thank the Mover of the Motion, hon. Kiliku, for his genuine concern about his own constituency and the general public at large. The Mzima Water Project and the improvements which are going to be put up are not only going to serve the Changanwe and Miritini people but other people as well. As hon. ^{said} Mwicigi this water will serve the people of Mombasa including tourists.

I would like to say these things point by point. Water, as ^{the} hon. Member for Kandara - now Gatanga - said, is very important. Water is second to air because you need it after every one hour ~~xxxxx~~ and so on. We must accept that water is very important. A project like the Mzima Water Project which emanates from Chyulu Hills and goes all the way to Mombasa, must be taken up very seriously. Where water is tapped, we must have some water points so that the people enroute the pipeline can also have water. Having expressed my concern about people in Mombasa and Taita-Taveta who will actually benefit from the Mzima Water Project, we cannot forget people from other areas who, like hon. Michoma said, need water also. Machakos, Lodwar, Turkana, Baringo and so on need water. The Government has to take the water policy differently by pinpointing some of the areas which need water. Since we have established that water is very important, the policy of its distribution has to be understood genuinely.

As I speak, I am not ashamed to say that water is very expensive in this country apart from what we have said that it is also very important. I get ~~shocked~~ shocked when I hear that So-and-so's water has been ~~si~~ disconnected. We know that water is very important. It has to be a general policy of the Government that water should not be disconnected even if he has not paid for it. If it is a family of, say, hon. Munyao, hon. Michoma, hon. Omido in Bahati who is affected when water is disconnected, it is those gentlemen I have mentioned who pay for the re-connection but not their families.

END BB

MR. MUNYAO (ctd.):

When you disconnect the water supply, you make ~~some~~ people suffer because they were dependent on that water. Such a man who disconnects other people's water supply should be taken to court or his salary ~~should~~ be attached. He should not make families suffer by disconnecting their water supply.

Mr. Temporary Deputy Speaker, Sir, water is very expensive in this country. If you take the examples of Changamwe, Maringo and the other low-class estates, you will find that water in those places is the most expensive item. So, I am calling upon the Government to review ~~a~~ water rates in most of these areas. I would not mind if the people in Muthaiga, Lavington and such like areas were supposed to pay a bit more for water. But for the people living in areas like Maringo, Miritini, Changamwe and such like ~~ee~~ places, water should be the cheapest thing because these people have low incomes. How else do we support the ~~ix~~ idea that water is important and yet it is so expensive?

Over the week-end, I went to an area which you know so well, called Katangini, which used to be in Makueni but now it is in Mbooni, and I was surprised. This area has a water project known as Katangi Water Project which gets its water from River Thwake. The point of collectinn of this water ~~x~~ has been done in a very haphazard manner. This is a very big river, but the project itself has been done in a haphazard manner by the Ministry. This is the only source of water in that area. This water project is in ~~n~~ the middle of Katangini, in Kalawa Location. I was so surprised, I almost wept when I saw that water was being sold to the people of that area at Sh.5 per drum; a calabash of about 20 litres is being sold at Sh.1. How many people in such a dry area in the middle of nowhere can afford to buy this water? This

MR. MUNYAO (ctd.):

is very bad. Our good Government ---

THE VICE-PRESIDENT AND MINISTER FOR HOME AFFAIRS (Mr. Kibaki): On a point of order, Mr. Temporary Deputy Speaker, Sir. This is a point of order which does not strictly concern what the hon. Member is saying.

I am just wondering whether, for the convenience of the hon. Members of this House, the House would agree that when we come to the interruption of business, we adjourn until tomorrow, to enable us, as hon. Members of Parliament, to join the President at the airport, to receive the President of Nigeria, who is arriving at the same time as when our business of the House would have commenced in the afternoon. I was more hesitant to propose that we meet ~~in~~ at a later hour because we may ~~not~~ not know the exact hour to commence business, if we adjourn now. So, for neatness, I thought it would be better for us to resolve to meet tomorrow and, therefore, miss the afternoon sitting. This is for a very worthwhile cause, because we are quite a receptive and hospitable nation.

Could I, ~~be~~ therefore, propose that when the House comes to the interruption of business, it does adjourn until tomorrow, Thursday?

THE MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT

(Mr. Biwott) seconded.

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

THE TEMPORARY DEPUTY SPEAKER (Mr. Mutiso): Order, Mr. Shikuku. You cannot raise a point of order on another. I think it is for the convenience of the House to adjudge on this issue. You have heard what the Vice-President and Minister for Home Affairs has said.

(Question put and agreed to)

ADJOURNMENT

THE TEMPORARY DEPUTY SPEAKER (Mr. Mutiso): It is now time for the interruption of business. The House is, therefore, adjourned until tomorrow, Thursday, 22nd October, 1987 at 2.30 p.m.

The House rose at thirty minutes past Twelve o'clock.

END CC.

J. Mutiso

REPUBLIC OF KENYA

THE NATIONAL

ASSEMBLY

OFFICIAL REPORT

Thursday, 22nd October, 1967.

ORAL ANSWERS TO QUESTIONS

Questions Nos. 592, 619, 444, 608, 596, 516, 581 and 605

Question No. 547 - Dropped.

QUESTIONS BY PRIVATE NOTICE

Payment of Mr. Nyabuta Borura of His Green Tea by KTDA (Mr. Abuya-
Abuya) - Dropped.

Payment of N.S.S.F. Dues to Mr. Peter Syengo Musya (Mr. Ivuti) -
Dropped.

Present Position of the Kilimanjaro Water Project (Mr. Kikuyu)

POINTS OF ORDER

Refusal by Bata Shoe Company to Pay its Sacked Workers Terminal
Benefits - The Minister Concerned to Make Further Investigations
on the Issue and Report his Findings to the House.

Sale of Imported Tissue Paper in a Mombasa Supermarket - the
Goods had not been Imported Illegally into the Country but
Bought at an Auction of the Customs and Excise Department.

Running of Forwarding and Clearing Companies by Kenyans of
African Origin - The Minister Concerned Tables a List of Such
Dealers to Prove his Case.

Poor Distribution of Party Newspapers in an Hon. Member's
Constituency - The Vice-President and Minister for Home
Affairs Promises to Investigate the Matter.

Poor Coverage by Party Newspapers of Members Speeches in
Parliament - No Directive or Instructions have been Issued
to the Editor of the Party Newspapers to Give Coverage to
selected Members of Parliament.

An Assistant Minister in the Office of the President Lays on
the Table Minutes of Oyugis Health Centre Development
Committee to Prove his Case.

Member of Parliament from Nyeri District Denied a Chance to
Address the Public During the Just Concluded Kenyatta Day
Celebrations by the Provincial Commissioner--The Minister
Concerned Requested to Make a Statement to Clear the Issue.

COMMITTEE OF SUPPLY

Motion: That Mr. Speaker do now Leave the Chair - The
Minister for Local Government - Question Proposed -
Debate interrupted without Question put.

H A N S A R D

Thursday, 22nd October, 1987

The House met at thirty minutes past Two o'clock.Mr. Speaker in the Chair

PRAYERS

ORAL ANSWERS TO QUESTIONS

MR. GACHANJA: Mr. Speaker, Sir, before I ask Question No. 592, I would like to make a small correction. The Question is on the District Officer's office at Ndurarua, and not Ndararua.

Question No. 592

MR. GACHANJA asked the Minister of State, Office of the President:-

(a) when the construction of the District Officer's office at Ndurarua, near Kawangware Village, Dagoretti Constituency, commenced;

(b) when this project is going to be completed; and

(c) why it has been delayed for so long.

THE MINISTER OF STATE, OFFICE OF THE PRESIDENT (Mr. ole Tipis):

Mr. Speaker, Sir, I beg to reply.

(a) The construction of the District Officer's office in Dagoretti had initially started as a chief's office in 1983. In 1986, the project was merged to include the District Officer's office.

(b) The project will be completed when enough funds become available. In the meantime, the project has been allocated Shs.100,000/= this financial year.

(c) The delay involved has been caused by the lack of funds.

MR. GACHANJA: Mr. Speaker, Sir, with all due respect to the answer given by the hon. Minister, you will agree with me that 1983 is a long time ago. When the Minister consoles us by saying that the project will be completed when funds are available and then adds that Shs.100,000/= has been allocated to it, that is confusion. Could he really clarify as to when exactly this Shs.100,000/= will be ^{made} available?

MR. ole TIPIS: Mr. Speaker, Sir, if my hon. friend and colleague would listen to me carefully, I would want to clarify this issue. The project was initially started as a chief's office in 1983, whereupon it was allocated Shs.60,000/= by the Government. With this amount, the foundation was laid, and the project came to a standstill due to the exhaustion of the money then available. In 1986, the project was revived and this time combined to include the Dagoretti District Officer's office. The fund received a boost, for which I must thank the hon. Member, of Shs.70,000/= collected on a Harambee basis from ^{the} Kawangware Market Committee. As I said, ⁱⁿ this Financial Year of 1987/88, the project is in the budget which has already been passed and an additional Shs.100,000/= has already been approved by this august House. This will assist in the completion of the project, and if there are any shortfalls here and there, of course, the Government is fully committed to have this project completed.

Question No. 619

MR. OTWANI asked the Minister of State, Office of the President:-

(a) whether he is aware that Mr. Livingstone F. Muganda, P/No. 190539, ID/No. 0828259/63, retired from service as an assistant chief grade IA on 31st December, 1982;

(b) whether he is further aware that he has not been paid his retirement benefits and pension; and

(c) when he will be paid this money which is due to him.

THE MINISTER OF STATE, OFFICE OF THE PRESIDENT (Mr. ole Tipis):

Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware.

(b) No.

(c) According to our records, Mr. Livingstone E. Muganda was paid commuted pension gratuity of Shs.33,677.50 through the District Commissioner, Bungoma, on 13th October, 1983. He is also being paid pension of Shs.607.30 monthly with effect from 1st January, 1983.

l.c.
MR. OTWANI: Mr. Speaker, Sir, perhaps I will ask the Minister to tell the House why this former Assistant Chief still expected to receive benefits from the Government up to 1st July, 1987. The Minister may be aware of the reason for this.

l.c.
l.c.
MR. ole TIPIS: Mr. Speaker, Sir, let us put the records straight. As I said, the former Assistant Chief was paid his commuted pension gratuity of Shs.33,677.50. This amount is supported by this letter, which I have before me here, from the Treasury and which forwarded the cheque involved to the former Assistant Chief. Secondly, as of now, ^{he} ~~he~~ have been receiving all along, from 1st January, 1983, a monthly pension of Shs.607.30 up-to-date. The last payment of Mr. Muganda's dues for September, 1987 was collected by him on 6th October, 1987. The month of October, 1987 is not over yet, and he will receive his dues for this month, as usual.

END A

Qusob

aiap
MR. KOSKE asked the Minister of State, Office of the President:-

- (a) whether he is aware that the family of the late Assistant Chief Mr. Francis Maina Chemis of Cheptalal Village, Kericho District, has not been paid death gratuity since the deceased passed away in 1979;
- (b) why the Ministry has failed to reply to the letter written by the Principal Pensions Officer, ref. No. APN/GC 25378 dated 17th April, 1986 regarding the dues of the family of the deceased; and
- (c) when they will be paid.

THE MINISTER OF STATE, OFFICE OF THE PRESIDENT (Mr. ole Tipis): Mr. Speaker, Sir, I beg to reply.

- (a) The family of the late Maina Chemis, has already been paid death gratuity dues by the Principal Pensions Officer amounting to ~~Ks.~~^{Shs} 13,426.90 only through the Public Trustee on 10th June, 1987.
- (b) The letter in question, Ref. No. APN/GC 25378 dated ~~the~~ 17th April, 1986 was not received in my office.
- (c) Arising from my reply ^{to} ~~in~~ part (a), part (c) of this Question does not arise.

aiap
MR. KOSKE: Mr. Speaker, Sir, while thanking the Minister for having taken ^{action} on the matter and for ^{paid} paying the complainants, can he explain to the House as to why this money had to be retained for more than eight years in the Treasury?

MR. ole TIPIS: Mr. Speaker, Sir, the late Mr. Maina Chemis died on 31st March, 1979. The delay of the payment of death gratuity benefits was occasioned by the delay in ^{the} submission of the last pay slip of the deceased by the dependants which was required by the Principal Pensions Officer.

Let me, through you Mr. Speaker, Sir, assure my hon. friend ⁱⁿ that that particular year there was a big bottleneck somewhere and we have been ordered, and we are complying with those orders, to speed ~~sh~~

MR. ole TIPIS (ctd.):

U.C. things up^{and} as of now, that bottleneck does not any longer exist.

MR. KOSKE: Mr. Speaker, & Sir, can the Minister agree or disagree with the fact that it is an offence to keep money for that length of time, and particularly, without paying any interest on it? If he agrees ^{to} with that, can he consider ~~is~~ paying some interest to the complainants because they have stayed without money for all that length of time? Has this money just been lying idle somewhere or has it been in use?

MR. ole TIPIS: Mr. Speaker, Sir, I ^{made} ~~did make~~ it categorically clear that the cause of delay was due to the dependants of the deceased failing to submit the information required by the Treasury ⁱⁿ ~~on~~ time. So, you cannot point a ^{finger} ~~finger~~ at the Government. When they submitted this information, the claim was immediately ~~paid~~ ^{settled}.

Question No. 608

MR. MUTHURA asked the Minister for Co-operative Development: ^{that} since co-operative activities have progressively increased in Laikipia District, ^{whether} he ~~post~~ Co-operative Officers to Ngarua, Rumuruti, Central and Mukogodo Divisions.

THE ASSISTANT MINISTER FOR CO-OPERATIVE DEVELOPMENT (Mr. Ejore): Mr. Speaker, Sir, I beg to reply.

Currently there is no urgent need to establish divisional offices at Ngarua, Rumuruti, and ^{Mukogodo} ~~Mukodogo~~ because the two offices, that is, the District Headquarters at Nanyuki and ^{the} ~~Divisional~~ Headquarters at Nyahururu are rendering adequate ~~sr~~ services to all co-operative societies in the District.

The Ministry will, however, consider sending additional staff to the District as soon as it is considered necessary.

MR. MUTHURA: Mr. Speaker, Sir, the last part of the Assistant Minister's reply says that the Ministry will post more staff if they find it necessary. Does he not find it necessary to send officers and possibly open an office at Ngarua, Divisional

MR. MUTHURA (ctd.):

Headquarters when he knows that the people from that area are served by the District Co-operative Officer in Nyandarua who does not belong to Laikipia District?

MR. EJORE: Mr. Speaker, Sir, some of the societies in this division are not active. If the hon. Member could listen to me very carefully, I will give him the following information: Ngarua Division has one active society and nine dormant societies; Rumuruti Division has seven active societies and four dormant ones; Central Division has 18 active and eight dormant societies and ^{MUKOGEDD} ~~Mukoggedo~~ Division has no active society, but has ^{one} ~~one~~ which is dormant.

As soon as the nature of the work calls for additional staff, then the Ministry will consider posting them to the district.

MR. MUTHURA: Mr. Speaker, Sir, we have two categories of co-operative societies, marketing and savings societies. To which class does the breakdown given by the Assistant Minister refer? Is it to the marketing or savings co-operative societies?

MR. EJORE: The marketing co-operative societies, Mr. Speaker, Sir.

MR. BORU: Mr. Speaker, Sir, arising from that reply given by the Assistant Minister, in the records he was giving, it shows that most of the co-operative societies there are dormant. Why could he not send officers there to revive those dormant ^{societies?} ~~societies?~~

MR. EJORE: Mr. Speaker, Sir, the officers in Nyahururu Headquarters go ^{to} ~~the~~ these places every ^() day to give encouragement to the farmers. The hon. Member could ^{also} ~~also~~ help by encouraging the farmers to work harder ~~to~~ so that they elevate the standard of their societies.

MR. MUTHURA: Mr. Speaker, Sir, transport is a touchy problem in this country, and if these officers travel from Nyahururu to Ngarua everyday, which is about 40 kilometres away to and fro, does the Assistant Minister not find this more expensive than stationing these officers at either Ngarua or Rumuruti?

MR. EJORE: Mr. Speaker, Sir, transport has now been

MR. EJORE (ctd.):

arranged by the Ministry and those officers will get transport facilities as soon as possible.

Question No. 595

MR. KILIKU asked the Minister for Co-operative Development:-

- (a) whether he is aware that the members of Usiku Savings and Credit Co-operative Society under Kenya Union of Savings and Credit Co-operative Societies (KUSCCO) of P.O. Box 85113, Mombasa have not been paid any dividends since 1975; and
- (b) when they will be paid.

THE ASSISTANT MINISTER FOR CO-OPERATIVE DEVELOPMENT (Mr. Ejore): Mr. Speaker, Sir, I beg to reply.

(a) It is not true that the members of Usiku Savings and Credit Co-operative Society under KUSCCO have not been paid since 1975.

(b) During the years 1975 and 1980, there were no dividends available for distribution due to lack of surplus.

However, in July, 1987, a total of shs.14,872.45 was distributed to the members of Usiku Savings and Credit Co-operative Society being dividends for the years 1981 to 1984.

The books for the year 1985/86 have not yet been audited.

MR. KILIKU: Mr. Speaker, Sir, according to that reply given by the Assistant Minister, it appears that ^{members of} Usiku Savings and Credit Co-operative Society received their dividends for the years 1981 to 1984 in July this year. Could the Assistant Minister tell this House why they delayed the payments for six years?

MR. EJORE: Mr. Speaker, Sir, this is because the amount during the year 1984, for the members of Usiku Savings and Credit Co-operative Society stood at shs.2,033/= with a share capital of shs.559,109/=. Between the years 1975 to 1980. the society did not realise any surplus from its activities. Therefore, no money was available for distribution in form of dividends.

END B.....

Kanyali

MR. EJORE (ctd);

Mr. Speaker, Sir, during 1981, 1982, 1983 and 1984 the following amounts were duly approved for distribution vide the Commissioner's letter Ref. CS/2377/VOL.1/(62) as follows:

<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
Shs.3,592.00	Shs.4,177.00	Shs.639.00	Shs.6,520.00

MR. KILIKU: Mr. Speaker, Sir, could the Assistant Minister tell us what happened to the years 1985 and 1986? When are these people going to be paid their dividends for these two years?

MR. EJORE: Mr. Speaker, Sir, the dividends will be paid as soon the audited report is completed by the society concerned.

MR. SPEAKER: Mr. Sifuna's Question.

Question No.547

MR. SPEAKER: Mr. Sifuna not here? Mr. Mwachofi's Question.

Question No.516

MR. MWACHOFI

MR. MWACHOFI alimuuliza Waziri wa Uchukuzi na Mawasiliano:-

- (a) barabara itokayo Mgange kupitia Mwanda hadi Mwakitau ina urefu wa kilometa ngapi;
- (b) sehemu ya kutoka Mwanda hadi Mwakitau ilifunguliwa lini rasmi na nani; na
- (c) tangu ichukuliwe na Serikali ni kwa nini haijatengenezwa hata mara moja.

THE ASSISTANT MINISTER FOR TRANSPORT AND COMMUNICATIONS

(Mr. Keriri): Bw. Spika, naomba kujibu.

(a) Barabara itokayo Mgange kupitia Mwanda hadi Mwakitau (E690) ina urefu wa kilomita 18.

(b) Uchunguzi uliofanywa ulionyesha kwamba mnamo miaka ya 1960 wananchi wa sehemu hiyo waliungana kwa moyo wa Harambee na kufungua sehemu ndogo ya barabara hii na ikaanza kutumika. Lakini ~~na~~ mnamo mwaka wa 1982, Serikali iliichukua barabara hiyo na ikaiweka katika orodha ya barabara nyingine zinazohudumiwa na Serikali, yaani classified roads.

(c) Serikali ilifungua kilomita 10 ikitumia grader lakini ^{kwa vile} barabara hii inapitia sehemu yenye milima na mawe kazi ya kuifungua barabara hii zaidi ilisimamishwa. Hii ni kwa sababu kazi hiyo ilikuwa inagharimu pesa nyingi na pia kulikuwa kunatakikana mashine kubwa yaani, bulldozer. Pia ilikuwa ni lazima kujengwe mifereji ya chini kwa chini ya kuchukua maji kutoka upande moja wa barabara hadi ule mwingine. Mifereji ya aina hii ~~ni~~ hujulikana kama box culverts.

Ofisa anayesimamia barabara wilayani Taita Taveta ameamriwa kutwaa mashine kubwa na kuifungua barabara hii upesi iwezekanavyo.

MR. MWACHOFI: Bw. Spika, ningependa kwanza kumsahihisha Waziri Msaidizi anaposema kwamba urefu wa barabara hiyo ni kilomita 18. Ukweli ~~ni~~ ni kwamba huo ni urefu wa kutoka Mwanda mpaka Mwakitau peke yake. Hata hivyo tungependa ~~ku~~ Waziri Msaidizi alifafanulie Bunge hili ~~kwa~~ kuhusu ile amri ambayo amedai kwamba ilitolewa. Je, amri hiyo - ambayo Waziri Msaidizi amesema ilitolewa kwa ofisa anayehusika - ilitolewa siku gani na kazi yenyewe imeanza au bado?

MR. KERIRI: Bw. Spika, amri hiyo ilitolewa kama mwezi Agosti mwaka huu na---

MR. MWACHOFI: "Kama"!

MR. KERIRI: Amri hiyo ilitolewa mnamo mwezi Agosti mwaka huu. Pia grader ilipelekwa huko mwezi Agosti mwaka huu lakini haingeweza kufanya kazi kwa sababu ya ukosefu wa diesel. Hii ni kwa sababu pesa zilikuwa zimemalizika. Kwa wakati huu District Engineer amepewa pesa ili aanze kazi kwenye barabara hiyo.

MR. MWACHOFI: Bw. Spika, ni jambo la kusikitisha kusikia kwamba - kama vile Waziri Msaidizi alivyosema - kilomita 18 zimeichukua Wizara miezi mitatu kutengeneza. Lakini hiyo ni kazi ambayo inaweza kufanywa ndani ya muda wa wiki moja peke yake. Pia Waziri Msaidizi amesema kwamba kulikuwako na ukosefu wa diesel. Je, anaweza kuliambia Bunge hili - ikiwa ni kweli wametoa pesa - hii kazi itamalizika siku gani?

MR. KERIRI: Bw. Spika, tunatumainia kuimaliza kazi hii ndani ya wiki tatu zijazo.

MR. SPEAKER: Mr. Munyao's Question.

Question No.581

MR. MUNYAO asked the Minister for Water Development:-

- (a) whether he is aware that the pressure of Mbiuni Water Supply is not strong enough to push water to the water tank and the Health Centre; and
- (b) whether he will direct that a bigger pump be installed in order to rectify this problem.

THE ASSISTANT MINISTER FOR WATER DEVELOPMENT

(Archbishop Ondiek): Mr. Speaker, Sir, I beg to reply.

(a) The Minister is aware that the pressure of Mbiuni Water Supply is not adequate to push water to the water tank and the Health Centre.

(b) The Ministry is however in the process of purchasing one high lift and one low lift water pumps for use at the water supply and once they are delivered they will be installed immediately. In addition to that, the Ministry has already identified another supply point at Kwelendu Spring on Kanzalu Hills. From this supply the water will flow by gravity to the existing 20,000 gallons Mbiuni Tank - a distance of 5 kilometres. The spring has sufficient water and construction of the intake is already in progress. The pipes will be bought under the Machakos Integrated Development Programme Scheme and once laid, it is expected that Mbiuni will have sufficient water.

MR. MUNYAO: Mr. Speaker, Sir; while appreciating the answer from the hon. Archbishop, is he aware that his good answer may have no meaning if he does not know when the two pumps are going to be bought? Would he tell the House when these two pumps are going to be purchased?

ARCHBISHOP ONDIEK: Mr. Speaker, Sir, the two pumps will be available soon.

MR. MUNYAO: Mr. Speaker, Sir, I am sure that the House agrees with me that that answer is vague. Can the Assistant Minister be specific enough to tell the House whether the pumps will be purchased this month or next month?

MR. MWARUJA: Yes! Do not take us for a ride.

ARCHBISHOP ONDIEK: Mr. Speaker, Sir, my Ministry will try hard to make sure that the pumps are made available fairly soon.

MR. SPEAKER: Next Question.

MR. MWARUYA: On a point of order, Mr. Speaker, Sir. This is an hon. House and when Questions are asked here very clear answers to those Questions should be given. I would like the Assistant Minister to tell us the truth. This is because "soon" means no particular day. Can he give us a specific date when these pumps are going to be installed? He should not take us for a ride because we are not kids.

ARCHBISHOP ONDIEK: Mr. Speaker, Sir, my Ministry will try to make sure that the pumps are available as soon as possible.

MR. SPEAKER: Next Question. Mr. Omido.

Question No.605

DR. WAMEYO, on behalf of Mr. Omido, asked the Attorney-General:-

- (a) what has delayed the hearing of High Court Civil Case No.322 of 1985, Nairobi; and
- (b) when it will be heard.

THE ATTORNEY-GENERAL(Mr. Muli): Mr. Speaker, Sir, I beg to reply.

Any delay in the disposal of this case falls squarely on the parties and/or their advocates because the circumstances surrounding the issue are as follows:

On 30th March, 1984, Rispa Jandeka and Sabina Mutola were involved in a motor accident, sustaining injuries, while travelling in a bus belonging to Kenya Bus Services Limited. On 5th February, 1985 - a year later - they filed a case at the High Court through the firm of Gautama and Kibuchi Advocates. On 4th March, 1985, Guram & Company Advocates entered appearance for the defendant company, Kenya Bus Services Limited and the driver, Thomas Makori Onentia, ~~filing~~^{present} a defence on 27th March, 1985, ~~and~~^{et} denying negligence on the part of the driver ~~and~~^{of} the company.

END.C...

THE ATTORNEY-GENERAL (Ctd.):

By consent of both advocates' representatives, the case was fixed for hearing for 9th and 10th July, 1986 and before these dates, the advocates for the plaintiffs applied to court for the case to be transferred to the Senior Resident Magistrate's Court at Sheria House. The application was fixed for hearing and the same was granted on 19th July, 1986. The matter was then transferred to Sheria House where it was assigned and a number given. It was listed for hearing on 24th April and later, on the 9th June, 1987, but on both occasions, by consent of both parties stood over the matter generally.

(b) You can see, Mr. Speaker, Sir, that there is no further blame which can be attached to the court. The parties are to blame for the delay of this case and the case is now fixed for hearing. I can only advice that the parties will co-operate and see that the case is heard when the date is fixed.

MR. SPEAKER: Let us go back to Mr. Sifuna's Question.

Question No. 547

MR. SPEAKER: Mr. Sifuna is still not in? Next Order.

QUESTIONS BY PRIVATE NOTICE

(MR. ABUYA-ABUYA) to ask the Minister for Agriculture:-

- (a) Is the Minister aware that a Mr. Nyabuti Borura, tea grower No-NY 120302 has not been paid for his green tea sold to K.T.D.A. since January, 1986 to date?
- (b) When will he be paid and what are the reasons for such delay?

MR. SPEAKER: Mr. Abuya-Abuya not in? Next Question.

(MR. IVUTI) to ask the Minister for
Transport and Communications:-

- (a) Is the Minister aware that Mr. Peter Syengo Masya, a former employee of Kenya Railways Corporation under check No. TFC 310452/MSA has not been paid his N.S.S.F. dues since he retired in 1973?
- (b) Has the Corporation remitted his contributions to the N.S.S.F. under Fund Membership No.43235620?

MR. SPEAKER: Mr. Ivuti not in either? Next Question.

MR. KIKUYU: Mr. Speaker, Sir, I beg to ask the Minister for Water Development the following Question by Private Notice.

- (a) What is the present position of the Kilimanjaro Water Project?
- (b) Can the Minister assure the House that when the water eventually reaches Machakos town, it will be distributed to the people in the municipal area?

THE ASSISTANT MINISTER FOR WATER DEVELOPMENT

(Archbishop Ondiek): Mr. Speaker, Sir, I beg to reply.

(a) The Kilimanjaro Water Project is in its implementation stage. Work on the project is due to start any time now when funds are made available to us by the donor Government of Italy.

(b) I cannot assure the House that when the water eventually reaches Machakos town, it will be distributed to all the people in the Municipality. The project has been designed to supplement the existing water supplies and it is expected that the additional 40,000 people within the municipality will benefit from the Kilimanjaro Water Project.

NP

MR. KIKUYU: Mr. Speaker, Sir, recently, this water project was officially opened by His Excellency, the President.

Is the Assistant Minister telling us that it was opened without ^{being} ~~the project having been implemented~~ ^{and that} it was just a ^{false} ~~false~~ start starting?

ARCHBISHOP ONDIEK: Mr. Speaker, Sir, I am sorry, I did not hear ^{what} the hon. Member said.

MR. KIKUYU: Mr. Speaker, Sir, when the official inauguration was done, was it done before the money was there or the money had not yet been released?

~~Mr. Speaker~~ - Mr. Speaker, Sir, can you ask the Assistant Minister to ^{sit} ~~be~~ near the ^{microphone} speaker so that he can hear me properly?

I am asking this: when this water project was inaugurated, was there ^{no} ~~money or it was not there~~ because he ~~says~~ says that he is waiting for money so as to implement this project?

ARCHBISHOP ONDIEK: Mr. Speaker, Sir, it seems that I do not really follow the hon. Member's question because there was no ^{project} ~~any progress~~. This is the Kilimanjaro Water Project, but it is in the implementation stage and the project has to be designed.

MR. KIKUYU: Mr. Speaker, Sir, I think the Assistant Minister did not do his homework properly. Project designs and all costings of this water project are complete and recently, the official inauguration of that water project was done whereby our Government was represented by His Excellency, the President and the Government of the donor was represented by their ambassador. Is the Assistant Minister telling ~~us~~ this House that we were inaugurating a project when there was no money because he says we are waiting for money from ^{the} donor?

ARCHBISHOP ONDIEK: Mr. Speaker, Sir, it is true that the project was opened by His Excellency, the President but it does not mean that there is no money. ~~but~~ The money has to be programmed according to the stages.

MR. KIKUYU: Mr. Speaker, Sir, when the Assistant Minister says that 40,000 people in Machakos will benefit from the increased water from Kilimanjaro Water Project, essentially, what part of Machakos Municipality does he have in mind?

ARCHBISHOP ONDIEK: Mr. Speaker, Sir, we have in mind the whole of Machakos Municipality.

MR. SPEAKER: Let us go back to Mr. Abuya-Abuya's Question.

(MR. ABUYA-ABUYA) to ask the Minister for Agriculture:-

- (a) Is the Minister aware that a Mr. Nyabuti Borura, tea grower No-NY 120302 has not been paid for his green tea sold to K.T.D.A. since January, 1986 to date?
- (b) When will he be paid and what are the reasons for such delay?

MR. SPEAKER: Mr. Abuya-Abuya still not in? Let

us go to Mr. Ivuti's Question.

(MR. IVUTI) to ask the Minister for Transport and Communications:-

- (a) Is the Minister aware that Mr. Peter Syengo Musya, a former employee of Kenya Railways Corporation under check No. TFC 310452/MSA has not been paid his N.S.S.F. dues since he retired in 1973?
- (b) Has the Corporation remitted his contributions to the N.S.S.F. under Fund Membership No.43235607?

MR. SPEAKER: Mr. Ivuti still not in either? Next

Order.

NP

VP

POINTS OF ORDER

MR. MWACHOFI: Bw. Spika, jambo langu la M nidhamu linahusiana na Swali Maalum ambalo niliuliza tarehe 22 Julai, 1987, na likajibiwa na Waziri wa Wafanyakazi. Swali lenyewe lilihusu wafanyakazi watatu wa kampuni ya Bata Shoe Company, ambao walikuwa wameshtakiwa na kufungwa na baadaye, wakakata rufani na wakashinda kesi hiyo kortini. Waziri alipojibu Swali hilo, ~~hakuhakikishia~~ ^{alilikikishia} Mbunge hili kwamba haki itafanywa na kwamba hawa wafanyakazi watalipwa ridhaa. Kwa kweli, Waziri alisema hivi - pale mwisho:

"Nimezungumza na kampuni hiyo ili iwarudishe watu hawa kazini na nilisema ~~xx~~ kwamba, kampuni hiyo imelipa pesa za hawa watu na sasa pesa hizo ziko katika ofisi ya wafanyakazi hapa Nairobi na hawa wafanyakazi wakifika kule kesho, watapata pesa hizo."

Jambo la kusikitisha, Bw. Spika, ni kwamba, tangu siku hiyo, hawa watu watatu wameenda kwa Wizara ya Wafanyakazi, wakaambiwa "Sisi hatuyajui mambo ~~xx~~ hayo; nendeni Ofisi Kuu ya Wafanyakazi ya ^{Mkoa} ~~Wilaya~~ ^{Walienda}". ~~Wakaenda~~ huko na pia huko, wakaambiwa: "Hatuna habari ya hayo mambo". Kwa hivyo, hawajalipwa ~~h~~ na hali Waziri alikuwa amesema wangelipwa hata siku hiyo hiyo. Kwa hivyo, ningependa ^{alieleze Bunge} ~~alieleze~~ Mbunge hili ni kwa nini alitoa ahadi ambayo ~~h~~ ^{Bunge} ~~h~~ ^{Bunge} hili?

THE MINISTER FOR LABOUR (Mr. Okondo): Bw. Spika, sijui kama mambo hayo ni ya kweli, na kwa hivyo ningependa kwanza nirudi ofisini mwangu ili niangalie kwa nini watu hawa hawakulipwa. Sikuwa nimejitayarisha au kujua ya kwamba mambo yalikuwa hivyo. Lakini, ninajiuliza kama hawa watu hawa hawakuwa wamclipwa siku hizi zote, mbona hawakuniandikia barua au kuniuliza kwa kutumia njia ^{Nyingine} ~~z~~ badala ya kupitia kwa Mbunge? Kama wangeniletwa ~~haya~~ mambo hayo, tungekuwa tumeyaangalia na kuyamaliza, lakini tutayamaliza.

D.6.....22.10.87

MR. MWACHOFI: Bw. Spika, jawabu hilo la Waziri ni la kusikitisha sana. Yalo mambo nimesema ni kwamba Bunge hili limenyimwa hehima lake kwa sababu ahadi ilitolewa Bungeni kuhusu Swali hilo Maalum lililoulizwa mwezi wa Julai, 1987. Sasa Waziri anasema twende ofisini mwake ili tutengeneze mambo hayo na hali mambo hayo hayo yalikubaliwa katika Bunge hili. Hii ni kuonyesha ananyima Bunge hili hehima ambayo linastahili. Ingefaa aliambie Bunge hili ni hatua gani atakazozichukua kuhakikisha kwamba hawa watu watalipwa haraka iwezekanavyo. Kwa hivyo, ninamuomba aahidi Bunge atatoa taarifa kamili wiki ijayo.

END D.....

THE MINISTER FOR LABOUR (Mr. Okondo): Bw. Spika, nitachunguza mambo hayo na nitaleta majibu baadaye.

THE MINISTER FOR COMMERCE (Prof. Ng'eno): On a point of order, Mr. Speaker, Sir. I have two points of order to make. The first one relates to the Ministerial Statement I undertook to ~~give~~^{make} sometimes this week. Unfortunately, yesterday I was not in Nairobi and that is why I could not make that statement. Sometimes early this year, newspapers ~~indicated~~^{reports} that imported tissue paper was being sold in some supermarkets in Mombasa. As a result of this revelation, the District Trade Development Officer, Mombasa, was instructed, in consultation with the Import and Export Officer in Customs Department, to undertake a quick survey to establish how these goods came to land in Kenya market. Investigations were finalised in May and my office took the opportunity to check the situation in Nairobi and found out that there ~~was~~ were no imported tissue rolls in Nairobi. However, my officers in Mombasa confirmed that only one supermarket was selling imported toilet paper. This supermarket is known as Ome'e's. It was also revealed that Ome'e's Supermarket bought their consignment from the Department of Customs and Excise open auctions on 13th January, 1987. In effect, they were selling ^{goods} which were auctioned because they ~~had~~^{had been} imported illegally.

My second point of order, Mr. Speaker, Sir, relates to the question raised by hon. Shikuku in June. Hon. Shikuku wanted to know if I had implemented the Government statement to the effect that all clearing and forwarding companies should be run by and large by ~~indigenous~~ Kenyans of African origin. I now have the pleasure to submit a list of registered companies with at least 51 per cent shareholding by Kenyans which includes the names of directors or partners and distribution of shares.

I am afraid, Sir, the list is very long but since this is a very important matter, I will read a few names.

These companies are as follows:-

<u>Licencee's Name and Address</u>	<u>Directors/Partners</u>	<u>Shares Held by Kenyans</u>	<u>Remarks</u>
1. Cafria Kenya Ltd, P.O. Box 98088, MOMBASA.	M.O. Masumbuko Rajab K. Musa	75% 25%	Kenyan Ugandan
2. Nu-Leaf Africa Ltd, P.O. Box 85072, MOMBASA.	S. Khosla P.K. Shah M.B. Shah A.S. Heer	100%	Kenyan Kenyan Kenyan Kenyan
3. Inland Container Depot Ltd., P.O. Box 80469, MOMBASA.	Jerry Njoroge Mohamed H. Jathner Robert Khasenye Albert Karanja	100%	Kenyan
4. Economic C & F Shipping Agents, P.O. Box 86489, MOMBASA.	S. Haiderali M. Haiderali	100%	Kenyan Kenyan
5. EMM International C & F, P.O. Box 48017, NAIROBI.	Mrs. E. Madoka Major M.H. Madoka Mrs. E. W. Mwangiru	100%	Kenyan Kenyan Kenyan
6. Kilindini C&FO Ltd., P.O. Box 82824, MOMBASA.	Mrs. M. Garduer Mr. J.A. Gardner	100%	Kenyan Kenyan
7. Eagle Conveyors Co. Ltd., P.O. Box 73966, NAIROBI.	Raphael Mwanza Thomas Munywoki Joshua Munywoki Fredrick Munywoki Felix Wambua John Mutisya	100%	Kenyan Kenyan Kenyan Kenyan Kenyan Kenyan
8. Interlink F (K) Ltd., P.O. Box 67946, NAIROBI.	J. Mang'oli Burundi Nabwera Caroline B. Mang'oli Saul M. Matete	100%	Kenyan Kenyan Kenyan Kenyan
9. Rising Freight Ltd., P.O. Box 12129, NAIROBI.	Kundan B. Solanki Kantilal B. Solanki	100%	Kenyan Kenyan
10. Kentur K. Ltd., P.O. Box 47942, NAIROBI.	W.R. Malumbe Mrs. Mor Malumbe	100%	

MR. SPEAKER: Order!

THE MINISTER FOR COMMERCE (Prof. Ng'eno): I have a list, Sir, going up to

MR. SPEAKER: Order! May I know how much of the list you have yet to read.

THE MINISTER FOR COMMERCE (Prof. Ng'eno): Mr. Speaker, Sir, the list is very long. It comprises 356 companies. With your permission, Sir, I beg to lay this list on the Table.

(Prof. Ng'eno laid the list on the Table)

MR. KARAURI: On a point of order, Mr. Speaker, Sir, My point of order, is on the poor distribution of the Party newspaper, that is, Kenya Times and Kenya Leo. In my constituency, the vendor at Kianjai Market has been refused to sell Kenya Times and Kenya Leo. For example, when we as leaders meet at the Divisional Headquarters, when we want to buy this newspaper at Kianjai Market, we never have ~~any~~ access to it at all. People in that Market and the surrounding areas have no access to the Party newspaper - even when we have no meetings. The vendor in that market says that he has been refused to sell the Party newspaper by whoever distributes it in Meru town. It is common knowledge that this paper arrives in certain town later than other newspapers when people have already bought the other newspapers and ~~we~~ read them. We have been complaining and urging our people to buy the Kenya Times. The Kenya Times should be careful when reporting Members of this House and party leaders. This is because they do not report what every hon. Member says in this House. Of late, they have been trying to choose the hon. Members they would like to report. The Standard and the Daily Nation, may, for example, report what hon. Members have said but the Kenya Times tends to choose on certain individuals that they would like to cover. The Party newspaper must be more careful. Our electors want to read what we have said in all the newspapers but when they see that a particular newspaper is not reporting what their representative said, then even if you tell them to buy that newspaper, they will not do so and that is a loss of revenue to the Party newspapers.

I do not know to whom I should complain. I thought in this House there are important people leading the Party ~~newspapers~~; I can see the Vice-President

and Minister for Home Affairs is here; hon. ole Tipis was here but has just gone out. This must be corrected.

THE VICE-PRESIDENT AND MINISTER FOR HOME AFFAIRS (Mr. Kibaki): On a point of order, Mr. Speaker, Sir. Although it is not Question Time, Sir, certainly we know that it is a policy of the Kenya Times and Kenya Leo that they will report all news that is suitable to be reported. I can assure the House that there are no ~~directions~~ ^{directives} as to who should and who should not be reported. Newspaper editors and reporters do operate as freely as those others in any other newspaper. We know that in order to succeed as a business, we have to be competitive with those that are in that field. Therefore, I can assure the hon. Member that there will be no instructions from the Party as to what and whom they may report.

On the other hand, I can undertake to investigate the particular business matter which was raised, namely; that somebody somewhere is denying a sub-distributor access to the Party newspaper. If this is so, then that kind of distributor would be ~~not~~ unsuitable for us. We want somebody who would encourage wider distribution.

THE ASSISTANT MINISTER, OFFICE OF THE PRESIDENT (Mr. Onyancha): On a point of order, Mr. Speaker, Sir. On the 8th of this month while I was responding to a Question raised by hon. Mbori, I promised to lay on this Table Minutes of the Oyugis Health Centre Development Committee as per his request. I wish to fulfil my promise by laying these Minutes ^{on the Table:}

(Mr. Onyancha laid the Minutes on the Table)

END E

MR. GITHUA: Mr. Speaker, Sir, my point of order is in connection with the just concluded Kenyatta Day celebrations, on 20th October, 1987. In Nyeri District, where I, the Nyeri Mayor, the Chairman of the County Council ^{of Nyeri} and other leaders were present; the Provincial Commissioner, Central Province, & Mr. Etemesi, explained to us and to the public that he had instructions from Kanu headquarters that only the District Kanu Chairman would address the public in response to the Presidential speech. He said it very clearly, that he had the instructions in writing. While I do not doubt that the Provincial Commissioner may have had those instructions I noticed the following day from the papers, and from the Voice of Kenya that in other districts Members of Parliament, who are not necessarily chairmen of Kanu, councillors, and other leaders were accorded the opportunity to address the public.

(applause)

My worry is whether those instructions from Kanu headquarters were only to apply in Nyeri District. ^{It was so} And if they do, I want to request the Minister of State in-charge of Provincial Administration or in-charge of Kanu ^{affairs} for that matter to make a Statement in this House to explain the motive behind those kinds of instructions. Situations like that one ^{would} ~~will~~ ~~of necessity~~ create hard feelings between elected leaders, the provincial administration, and the public.

Thank you, Mr. Speaker, Sir.

COMMITTEE OF SUPPLY

(Order for Committee read being
in the Allotted Day)

MOTION

That Mr. Speaker do now leave the Chair

Vote 12 - Ministry of Local Government

THE MINISTER FOR LOCAL GOVERNMENT (Mr. Mudavadi): Mr. Speaker, Sir, I beg to move that Mr. Speaker do now leave the Chair.

Mr. Speaker, Sir, my Ministry is responsible for guiding, controlling, and co-ordinating the activities and functions of local authorities ^{of} within the framework of Central Government policies.

The Ministry intends to spend k£6,106,930 net, for recurrent expenses ^{and} ~~and~~ k£4,167,750 net ~~for~~ on development projects. The corresponding gross figures are k£6,236,030 and k£9,157,125 respectively ^{of} with the k£129,100,000; and k£4,989,375 being Appropriations-in-Aid.

End F



THE MINISTER FOR LOCAL GOVERNMENT (ctd.):

Mr. Speaker, Sir, I would like to begin with the Recurrent Vote which provides the funds required for salaries and general administration expenses of the Ministry, as well as contributions in lieu of rates and grants payable to local authorities.

Hon. Members will note that the provision for sub-head ^{Vote} 120 - General Administration (Headquarters and Provincial Services) had gone down from K£6,553,500 last year to K£6,106,930 this year. This decrease is partly explained by non-allocation of any funds to pay off arrears of contributions in lieu of rates especially to the Nairobi City Commission, which is now owed more than K£7 million.

The sub-vote ¹²² - Contributions in Lieu of Rates - has gone up ~~slightly~~ from K£4,600,000 last year to K£4,740,790 this year, ^(an increase of only K£140,790). The net result is that this allocation can hardly meet the normal claims from local authorities, and arrears will continue to accumulate.

Mr. Speaker, Sir, contributions in lieu of rates are ~~statutory~~ payments under the Rating Act (Cap 267) and the Government is duty-bound to meet them. It is, therefore, necessary to re-examine this matter in future in order to comply with the law.

Under sub-vote 124 - Grants to Needy Local Authorities - my ministry is asking for K£350,000 for assisting, to some extent, the councils financially unstable on account of ~~ex~~ climatic conditions and other circumstances beyond their control. Our basic policy, however, remains one of helping such councils to develop to the ~~the~~ level where such grants would become unnecessary. We are determined to strengthen the financial base of all the local authorities so that they can provide more satisfactory services.

Turning to the Development Expenditure, the Ministry is requesting a gross sum of K£9,157,127 for the year 1987/88. These

THE MINISTER FOR LOCAL GOVERNMENT (ctd.):

funds are intended for the development of infrastructure within different urban areas of the Republic. Hon. Members will appreciate that Kenya's urban population is growing at a rate higher than that of the ~~Kenya~~ country's population as a whole and there is need to keep on expanding infrastructural services.

Mr. Speaker, although the Government is making every effort to improve the quality of life in the ~~rural~~ rural areas, migration into towns is expected to continue. At the end of this century, our urban population could hit the nine to 10 million mark, making the urban population in Kenya 26 or 27 per cent of the ~~total~~ population. ~~Hon. Members will note that the Development Estimates have not exceeded the 1986/87 level, despite our commitment to try and meet the expanding needs of the urban population. The gross estimates for last year were K£9,240,000 as~~
 opposed to
 against this year's K£9,157,125. Our external receipts are broken down as follows: Full grants issued as revenue - K£500,000. Full grants issued as Appropriations-in-Aid - K£630,625. Loans issued as revenue - K£1,232,200. Loans issued as appropriations-in-aid - K£4,358,750.

I would now like to turn to the specific programmes and projects under the Local Authorities Sewerage Schemes. My gross expenditure allocation has slightly gone up from K£3,075,906 during the previous ^{financial} year, to K£3,750,000 during the current financial year. This small increase in the allocation to this very important sector is very much appreciated. Nevertheless, I ~~am~~ should like to point out that it is too little to enable us to expand sewage services to the new and fast growing towns.

The development strategy outlined in the Sessional Paper No. 1 of 1986 on Economic Management for renewed growth hinges crucially on avoiding the concentration of population in Nairobi and Mombasa and shifting towards the vigorous growth of secondary

G.3.....22.10.87

THE MINISTER FOR LOCAL GOVERNMENT (Ctd.):

and smaller urban centres throughout the Republic.

END G.

[Handwritten signature]

THE MINISTER FOR LOCAL GOVERNMENT (Ctd.):

Mr. Speaker, Sir, in my budget, I have attempted to move the sectoral services into these secondary towns. These include among others: Murang'a, Kisii, Bungoma, Thika, Nyahururu and Nyeri municipal councils. Also included are Homa-Bay, Isiolo, Busia and Naivasha town councils. All these projects are financed through different financial agencies and arrangements for example, Murang'a, Kisii, Bungoma, Thika and Nyeri municipalities sewerage systems are currently financed through a loan provided by both the African Development Bank and the African Development Fund. On the other hand, Nyahururu, Homa-Bay, Isiolo and Busia town councils sewerage systems now under construction are financed through a full grant provided by Danish International Development Agency (DANIDA).

Sir, as hon. Members are undoubtedly aware it is a declared Government policy to provide clean and treated water to all citizens of this country by the year 2000. It is our intention as a Ministry to play a significant role towards the achievement of this goal. We have a number of water supply schemes which we would like to see constructed under the councils. We have completed a study on water supply projects in many local authorities and we are ready to embark on the implementation of some of them. These include, among others; Nairobi, Kericho, Kisumu, Eldoret and Thika Water Projects. In order to be able to carry on with the implementation work so as to provide clean and treated water ~~for~~ for the people catered for by these councils, we will require an allocation of higher figure to this sector alone in the future.

END H....

THE MINISTER FOR LOCAL GOVERNMENT (Ctd.):

Mr. Speaker, Sir, the programme^s for local authorities' roads maintenance ^{is} ~~is~~ ^{has} ~~has~~ also one area which sometimes ~~has~~ ^{has} attracted considerable debate in this House. I need not go into details, Mr. Speaker, because all that ought really to be said about the state of roads within some of our municipalities, ~~has~~ ^{has} already been said and it is common knowledge today.

^{on} Hon. Members, however, should note that there are no Treasury allocations to this sector. The local authorities have been left with virtually nothing and will find it very difficult to construct new roads or even maintain the existing ones. Mr. Speaker, unless local authorities are able to raise funds from other sources, the ~~roads~~ ^{roads} are likely to get worse, as time passes.

The local authorities housing and building sector, including the small town shelters, has so far progressed quite well. The second and third urban projects are financed through a loan agreement between the Government of Kenya and the World Bank. The second urban project is now coming to an end. The World Bank disbursements to the project have ~~been~~ ceased, but small project components which are not yet completed have to be financed between the Treasury and the local authorities. These programmes are intended to provide housing infrastructure and community facilities in the major urban centres and shelters for the growing urban areas, which I have already mentioned above.

Mr. Speaker, Sir, there is an item in my Budget referred to only as "Miscellaneous Programmes", not that it is any less important; it is very important. I have the following projects under this heading: municipal council markets, transportation study project, refuse collection project, vipingo slaughterhouse, land acquisition, fire fighting equipment and wholesale market proposed. Under the item of municipal council markets, Mr. Speaker, we are currently constructing a huge wholesale market in Mombasa, through a loan arrangement between the KFW of West German and the Government of Kenya, for a sum of : : K£2,450,000. The construction of this market is at a very advanced stage, and, I must say, it is about to be completed. The problem currently being experienced at Mwembe-Tayari Market in Mombasa should be a thing of the past when this market starts to operate.

Mr. Speaker, Sir, plans are also under^{way} to construct similar markets

THE MINISTER FOR LOCAL GOVERNMENT (M Ctd.):

Kisumu and in
within the Municipality of Nairobi.

The wholesale market proposed to be built in Nairobi, when completed, should relieve the congestion problems currently being experienced at the Wakulima Market, while the market proposed to be built at Kisumu should cater for horticultural produce in the whole of western Kenya.

The urban transportation study is intended to provide a long-term solution to the transportation problem currently being experienced in Nairobi, and in other major urban centres. The study is well underway, and the first stage of the study has already been completed. The first part of the study has made recommendations for suitable transportation systems which could be adopted in the City of Nairobi. The second stage of the study should focus on whichever system the Government decides to adopt. Mr. Speaker, Sir, this, together with the introduction of the National Youth Service Bus System, should go along way towards alleviating the transportation problem currently being experienced in the City of Nairobi, and in other urban centres.

Mr. Speaker, Sir, turning to the fire-fighting equipment and the refuse collection projects, these are two very important priorities. We all know, Sir, that fires have caused untold damage in this country and it is time we prepared ourselves to fight them more effectively. On the other hand, Mr. Speaker, uncollected ^{garbage} is both an eyesore and, more important, a real health hazard. The proposed project is intended to deal with this problem adequately. Mr. Speaker, Sir, the refuse collection project is intended to supply refuse collection equipment and maintenance facilities in our local authorities. First, we have made arrangements for the Eldoret and Nakuru Municipalities to have later this year, refuse collection vehicles. Later on, Mr. Speaker, Sir, we shall move ^{on} to Nairobi and other large municipalities. We are, at the moment, in the process of negotiating an agreement with the Italian Government to finance the whole of this project.

Mr. Speaker, Sir, the ^{Government of the} United Kingdom ^{already} has supplied fire fighting equipment to nine country ^{councils} on a full grant basis.

END I

THE MINISTER FOR LOCAL GOVERNMENT (CTD):

We are grateful for this generosity, but our expanding needs are far from being met. As a result, we ~~are~~ ^{have,} therefore, made requests for more equipment from the government of Britain, particularly for both Nairobi and Mombasa municipalities which are badly off at the moment.

Mr. Speaker, Sir, some of these projects require land in order to be implemented. There may be money, but then, there is that question of land. We have, therefore, put aside some money for this purpose. Currently, the resources we have reserved for this purpose are not adequate for all the land required in my ever increasing urban centres, especially for Nairobi water supply. We have been able to acquire land and we are able to pay for it so that Chania Phase III may commence.

Mr. Speaker, Sir, with these few remarks, and since my Ministry ^{does not take} ~~ask~~ for a lot of money, I ~~am~~ ^{to move} therefore, beg that ~~a~~ ^{covering} Votes R.12 and D.12 ^{of} my Estimates be approved by this august House.

Mr. Speaker, Sir, I beg to move.

THE MINISTER FOR ENERGY AND REGIONAL DEVELOPMENT (Mr. Biwott): Mr. Speaker, Sir, I beg to second and I reserve my right to speak at a later stage.

With those few remarks I beg to second.

(Question proposed)

THE ASSISTANT MINISTER FOR COMMERCE (Mr. Lalampaa): Ahsante sana Bw. Spika, kwa nzi kunipatia nafasi ili niseme machache juu ya Wizara ya Serikali za Wilaya.

Naichukua nafasi ya kwanza kumpongeza Waziri mwenyewe, ^{Maazizi} Waziri wasaidizi wake na vilevile ^{maofisa} wote wa Wizara hii ya Serikali za Wilaya. ^{wa} Wizara hii ina kazi ya muhimu ya kufanyia wananchi wa nchi hii. Tunajua ya kuwa, Serikali za Wilaya ni nguzo ya demokrasia hapa nchini-- the grass-root of democracy in this country.

THE ASSISTANT MINISTER FOR COMMERCE (Mr. Lalampaa) ctd:

Bamoja na hayo, ni juu ya Wizara hii ya Serikali za Wilaya, ^{malikonseli yanapata} kuhakikisha kuwa ~~konseli~~ ^{malikonseli} zimepata pesa au njia za kujipatia mapato, zifaazo kwa sababu huduma/haziwezi kutolewa bila pesa. Tunchelezwa sasa hivi na Waziri wa Wizara hii kwamba serikali za Wilaya zimeachwa bila kupata mapato yoyote kwa sababu hazipati pesa zozote baadhi ya pesa ambazo hupitishwa hapa Bungeni, Tunatarajia serikali za Wilaya kutoa huduma kwa wananchi. Lakini zitawezaje kuzitoa huduma ikiwa hazina mapato? Ni juu ya Wizara hii kutafuta njia ^{ya kuzitolea} ambayo ~~itasilitea~~ ^{itasilitea} ~~malikonseli~~ ^{malikonseli} pesa mapato barabara.

Jambo lingine ambalo Wizara hii ingehakikisha ku ni kwamba serikali za Wilaya zingekuwa na njia nzuri ya kusimamia pesa. ^{zita kuwa zika tumia} Itakuwa ni kazi bure ikiwa watakuwa wakitumia mapato yan kwa njia mbaya;

END J.....

Malik

Rw.

THE ASSISTANT MINISTER FOR COMMERCE (Mr. Lalampaa)(Contd.):

Bw. Spika, nasema hayo kwa sababu nimekuwa na ujuzi mwingi sana kwa Serikali za Wilaya. Kabla sijaingia Bunge ^{nijikuwa} ~~nimekuwa~~ diwani na mwenyekiti wa baraza la wilaya kwa miaka kumi. Kwa hivyo, naelewa sana Serikali za Wilaya.

Bw. Spika, ni juu ya Wizara hii ya Serikali za Wilaya kuhakikisha kwamba magari ya Serikali za Wilaya yanakaguliwa vile vile na Government Check Unit ili maofisa wa Serikali za Wilaya na vile vile wenyeviti na madiwani wasije wakayatumia magari ya Serikali za Wilaya kwa njia mbaya au kwa njia ambayo si rasmi. Vile vile yafaa magari haya yaangaliwe au yakaguliwe sawa sawa na magari ya Serikali, yaani Government of Kenya Vehicles (G.K.'s). Jambo hilo vile vile lina-stahili kufanywa.

Jambo lingine, Bw. Spika, ambalo ningependa kupendekeza kwa Wizara ya Serikali za Wilaya ni kutoa seminars kwa madiwani ili wajue roho zao ili wasije wakagongana na wale maofisa ambao wameajiriwa na Serikali za Wilaya. Hii ni kwa sababu wasipoelezwa na kufundishwa wajibu wao kama madiwani, basi wataingilia kazi ya utawala ya Serikali za Wilaya. Ingefaa waelewe kazi yao ni kutoa mwenedo, yaani to formulate policy. Huo ndio wajibu wao, yaani kutunga sheria za Serikali za Wilaya, na vile vile kuyapendekeza mambo ambayo yana-hitajika kufanyika na Serikali za Wilaya. Pia, yafaa wawaachilie wale maofisa ambao wameajiriwa na Serikali za Wilaya watekeleze mambo hayo, yaani implementing officers to be executives na siyo madiwani. kwa sababu watakuja kugombana. Njia moja ya kufanya hivyo ni wao.. kuwa na seminar ya kuelezwa kazi yao ni ^{ipi} ~~nina~~ na pia kazi ya executive officers ni ^{ipi} ~~nina~~.

Bw. Spika, jambo lingine ni kwamba kwa vile tunaelekea karibu na uchaguzi, basi tungemuuliza Waziri wa Serikali za Wilaya kuhakikisha kwamba kila ^{lokesheni} ~~barafa~~ itakuwa na diwani kwa sababu hapo awali

THE ASSISTANT MINISTER FOR COMMERCE (Mr. Lalampaa)(Contd.):

kulikuwa na lokesheni nyingine ambazo ziligawanywa lakini bado diwani mmoja ndiye alikuwa anasimamia karibu lokesheni mbili. Kwa uchaguzi ujao tunamuomba Waziri ahakikishe kwamba kila lokesheni ina diwani mmoja ambaye amechaguliwa na wananchi.

Pia, tunajua kwamba madiwani wateule hawawezi kuwa zaidi ya theluthi moja (one-third) ya madiwani ambao wamechaguliwa. Basi, jambo bora ambalo Wizara ingefikiria wakati wa uchaguzi ni kuhakikisha kwamba kila sehemu imewakilishwa. Ikiwa wilaya moja itakuwa na madiwani sita au kumi wa kuteuliwa, yafaa wahakikishe kwamba kila sehemu imewakilishwa. Ikiwa baraza moja la konseli fulani lina mawakilisho matatu hivi, siyo vizuri kuwa madiwani wa kuteuliwa watoke sehemu moja au mawakilisho moja. Najua kwamba mawakilisho yote matatu yatapata faida kutokana na madiwani wateule ili tuhakikishe kwamba wananchi wamewakilishwa vizuri.

Kwa hayo machache, Bw. Spika, naunga mkono.

MR. KOSKE: Thank you very much, Mr. Speaker, Sir, for giving me an opportunity also to make some contributions to this Vote.

First of all, I would like to thank the Minister for Local Government for the work he has done together with members of staff. A councillor in an area is one of the most important men in the localities, and being one of the leaders, he is expected to live in a manner that makes a good example to the rest. But at the moment, the allowances given to them with the number of fund-raising meetings they have to attend to, they are unable to be presentable to wananchi. I would like to urge the Government to see to it that these allowances are improved so that these people may display better examples to wananchi.

Mr. Speaker, Sir, some of the wards are far too large that some of the councillors manning those areas are unable to attend to the people and also unable to attend to the various projects which are going on in those areas. Therefore, I would like to urge the Government

MR. KOSKE (Contd.):

to see to it that loan facilities are made easier for them so that they can even afford to run motorcycles. Again, I would like to support hon. Lalampaa on the idea that each location should have its own councillor. Not only that. Some of the wards in some areas are far too large that to be manned by one councillor is also very difficult. I would urge the Government to see to it that in such areas they should be given more wards so that they may have more councillors to represent such areas.


Mr. Speaker, Sir, we also have some unclassified roads. Most of them go to schools, and others to some small market centres. Some of the bridges along these roads got broken some time ago. ^{Because} The Ministry of Transport and Communications only deals with classified roads. ~~So~~ I think these roads remain for the councils to take care of them. But I am afraid that the councils - even like mine - do not have money to do so. Therefore, I urge the Government to see to it that more money should be given to this Ministry so that it may manage to ^{maintain} ~~do~~ some of these small roads which are not classified, but which are very important.

Mr. Speaker, Sir, I think it is pathetic for a school to be in a place where communication is difficult. We all know the activities which are done in school, including games and so on. Sometimes if there is an accident, say, a child has fallen down and broken a leg or something else, it is pathetic that some of those schools cannot be reached by vehicles. Even now, the children have to carry milk and school equipment from some distance because vehicles cannot reach there.

Mr. Speaker, Sir, the nursery schools also should have teachers. I think the councils or the ^{Ministry of} Local Government should be given enough money to manage to employ good teachers, or well educated, or qualified teachers to man the nursery schools in the country. Meanwhile, some

MR. KOSKE (Contd.):

of the nursery schools are manned by very, very poor teachers who have never had a chance to learn well, and who cannot even be trained because they are very low educationally. I do not see the reason why the councils cannot take over such schools and see that the activities done there are good.

End K. 

MR. KOSKE (CTD):

Mr. Speaker, Sir, ^{when I was} ~~having been~~ an inspector of schools, several times I ^{visited} ~~went to~~ nursery schools and found that what was being taught was very irrelevant to what should have been happening there. Somebody is sent to a school only to spoil children by trying to teach the primary school syllabus instead of teaching what is supposed to be taught in nursery schools. So, since not all parents are educated enough to be able to realise the effects of teaching a young child the wrong thing, I urge that all nursery schools be taken over by the local authorities. That is why I am advocating that the Government gives the councils more money so that they can take over running of nursery schools.

Mr. Speaker, Sir, as I have said, teachers in nursery & schools should be trained; ^{facilities} and places should be increased so that we do not have nursery school teachers teaching for a long time in a nursery school without being trained. We would like them to give a sound guidance to our young children.

Mr. Speaker, Sir, some of the municipal and town councils in the country, particularly those in my constituency in Kericho District, are not clean enough. Some of them do not even have toilets. Even those which have got them, the toilets are very poorly maintained. When something goes wrong with them, it takes time before any action is taken. I think this happens because of lack of money. So, these toilets and other facilities should be provided together with enough money to maintain them.

Mr. Speaker, Sir, another thing that I would like to remind ^{the Government} is that facilities which were given to local authorities some back are no longer enough ^{the increasing} due to ~~increase in~~ ^{population} in towns. Even in some towns we ^{have} water problems. Londian Township in my constituency, Kericho District, is an example of a place where we have regular water problems; Kipkelion Town is another example. ^{Even as} I am talking here now this problem is ^{being experienced} there in these places. Sometimes, ^{children in} even schools within the towns are forced to go to rivers to look for water, because water in the towns is never enough. The Government should know that since these facilities were provided, things have changed a lot. So, I am now bringing these problems to the attention ^{of the Government} so that action can be taken.

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MR. KOSKE (CTD):

Mr. Speaker, Sir, some plots have been allocated to people temporarily for too long. I would like the Government to speed up allocation of plots. A person should be told whether a plot is his or not his so that he can develop it, without any fear of being moved from it later. Plots which have not been surveyed should be surveyed and given to their owners so that they can begin developing them. In some towns, plots have remained undeveloped for a long time, because plots are allocated to people on a temporary basis, and so they are not keen on developing them. So, allocation of plots should be speeded up so that development can continue. And while allocating plots, the local deserving wananchi should get the first priority. Even in places where, maybe, people are not yet interested in plots, they should still be considered. Plots should not be given to outsiders, because later on when the local people develop interest for plots, there will be none to give them. So, the local people should get the first priority in plot allocation. Also, during allocation, care should be taken to avoid discrimination. I have witnessed some cases where a person is given as many as seven plots, while another one has been applying for a plot for a long time, but he has not been given one. Yet what happens is that some people are given plots only to sell them later. People should only be given plots to develop and not to sell. I think if somebody is unable to develop a plot, the Government should repossess it and give it to someone who is prepared to develop it. So, plots should not be given to people who are probably, not prepared to develop them. This practice should not be allowed to continue and plots should be given to people who can develop them.

With those few remarks, Mr. Speaker, Sir, I beg to support the Motion.

(END.....L)

22.10.87.

JMK

(Mr. Michoma stood up in his place)

MR. SPEAKER: Yes, Mr. Michoma.

MR. MICHOMA: Mr. Speaker, Sir, I was just rising on a point of order in connexion with what my hon. colleague has said, that outsiders are given plots without specifying who those outsiders are. I just wanted him to tell us who those outsiders are.

AN HON. MEMBER: Asians!

MR. KOSKE: Mr. Speaker, Sir, I think that that is very obvious. In most towns we have non-Africans being given plots. In fact, that is even happening in Kisii town.

THE ASSISTANT MINISTER FOR WATER DEVELOPMENT (Archbishop Ondiek): Thank you, Mr. Speaker, Sir, for giving me this opportunity to join my hon. brother^s to contribute to this very important Motion.

Sir, I listened to the Minister for Local Government very carefully when he was moving his Vote, and I would like to give my observations on nursery schools which are being run by county councils and municipalities. I have observed that the teachers in such nursery schools are not ~~properly~~ paid on time, despite the fact that we do realise that unless a teacher is paid on time he cannot be competent to man his work in the classroom. I would, therefore, like to urge the Minister for Local Government to intervene in this matter so that the teachers of nursery schools under his Ministry are paid properly and on time. As you know, Sir, according to our education system, our children must pass through nursery schools. If there is no proper foundation in the nursery schools, our children's future will be totally ruined.

Having said that, Sir, I would now like to touch on the revenues collected by county councils and municipal councils. While I agree with the Minister that his Ministry does not have enough revenue to enable it to run county councils and municipalities effectively, I would like to point out that ~~there~~ there is a lot left to be desired in the way county councils and municipalities are being managed. There is ~~a lot of~~ lack of supervision in those areas in that whenever you meet

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THE ASSISTANT MINISTER FOR WATER DEVELOPMENT (Archbishop Ondiek)(ctd.):

either county council or municipal council workers, they tell you that they have not been paid for the last two years or so. Despite the fact that the workers are healthy and willing to do their work, they are never paid for almost two years. Since no receipts are issued to workers for the collection of rates, you find that most of the revenue collected by them does not reach the right places. I am sure that if the local authority workers are properly supervised, ~~the~~ county councils or municipalities would not have any problem of money. Although we do pay rates, we do not exactly see any services being provided by either county councils or municipal councils in return, despite the fact that there are so many things where county councils and municipal councils can help wananchi with. Not a single day passes without county council and municipal council workers collecting ^{fees} ~~rates~~ from markets.

Mr. Speaker, Sir, if you look at most of our markets, you will find that they are filthy and they have no toilet facilities. The money is being collected and misused and there are no services being rendered to the wananchi in ^{return} ~~turn~~. I would like to request the Minister for Local Government to look into this matter so that, at least, the revenue which is collected from the innocent wananchi is properly used. Let wananchi benefit from the collection of that revenue. We do appreciate that the ~~xxx~~ county councils and the municipal councils are doing an important job, but we would like to see some services being rendered to the wananchi. There is a ~~market~~ very important market in my constituency called Unguja which is very filthy. That place has no toilet facilities. There are other markets which do ~~not~~ not even have pit latrines. This happens despite the fact that there are bylaws in the local authorities which take care of health services. I think something should be done to make this Unguja market cleaner.

Mr. Speaker, Sir, turning to the question of the supervision of county council and municipal council workers, I would like to say that the ~~xxx~~ senior officers ~~is~~ employed by these local authorities should do their job properly. What, after all, is their job? They should try to supervise their juniors so that the

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THE ASSISTANT MINISTER FOR WATER DEVELOPMENT (Archbishop Ondiek) (ctd.):

collection of revenue and its use is taken care of properly. This is in line with the principles of management. Although councillors are the heads of our county councils and municipalities, some of them lack the knowledge of how to manage these local authorities. First of all, most councillors are not being paid. Of course, we are in agreement that councillors are the heads of their respective councils, but they are never paid because of mismanagement of funds and because of lack of supervision of workers.

When we talk about the maintenance of roads, ^{especially} ~~especially~~ in Nairobi City, I must thank His Excellency the President-----

QUORUM

DR. WAMEYO: On a point of order, Mr. Speaker, Sir. The House has no quorum, despite the fact that there are no toilets in the markets!

MR. SPEAKER: Yes, there is no quorum. Ring the Division Bell.

(The Division Bell was rung)

MR. SPEAKER: We have a quorum now. Continue, Archbishop Ondiek.

THE ASSISTANT MINISTER FOR WATER DEVELOPMENT (Archbishop Ondiek): Thank you, Mr. Speaker, Sir.

Sir, before my hon. colleague raised the quorum issue, I was talking about the need for total management of our councils. I do appreciate that there are very competent officers who are supposed to manage our councils, but those officers should try to be earnest with their supervision and to ensure that the revenue collected by councils is well taken care of.

Mr. Speaker, Sir, we know that there are elected councillors to our county councils and municipalities but, because they do not get their payments in time, they are quite inefficient. They cannot be able to work without being paid. Sometimes ago, our elected councillors used to get grants but, since this grant was cut off due to some other financial ~~difficulties~~ difficulties, there should be

M.4.

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THE ASSISTANT MINISTER FOR WATER DEVELOPMENT (Archbishop Ondiek)(ctd.):

another method of ensuring that the councillors get their payments in time. That way, they will be able to monitor what is going ~~on~~ on in their respective councils.

Sir, touching on the elevation of our ^{urban} councils, I would like ~~to~~ to point out that certain councils were elevated ~~for~~ due to ~~political~~ political reasons. In some areas, urban councils do not even have income sufficient to manage their councils even when they collect revenue from markets and other areas; that is not enough even to pay the ~~max~~ members of staff and the ~~max~~ councillors. I have an urban council whose expenditure is about KShs.20,000/- per month when the income can never be more than KShs.7,000/- per month.

END..... M.



THE ASSISTANT MINISTER FOR WATER DEVELOPMENT (Archbishop Ondiek) (Ctd.)

How are they going to manage that urban council, Mr. D Speaker, Sir? Something should be done. We should try to look for ways and means to get funds which we can allocate to these urban councils so that they can function. We know such urban councils are there, they exist and they must be made to survive. The only way to make these urban councils ~~xi~~ survive is for the Minister for Local Government and his team to sit down and look for ways and means to get more funds. They should add more markets to these urban councils so that there is enough income for any of these particular urban councils.

Mr. Speaker, Sir, there are new wards, or new ^{locations} locational ~~areas~~ which were created recently. When the Minister will be giving his reply, I would like him to tell us when these new locational ~~xxx~~ areas will be made electoral ~~areas~~ or wards. The wananchi would like to know ^{this} because, even in my constituency, there is a location which was created in 1978, and, until now, it has never been gazetted as an electoral ^{ward} area. We ~~x~~ would be very, very grateful if this can be done.

^{Mr. Speaker, Sir, my hon. Friend ~~is~~ talked about the allocation of plots. We know the method which ~~x~~ is being used in the allocation of plots, and particularly in Siaya ^{District}, previously they were trying to use the secret ballot method. Through the secret ballot system, anybody was given the plots; even a person who can never develop a plot was being given one. In fact, we ~~xxx~~ complained to the chairman and I think the situation was rectified; but in future we would like to see that such things do not happen. Before they introduced the secret ballot system, they used to find out the financial ~~xxx~~ status of a person before they could allocate a plot to him,}

THE ASSISTANT MINISTER FOR WATER DEVELOPMENT (Archbishop Ondiek) (Ctd.)
 This was to make sure that ~~if~~ if he is given a plot he will be able to develop it within a certain period.

Mr. Speaker, Sir, I urge the Minister to try to look into this matter and assist as much as possible. We also hope that the B Government will try to look for ways and means of getting funds and avail them to the urban councils ^{and municipalities} /so that they can be able to maintain roads. At the moment the roads ~~in~~ at Kisumu are impassible. The wananchi pay their rates to the urban councils and they may not know that the money that they pay is not enough.

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

MR. GACHANJA: Mr. Speaker, Sir, thank you very ~~me~~ much for giving ^{me} this opportunity to join my hon. Colleagues in saying something ^{concerning this} ~~which concerns~~ a very, very important Ministry.

Mr. Speaker, Sir, as we are all aware, the Ministry of Local Government is a very important. The Minister is asking this House to approve the use of well over K\$5 million. I am very grateful that the Minister is here; I know he is very concerned and he will take the relevant notes so that he can mend where the Ministry has gone wrong. This Ministry engulfs the cities the towns and so on. I am happy that the City Commission ~~has~~ has taken keen interest in improving the water situation ~~is~~ in the city. Before I criticize, let me give credit where it is due. ~~The~~ The water situation in the city ^{v.c.} has improved. In Dagoretti constituency, for example, we had areas like Mutuini, Satellite and Gando which did not have water for very many years, and today there is plenty of water. So, I am very grateful to the people who are concerned with ~~the~~ the supply of water.

MR. GACHANJA (CTD.):

Apart from some individual & people in the City Commission who have got integrity, the City Commission has ~~is~~ totally failed. The reason why I am saying this is that we are all aware that anybody who comes to Kenya is mainly interested in Nairobi, it is the ~~miracle~~ mirror.

(END.....N)

Kale Ruv.

MR. GACHANJA (CTD.):

No matter what we do elsewhere, Nairobi is the country's mirror. However, it is a total shame that the roads in this beautiful "City in the Sun" are a big shame. They are full of potholes, and there is no planning towards this end. Even in the case of the existing roads, it is only now that the City Commission is starting to patch them up. We have roads which were tarmacked way back when hon. Charles Rubia was the Mayor of Nairobi. I can quote an area like Kangemi where most of the roads were tarmacked then. In Satellite Estate, too, most of the roads there were tarmacked a long time ago. Today, those roads do not have even murrum. The tarmac they had has been eaten away, their murrum is also gone and only soil remains. We have to cry and beg that those roads be murramed. If you take the Satellite-Dagoretti Market Road - Dagoretti Market is very important ^{as,} ^a ~~which~~ I think ~~supplies~~ more meat than even Kenya Meat Commission itself - you will see that it is impassable. As I said, it was tarmacked many years back. So, there must be something wrong somewhere.

The City Commission has Commissioners who have not been directed to take care of particular areas, and none of them is responsible for anything. So, road care is a question of individuals. If the Director of City Civic Services, Mr. Shigoli, wants to take care of these roads, he could go round the city. The same applies to anybody in the City Commission who wants to take interest in the roads. However, there are no specific individuals to whom certain jobs are ^{allocated} ~~assigned~~ and who are responsible for them. You cannot use the roads in a centre like Kawangware to go to Gatina Village during the rainy season.

Once, I was accompanied by the City Engineer and we went round these places. He told me, "You have been saying that the roads in Dagoretti are impassable and people have to be transported on shoulders when it rains. Show me where these roads are." We went to Gatina, but we had to walk three miles because the car could not go any further. So, the Minister, in his goodwill - I know that he is interested in these roads and that he has this country at heart - should go deep into this matter and check on what the City Commission

MR. GACHANJA (CTD.):

is doing and what improvement, if any, it has made, short of worsening this city.

The schools in this beautiful city, too, are another shame. These schools were built when we had a mayor and councillors here. We have such schools as Mukarara, Gitiba, Kagira and Rumithitu which are in a very bad state. They have not been painted for the last decade and some of their roofs are leaking. If you go to Rumithitu School and look at the teachers' houses there, you will see that not even a labourer or anybody else can occupy them because ^{they are} ~~it is~~ in a very bad condition. In this connection, I would like the Minister to think deeply so that when he comes to answer, he may tell us how much of these millions of shillings is going to be allocated to Dagoretti Constituency. I am very much interested in this issue.

Mr. Speaker, Sir, the health centres in my constituency are no better than donkey sheds, and I have said this before in this House. The curtains used there are pieces of gunny bags. I know that the Minister concerned was once in Kangemi. I do not know whether he chanced to visit the health centre there. This health centre is a big shame, and I would hate ^{to see} any visitor coming to visit Kangemi and Kawangware Health Centres. The Minister has said that the Ministry is going to do something about these centres and expand them when funds are available. We do not know when these funds are going to be available, and I am worried about it. I hope that the Minister is going to say that in this present budget, some of the money he has been promising to come to Dagoretti is available.

Land owners in Dagoretti have not been given the land by the Government. This is freehold land, and yet ^{these} ~~the~~ people are paying rates for purported services which they have never received. The Minister concerned wants somebody to pay rates because of roads, and yet those roads are impassable. It is not possible to "have your cake and eat it." The Minister should decide ^{on} ~~as~~ whether to render the necessary services, or withdraw the collection of rates.

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

THE ASSISTANT MINISTER FOR LANDS AND SETTLEMENT (Mr. Karume):

Ahsante sana, Bw. Spika, kwa kunipatia nafasi hii ili nami niyaseme machache.

Wizara ya Serikali za ^{Wilaya} ~~Hifaa~~ ni mojawapo ya zile ambazo zimejitambulisha kabisa kwa wananchi wa mashambani. Ninafurahi na ninwashukuru Waziri wa Serikali za ^{Wilaya} ~~Hifaa~~ kwa sababu hivi majuzi alimondoa ushuru uliotozwa kahawa, ambao ulikuwa ukiwaumiza wakulima wa kahawa sana. Wakulima hawa walikuwa wakilipa ushuru wa asilimia tatu, lakini sasa ushuru huu umepunguzwa ukawa asilimia moja.

Waziri aliongeza ushuru unaotozwa miwa, mahindi na mimea mingine. Ningemwomba Waziri aliangalie jambo hili zaidi kwa sababu naona kwamba labda kuna zao moja lililosabauliwa, nalo ni mananasi. Mananasi hukuzwa sana hasa katika Thika, na tunajua kwamba yanaleta pesa nyingi za kigeni kwa sababu mengi yake huuzwa ng'ambo. Ingefaa tufikiri kuyatoza mananasi ushuru kama tunavyofanya na mimea mingine kama mahindi. Ingefaa tuone kwamba Serikali za ^{Wilaya} ~~Hifaa~~ zimepata ushuru kiasi fulani kutokana na ^{ukuzaji wa} mananasi.

Hatujasema kuwa hatutaki kutozwa ushuru, lakini mara nyingine wakulima hunung'unika wakisema kwamba ushuru huu haufai kwa sababu wanapoutozwa hawaoni unafanyiwa nini. Kile ambacho tungependa Wizara iangalie sana ni kuona kwamba pesa zinazotozwa wananchi ^{zinavudikiwa} ~~hufadikiwa~~ kwao kwa njia ya kutengeneza barabara. Barabara zote zinazoelekea kwenye viwanda vya kahawa na nyinginezo zinafaa kuangaliwa kabisa kwa kutumia pesa hizi za ushuru. Viwanda vingine vya kahawa vina taabu sana kwa sababu havina visima vya maji na huduma nyingine. Tungependa Serikali za ^{Wilaya} ~~Hifaa~~ ziwe zikiangalia huduma hizi sana. Tunajua kwamba Serikali za ^{Wilaya} ~~Hifaa~~ hufanya kazi za maana sana. Konseli ya Kiambu, kwa mfano, ina shule za nasari zaidi ya 400 na walimu wengi sana. Tunajua kwamba huduma hizi zinagharimu pesa nyingi sana. Tungependa Serikali zote za ^{Wilaya} ~~Hifaa~~ zifanye zaidi ya vile zinavyofanya sasa kwa sababu wakati wananchi wanapung'unika huwa kweli wana shida, huku wakijua kwamba wanatozwa ushuru na hali huduma nyingi zimesahauliwa. Tunajua kwamba Waziri wa Serikali za ^{Wilaya} ~~Hifaa~~ anafanya kazi kubwa, lakini ingefaa aliingilie jambo hili zaidi na kuona kwamba pesa hizi haziwekwi katika benki peke yake. Hakuna haja ya kuweka pesa katika benki ili zikao huko tu na watu fulani wazikopechwo, wakati ambapo wale wanaohitajiwa kusaidiwa kwa

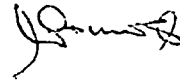
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THE ASSISTANT MINISTER FOR LANDS AND SETTLEMENT (Mr. Karume)(Ctd.):

pesa hizi huko katika mahali pesa hizi zilikutoka hawapati huduma yoyote.

Hili ni jambo ambalo lirafaa kuangaliwa sana. Hinaona kwamba konseli nyingine zina mamilioni ya pesa, lakini ukiangalia viwanda, barabara na shule za nasari unaona kwamba kazi mbaya tu ndiyo iliyofanywa.

END O



THE ASSISTANT MINISTER FOR LANDS AND SETTLEMENT (Mr. Karume) (ctd);

Hilo, Bw. Spika, ni jambo ambalo ningependa kuiomba Wizara ili angalie. Pia in ningependa kusema kwamba yafaa kodi ya mazao ~~kwa~~ mbali mbali iendelee kutolewa. Hii ni kwa sababu kodi hiyo ikiondolewa - kama vile watu wengine wanavyotaka - tutakuwa na taabu. Pengine shule fulani za nasari zitafungwa kabisa.

Bw. Spika, vile vile ningependa Wizara iwafikirie madiwani kote nchini. Tunajua kwamba kuna upungufu wa pesa lakini ukweli ni kwamba mishahara na marupurupu ya madiwani yahitaji kuchunguzwa. Mishahara ya madiwani ni ya chini sana ikilinganishwa na ile ~~ku~~ kazi wanayofanya. Ni kweli kwamba mambo mengi hapa nchini yanafanywa kwa njia ya Harambee. Kwa hivyo utaona kwamba madiwani na mameya wanahitaji kutoa michango ya Harambee. Lakini madiwani hulipwa mishahara midogo sana. Tunajua kwamba makonseli mengine hawawezi kulipa madiwani wao mishahara mikubwa. Hata hivyo yafaa njia ya kuwasaidia madiwani hawa itafutwe ili waweze kupata kitu cha kuwafariji kidogo.

Bw. Spika, ni furaha yangu kutaja hapa kwamba Wizara hii imefanya kazi kubwa katika Manispaa ya Kiambu. Sasa tumeona kwamba Wizara imetoa tenda ya kutengeneza mfereji wa kupitishia maji machafu katika mji wa Kiambu. Hii ni kwa sababu mfereji huo ulikuwa umeharibika kabisa. Kwa hivyo ningependa kumshukuru Waziri ~~Ku~~ kazi hiyo nzuri anayotufanyia. Vile vile Wizara imetupatia pesa za ~~ku~~ kujenga kituo cha mabas. Hii ni kwa sababu mabas na matatu yalikuwa yanasimamishwa barabarani na hungeweza kupita kwenye barabara hiyo. Lakini sasa Wizara imefanya vizuri sana kutupatia pesa za kujenga kituo cha kugeshea magari.

THE ASSISTANT MINISTER FOR LANDS AND SETTLEMENT (Mr. Karume) (ctd);

Jambo lingine Bw. Spika, ni kwamba ningeiomba Wizara itupatie mkopo ili tuweze kukeleza mradi wa maji katika Mji wa Kiambu. Hii ni kwa sababu mji huo hukabiliwa na ukosefu wa maji mara kwa mara. Minajua kwamba Wizara hii inafanya kazi vyema na inaweza kuturekebisha hali hiyo.

Pia ingefaa wakulima wawe wakitoa kodi kwa zao la kahawa mara moja tu. Hii ni kwa sababu wakulima wana mahitaji mengi sana ya pesa. Ninasema hivi kwa sababu wakulima hutozwa kodi kadha wa kadha zinazohusiana na zao hili la ~~kaw~~ kahawa. Kwa hivyo tungetaka Waziri wa Fedha alichunguze jambo hili. Kwa mfano sasa bei ya kahawa ~~kaf~~ katika soko la dunia imeshuka sana. Ukiangalia utaona kwamba wakulima wa kahawa hawapati cho chote. Hata wakati mwingine wakulima hubaki na madeni. Utaona kwamba wakati wakulima ~~wanapata~~ wanapopata x faida kidogo wao hutozwa kodi kama vile export tax na kadhalika. Kwa hivyo ningependekeza tuendelee na ule ntindo wa kutoa kiwango cha kodi ya ~~mx~~ mazao ya kiwango cha 1 per cent kutokana na mazao ~~yxxx~~ yanayohusika.

Kama nilivyosema hapo mbeleni yafaa Waziri aiangalie kwa makini habari ya mananasi. Tunashindwa kuelewa ni kwa nini wakulima wa zao hili hawatozwi kodi yo yote. Tunalipa kodi ~~kutokana~~ kutokana na mahindi, miwa na kadhalika. Lakini utaona kwamba mananasi yamejaa hapa na vile vile yanaenda kuuzwa ng'ambo. Ile kampuni ya Kenya ~~fx~~ Cannery Limited ndiyo inayokuza mananasi kwa wingi. Pia ~~kubwa~~ kampuni hii huuza mananasi katika nchi za nje. Kwa hivyo ingefaa ~~ukuzum~~ kiwango fulani cha ushuru kitolewe ili pesa hizo zitumiwe katika ujenzi wa shule ~~katikaxaxaxoxhiku~~ na zahanati katika eneo hilo. Haifai kuacha pesa zote ziende ng'ambo.

THE ASSISTANT MINISTER FOR LANDS AND SETTLEMENT(Mr. Karume)(ctd);

Kwa hivyo Bw. Spika, mimi naiunga mkono kikamilifu Wizara hii na kusena kwamba pesa ambazo Wizara hii inaomba ipewe hazitoshi. Hii ni kwa sababu hii ni Wizara kubwa sana. Waziri amejaribu sana na tunafahamu kwamba yeye ~~amkazi~~ ~~ka~~ ana kazi nyingi. Yeye amekabiliwa jukumu la kuw_achunga viongozi wengine kama madiwani. Hii ni kwa sababu madiwani vile vile ni wanasiasa kama sisi na si kazi rahisi kuwaangalia na kuhakikisha kwamba mienendo yao ya kisiasa inafaa.

Kwa hayo machache, Bw. Spika, naomba kuunga mkono.

MR. BORU: Ahsante sana, Bw. Spika, kwa kunipa nafasi hii ili nami niveze kusema machache kuiuzu hii Wizara. Wizara hii ya Serikali za Wilaya ni Wizara muhimu sana katika taifa hili, na hasa katika wakati huu ambapo wilaya zimefanywa mashina ya maendeleo katika ule mpango wa District Focus for Rural Development Strategy. Kwa hivyo kufuatana na mpango huo wa kuzipa wilaya ~~kwazo~~ mamlaka ya kutoa mapendekezo kuhusu miradi ya maendeleo ni lazima Wizara hii ifanye kazi mbega kwa mbega na kamati za maendeleo za wilaya.

Hata hivyo, Bw. Spika, kuna jambo moja ~~haz~~ ambalo limenishangaza sana. Sijui kama tatizo hili linaweza kupatikana katika wilaya nyingine hapa nchini isipokuwa kule Marsabit. Utaona kwamba Wizara hii haijawahi kuwa na mipango yo yote ya maendeleo katika wilaya hiyo katika muda wa miaka mitano iliyopita. Makao makuu ya Wizara hii yako hapa Nairobi. Pia kuna provincial local government officers katika kila mkoa. Lakini utaona kwamba wale wanaokaa katika makao makuu ya wilaya haw_afanyi kazi y yao. Maofisa ~~kwazo~~ ~~me~~ wakuu kama town clerks, town treasurers na wengine hawatoi huduma yo yote kwa wananchi. Utaona kwamba kuna usimamizi mbaya wa pesa ~~kaz~~ katika makonseli. Pesa ambazo zinakusanywa kama ushuru huishia kwenye mifuko ya hawa maofisa wakuu. Wao wamepanga njama na madiwani ili wawe wakichukua pesa hizi.

AN HON. MEMBER: Pesa hizo hutolewa kwenye mikutano ya Harambee.

MR. BORU: Wananchi wanahitaji kuhudumiwa, Bw. Spika. Wabunge wengine wamependeleza madiwani waongezwe mishahara. Hakuna sababu ya kuongeza marupurupu na mishahara ya ~~kwa~~ madiwani. Kama maofisa wa Kanu wanaweza kujitolea kufanya kazi sioni ni kwa nini madiwani hawawezi kufanya kazi kwa njia nzuri. Hawa madiwani hazifai kupewa ~~ku~~ cho chote kwa sababu hawatoi huduma yo yote kwa wananchi. ~~Wananchi wanahitaji kuhudumiwa.~~ Wao wanalipa kodi za ploti, leseri za maduka yao, mahoteli yao na vile vile kwa masoko ya mifugo. Lakini huduma zinazotolewa na makonseli mbali mbali hazilingani na kiasi kikubwa cha pesa ambacho hutolewa na wananchi kama kodi za aina mbali mbali. Hizo pesa hutumiwa kulipia mishahara ya madiwani na wafanyakazi wengine na sijui zile ~~zina~~ zinazobaki hupelekwa wapi.

Bw. Spika, utaona kwamba katika kila konseli kuna ~~na~~ kamati mbali mbali; kuna kamati ya fedha, kamati ya mipango ~~ya~~ ~~na~~ ~~masoko~~ na pia kuna kamati ya huduma za ~~na~~ jamii. Lakini utaona kwamba kamati hizi - kutoka wakati wa uchaguzi hadi wakati wa uchaguzi mwingine - ~~hazifanyikani~~ haziitishi vikao vyo vyote. ~~Hawajawahi kukutana~~ Hawajawahi kukutana kujadiliana juu ya mambo ambayo ~~wananchi wanahitaji~~ wananchi wanahitaji kufanyiwa. Pia kuna miji mingine ambayo haijapangwa na majengo yamejengwa ovyo ovyo. Wananchi hutuma maombi ya kupewa ploti na maombi yao hukubaliwa na kamati zinazohusika. Utaona kwamba baada ya kikao ~~ki~~ cha baraza zima kukubali kumpatia mwananchi ploti, ~~na~~ mwananchi huyo atakaa kwa muda wa miaka mitano bila kuipata ploti hiyo. Lakini jambo la kuudhi ni kwamba mtu kama huyo huendelea kutozwa ~~kwa~~ kodi kutokana na ploti hiyo ambayo bado hajaiona. Kwa hivyo ni lazima Wizara izichunguze wilaya ~~ambazo~~ ambazo ziko mbali na makao makuu ya ~~wiliz~~ Wizara. Yafaa Wizara iwatumie ~~wakaguzi~~ wakaguzi kwenda kuangalia ni kitu gani kinachotendeka katika wilaya mbali mbali.

Utaona kwamba wananchi hutozwa kodi kutokana na viwanja amba_vyo hawajavijenga. Hiiyo si haki. Pia utaona kwamba ploti moja inaweza kutolewa kwa watu ~~wame~~ wanne au watano. Kwa hivyo utaona kwamba watu hawa humaliza muda mwingi wakienda kortini kufanya kesi. Haya ni makosa ya maofisa ambao ni wafisadi. Utaona kwamba baada ya mtu kupewa ploti katika full council meeting, karani anaweza kumpatia mtu mwingine karatasi na kumwambia "Nenda ukaichukue hiyo ploti." Hii ni njia moja mbaya sana ya kuwagonganisha wananchi.

Wananchi wanahitaji vitu kama slaughter houses. Kwa hivyo wananchi wanataka kuziona huduma ambazo zinatolewa na makonseli. Sisi ~~amwajaz~~ tumekuwa tukijaribu kuyatetea haya makonseli kila wakati. Hata kuna Hoja iliyopitishwa katika Bunge hili ~~iki~~ ikitoa himizo kwa Wizara hii iongeze ~~wishahara~~ mishahara na marupurupu ya madiwani. Madiwani hawa wakipewa mishahara mizuri wataweza ~~kushiriki~~ kushiriki kikamilifu katika shughuli za maendeleo na mambo mengine. Lakini ukichunguza kwa makini utaona kwamba hata hakuna haja ya kuwa na makonseli katika sehemu nyingine za nchi hii. Hii ni kwa sababu ukienda huko kumwona Town clerk utaambiwa hayuko. Pia ukisema unataka kumwona Town Treasurer utaambiwa kwamba yeye hayuko. Pia ~~cashier~~ cashier huwa ~~haya~~ hapatikani. Ukiuliza zaidi ~~wananchi~~ utaambiwa kwamba maofisa hawa wako katika field. Pia sales collectors hawapatikani maofisi mwao. Hata matarishi hawawezi kupatikana. Mara nyingi ofisi za konseli huwa hazina watu na hali ~~wananchi~~ wananchi wanahitaji kuhudumiwa. Labda ukienda huko mwisho wa mwaka utawakuta maofisini walingojea pesa ili waende wakalipe karo za shule na dhalika.

MR. BORU (Ctd.):

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Bw. Spika, konseli nyingine hazina internal auditors wa kuchunguza vile pesa zinaingia. Hii ni kwa sababu utaona kwamba kwa mfano, sales collector akishapewa kitabu cha stakabadhi cha miscellaneous revenue, ataenda nacho usiku, akae nacho kwa siku nne au tano na atarudisha hizo pesa baada ya hicho kitabu kujaa, labda baada ya ~~kwazi~~ mwezi mmoja. Wakati uli mwingine wote, hakuna mtu anaangalia mambo yanaendaje. Kuna wakati mmoja tulipolalamika kuhusu konseli ya Marsabit, mainpekta wakatolewa na Waziri wa Serikali za Wilaya wakaenda kukaa huko kwa muda wa miezi mitatu na sijui walienda kuchunguza nini kwa sababu hadi sasa, hatujasikia ripoti yoyote kuhusu uchunguzi wao. Kwa sasa, konseli hii imekuwa mbaya zaidi kuliko wakati huo. Tukiwauliza maafisa wenyewe wa konseli hii, hutuambia tuende Nairobi tuwaite auditors hao wetu tena. Mwenendo huo huivunja mioyo ya wananchi kwa sababu wananchi wanahitaji kuhudumiwa.

Ukiangalia upande wa barabara za miji - mji kama wa Marsabit hauhitaji barabara za lami; unahitaji marram pekee. Hata ingawa konseli ya mji wa Marsabit haina grader, kuna grader ya Wizara ya Uchukuzi na Mawasiliano ambayo inaweza kutolewa kwa konseli ikikubali kuinunulia mafuta. Wakati mvua imenyeshwa kama sasa huwezi kutembea katika mji huo kwa gari. Kutoka mjini kwenda kwa ofisi ya Mkuu wa Wilaya ni jambo moja ambalo haliwezekani kwa sababu barabara imeharibiwa kabisa na maji. Lakini wakati mwingine, utaona barabara imerekebisha - labda wakati Mtukufu Rais anapotembelea wilaya hii. Utaona graders ambazo sijui hutoka wapi, zikiweka marram mjini na malori yakimwaga maji baraberani ~~mpaka~~ mpaka kuwe hakuna vumbi kabisa mjini. Tunataka Wizara ichunguze ~~kwa konseli nyingi~~ ~~na~~ ~~abakikishe~~ kwamba wananchi wanapewa huduma wanazostahili. Tunakubali kuwa konseli nyingine hazipati pesa nyingi lakini, hata hivyo zinastahili kuwapa wananchi huduma iwezekanavyo.

MR. BORU (Ctd.):

Kwa mfano, katika Marsabit County Council, kuna mbuga za wanyama wa porini za taifa kitaifa mbili - Losai National Reserve na Marsabi National Reserve. Wao hupata misaada ya pesa kutoka kwa Wizara ya Utalii na Wanyama wa Porini. Kila mwaka, wao hupewa pesa lakini ukienda kwa hizi mbuga za wanyama wa porini, utaona kuwa hakuna huduma yoyote inayotolewa huko. Watalii pia huwa na shida kwenda katika hizo mbuga za wanyama wa porini za kitaifa. Kwa hivyo, ningepesha pesa ambazo hutolewa kama msaada kutumika kwa kazi fulani, yafaa zisimamiwe na Wizara pia kwa sababu kama konseli itapoteza pesa badala ya kuzitumia kwa kazi zilizotarajiwa, yaonekana kwamba hakuna maendeleo yatakayopatikana katika nchi hii.

Kwa hayo machache, naunga mkono.

MR. SPEAKER: Yes, Mr. Michoma.

MR. MICHOMA: Thank you, Mr. Speaker, Sir, for giving me this chance to join my colleagues in supporting this Motion---

MR. MUNYAO: I knew!

MR. SPEAKER: Order! What did you say, Mr. Munyao? Just because I called somebody else, you said "I knew" and you repeated it? You did not even let me finish.

MR. MUNYAO: Mr. Speaker, Sir, it must have been a slip of the tongue. I was looking at my colleague whom I was talking to.

MR. SPEAKER: You better be careful, Mr. Munyao.

MR. MICHOMA: Thank you, Mr. Speaker, Sir, I would first of all want to congratulate the Minister for the manner in which he has handled the affairs of the Ministry of Local Government. This is a very important Ministry and the Minister has done his best but in some other various occasions, ^{he} has been

MR. MICHONA (Ctd.):

failed by councillors and chief officers of the councils. I
would also like to mention ^{that} the Local Government Regulations of
1986, revised edition, have not been followed strictly by most
councils because these regulations stipulate that ~~now~~
councillors have been given powers ~~of how~~ to administer financial
and ^{by-laws} matters ~~how~~ to make ~~by-laws~~.

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MR. MICHOMA (ctd):

Mr. Speaker, Sir, the Minister has done well in certain councils because he has effected the transfers of the chief officers to work in other councils. ^{However} It seems as though the Minister has not completed the exercise. I would like the Minister to effect transfers of all chief officers of all county councils, municipal council, urban councils and so on. It is not fair for the Minister ~~to~~ to effect transfers in certain municipalities and county councils and leave others. I hope that the Minister will do that. He knows that I am very sincere in what I am saying; I am happy with his job and he should, therefore, effect this so that these chief officers should not be agents of certain politicians in certain areas.

I would like to remind the Minister, through you, Sir, that mayors, clerks and chairmen of councils ~~should~~ go out of their boundaries wearing their gowns. The law stipulates this very clearly. For example, Sir, you find the mayor going outside his boundary wearing the gown. This also applies to county council clerks. This can only be done only under very special occasions, say, when His Excellency the President is visiting a certain area and, perhaps, they want to meet him at the boundary of a certain district. It is not fair for them to fly flags on their cars outside their boundaries.

Secondly, the Minister should assist municipal councils, such as, Kisii, ^{Kericho} Kakamega and so on by giving them fire brigade vehicles. I am saying this because houses in Kisii, Kakamega, Kericho and so on normally catch fire. For example, there is no fire brigade vehicle in Kisii Municipality. I would like the Minister to assist these municipalities. Last time, Sir, the Minister received vehicles and they were despatched to Kisumu and elsewhere but Kisii, Kericho and Kakamega did not receive any. I am citing this example, - I hope the Minister is listening - because we would like to have uniformity in the distribution of Government grants. These grants should be spread to all municipalities. I know that the Minister does not favour his own district. I would like the Minister to take ^a serious note of this so that when he gets

aid from donors, he may consider these areas.

I would like to say that in certain municipalities, particularly Kisii, most markets do not have latrines; they do not have even a single latrine. This is a shame because councils do get revenue from wananchi. I would like to urge the Minister to consider allowing Bobaracho and Nyaora Wards of Kisii Municipality to have two councillors each. Those wards are unusually large and I think that the Minister should take note of this. Members of those areas feel that those areas should be considered.

I would like to touch on the ^{question of} elevation of towns to urban and town councils and eventually, to municipalities. I know that this was done hurriedly elsewhere and there was no consideration of funds. These councils do not have funds whatsoever. In 1969 when the Central Government took over three major services; namely, education, health and roads, the councils' works ~~were~~ ^{were} seen by the wananchi. Now, we do not see what the councils are doing. It is not their fault because the little money they get from coffee cess and elsewhere, is used for paying salaries. This is not fair to coffee farmers, Mr. Speaker, Sir. Coffee farmers have been paying cess over the years. I would like to thank the Government, through the Minister and through you, Sir, for reducing the coffee cess from 3 per cent to 1 per cent. Still, coffee farmers feel that the councils are not doing enough. Coffee farmers should be exempted from paying cess because they have been doing so over the years while ~~other~~ farmers of other crops were not paying cess.

I would like to touch on roads leading to coffee factories. The councils should oversee these roads. At the moment, they are not doing anything at all. The other point relates to electricity to coffee ^{factories} ~~factories~~. The councils should assist in this way because they are getting money from coffee cess but they are not doing so.

The other point I would like to make is in relation to the mismanagement of funds in local authorities. The Minister should be tough on this. We will and are supporting him to make sure that there is no loss of funds in

local authorities. Perhaps, auditor^s and inspectors from the Ministry are not enough and I think the Minister should get more staff from other departments and deploy them in local authorities. This is because certain local authorities have lost funds and nothing has been done.

The other thing I would like to say is on nomination of councillors. When Members of Parliament go to the Minister to see him on the question of nomination of councillors, he should say "No." Why should one Member of Parliament in a given area nominate all councillors ^{without} consulting with other Members of Parliament in that area? This is a serious matter and I know that the Minister knows what I am talking about. For example, ^{it is not fair} when hon. Shikuku - let me use your name because I know you - who comes from Kakamega District gives the Minister a list of names of people from his constituency when other Members of Parliament from that area do not have even one single nominee, ~~this is not fair.~~

MR. SHIKUKU: Tell him again.

MR. MICHOMA: He has heard. The other point is on the question of allocation of plots. For example, in Kisii Town, there was one Asian known as Gudka who acquired many plots. The councillors and the chairman of plots allocation ^{committee} - I do not know who he is - denied wananchi that facility. Time has come for things to ^{be} straightened; Kenya is Independent. I know that the District Commissioner is the Chairman of the Plots Allocation Committee, but this is an excessive power, Sir.

I beg to support.

END R

MR. BOY: Ahsante sana Bw. Spika kwa kunipatia nafasi niungane na waheshimiwa Wabunge wenzangu kwa kuzungumza katika Hoja hii muhimu sana.

Bw. Spika, Wizara hii tunaycizungumzia leo ni moja ya Wizara zilizo muhimu sana kati ya Wizara zetu. Wizara hii ina kazi kadha wa kadha zinazochukuliwa na mabaraza ya miiji. Mtu akifanya vyema, yafaa asifiwe kwa wema wake, na akifanya uovu, alaaniwe kwa uovu wake. Kwa hivyo, mimi nitaisifu Wizara hii kwa kazi njema iliyofanya. Pia, namsifu Waziri kwa ~~x~~ bidii aliyoi-onyesha. Kwa mfano, sisi watu wa ~~Kwale~~ Wilaya ya Kwale twaishukuru Wizara kwa ~~sababu~~ sababu tumeongezewa mitaa miwili kwa hivyo baada ya uchaguzi wa mwaka ujao, tutakuwa na ^{madiwani} ~~wawili~~ wawili zaidi. Basi, kwa hivyo, inafaa tumpe Waziri shukrani. Lakini sisemi kwamba ~~si~~ aliye na haki ya kumlaumu asimlaumu. Mimi niliye na haki ya kumsifu nasifu kwa kazi nzuri aliyotufanyia hapo.

Bw. Spika, makonseli yako tofauti na yanafanya kazi tofauti kulingana na umuhimu wake. Kwa mfano, konseli ya Kwale ndiyo inayochukua takataka zote za mahoteli katika South Coast kuanzia hoteli ya Golden Beach mpaka katika hoteli zile mpya ^{zilizofunguliwa huko} ~~zilizofunguliwa~~ Lagoon Reef. Tatizo ni kwamba, konseli hii ~~x~~ ina ukosefu wa pesa. Lakini ukitazama hali ya Wilaya ya Kwale, utaona kwamba ~~si~~ si^f ya kuifanya konseli hii iwe na ukosefu wa pesa kwa sababu haya mahoteli yaliyoko, laiti kama kila kitanda kingelipishwa peni moja kwa mtu atakayelala kwa siku moja, ~~x~~ Konseli ya Kwale ^{huduma} lingekuwa na pesa nyingi za kuiwezesha kutoa ~~huduma~~ kadha wa kadha. Lakini leo ^f inaondoa uchafu lakini ^f hali ipati faida na matunda. Kuondoa uchafu ni kazi ya Konseli ya Kwale, lakini pesa za hawa watalii ni kazi ya watu wengine. Hilo ni jambo la kuhuzunisha. Ningependa kumuuliza Waziri, aliye hapa pamoja na maofisa wake, kama ^{si} hakika ~~kam~~ kwamba peni moja haliwezi kupandisha ^{gharama katiwa} bei ya mahoteli yetu katika Kenya hii leo. ^f Konseli hii itapata

MR. BOY (ctd.):

peni hilo kwa sababu ya huduma inayotoa.

Bw. Spika, M huko Kwale ndiko kuliko na Leopard Beach, Leisure Lodge, Diani Reef na mahoteli mengine mengi makubwa makubwa, lakini konseli hiyo haiwezi kupata hata peni kutoka kwa mahoteli hayo. Ingefaa kama Wizara ingeangalia imone kwamba mahali kama hapo, ambapo kuna uwezekano wa ~~kwa~~ kupata pesa, kunapatikana ^{ushuru} ~~cess~~. Mkulima anayelima mihogo ~~x~~ na korosho ~~atowwa~~ ^{hatozwa} ~~cess~~ kwa zao lake. Mzungu milionea anayekuja kulala huko likizoni - ~~x~~ maanake wajapo ^{ushuru} ~~x~~ huko huja likizoni - hatozwi ~~cess~~ ya konseli. Ukitazama hapo utaona kuna matatizo. Hatusemi mamilionea hawa watozwe shilingi 10, la. Tunasema watozwe peni moja tu na konseli hii.

Gari la konseli hii la kuchukua takataka ni moja tu; likivunjika mahoteli yatalalamika eti konseli haifanyi kazi. Gari hilo ni la zamani sana - mwaka wa 1978 na namba zake ni KJV wakati ambapo siku hizi gari mpya zina nambari zinazoanza kwa KY-. Tatizo hili liko kwa sababu konseli hii haina uwezo wa kununua gari lingine. Vile vile, ukija huko makao makuu ya konseli hiyo, kwenye mahoteli hayo yenye sifa ~~x~~ hiyo, utakuta kwamba hakuna taa za barabarani; ndovu wanakuja mpaka wanapiga hodi kwenye ofisi ya konseli hiyo; sijui kama wanataka ^{ushuru} ~~cess~~ au nini. Kama kungeli-kuwa na taa za barabarani, ndovu hao ~~kwa~~ wasingefika huko. Sasa hivi wamewaua watu wawili. Mweka hazina wa konseli hiyo alilazwa hospitalini/ ^{ya Aga Khan} kwa wiki mbili baada ya kupigwa na ndovu na kuvunjwa mbavu moja ndani ya mji wa Kwale.

Kama ^{Kutoka} Konseli hii ya Kwale ingepewa usaidizi iweze ~~tutoza~~ mahoteli haya ^{ushuru} ~~pesa~~, Mweka Hazina huyo wa konseli hiyo asingeuawa. Leo ni Mweka Hazina aliyeuawa, baadaye itakuwa Mwenye Kiti, baada yake itakuwa Waziri kama ~~xz~~ atakuja kututembelea huko usiku, au mimi. Kwa hivyo, jambo hili na ~~la~~ muhimu sana.

Bw. Spika, Wilaya ya Kwale inakua, hasa kwa sababu ya

MR. BOY (ctd.):

Mpango wa kuzifanya Wilaya Chanzo cha Maendeleo, lakini ukosefu wa nyumba katika mji wa Kwale umezidi. Nyumba zilizoko huko mjini ambazo ~~ni~~ ni za konseli ni chache zinazokodishwa maofisa kadha wa kadha wa Wizara za Serikali. Nashindwa ni kwa nini Wizara haiwezi kutafuta 'soft loan' ili ijenge nyumba huko ili maofisa wote wa ~~Wizara~~ ^{Wizara mbali mbali} waweze kupata nyumba huko na konseli iwe ikipata pesa. Konseli hii ina viwanja na inaweza kupata mkopo kutoka kwa National Housing Corporation, au ~~ku~~ kutoka kwa watu binafsi, ili iweze kujenga nyumba za kuishi, lakini Wizara haifikirii mambo haya. Nayo konseli ikiulizwa inasema ni lazima kwamba ipate mkopo kutoka kwa Wizara, nayo Wizara inasema hakuna pesa. Hatusemi Wizara itoe pesa, lakini tunasema mpango ufanywe wa kuiwezesha ^{Konseli} kupata mkopo wa kuiwezesha kujenga nyumba.

Kufuatana na Mpango wa Kuzifanya Wilaya Chanzo cha Maendeleo, wafanyakazi wengi wa Serikali wamepelekwa katika Wilaya. Si katika Kwale peke yake. Kuna miji mingine inayopanuka, kama vile Ukunda. Kila mwaka ifikapo Agosti na Decemba, ~~ku~~ Mawaziri wengi huteremka huko Ukunda, lakini madereva wao hawapati mahali pa kukaa. Mawaziri hulala katika mahoteli makubwa makubwa, ~~laki~~ lakini madereva wao hawana mahali pa kukaa. Konseli ya Kwale ingefaa ikubaliane ipewe mkopo wa kujenga hoteli moja ya wale watu tunaowaita makabwela kama vile madereva wa Mawaziri, ~~ku~~ na hapo pesa zingekuwa zikipatikana. Hakuna haja ya kulia ~~hila~~ ~~siku~~ siku kuwa hakuna pesa; tutalia 'hakuna pesa' mpaka lini? Miradi iko ya kutoa pesa. Twakubali kuwa hakuna pesa, lakini miradi ya kutoa pesa iko.

Hapa twasema hakuna pesa, nawe una njia ya kuzalisha pesa, na unasema huna pesa. Ingefaa wakurugenzi wa Wizara ~~w~~shirikiane na maofisa wa ~~mak~~ makonseli angalau ionekane kwamba makonseli yamejitosheliza katika mambo yao kadha wa kadha.

MR. BOY (ctd.):

Pia, kama makonseli yana pesa, na yamepeleka makisio ya matumizi kwa Wizara, lisingekuwa jambo la busara kwa Wizara kuyakatatakata makisio hayo, ili miradi ya makonseli iondelee. Kwa kawaida, makonseli yapelekapo makisio kwa Wizara, Wizara huwa inayakataza kufanya mambo mengine, wakati ambapo makonseli hayo yana uwezo wa kufanya mambo hayo. Wizara ifanyapo hivyo, huwa inargesha nyuma maendeleo ya makonseli hayo. Hilo ni jambo la umuhimu na tungemwomba Waziri ahakikishe kwamba makonseli yanapopelēka makisio kwa Wizara kila ~~mx~~ mwaka, ili yalitishwe kabla ya makisio ya matumizi ya nchi nzima ~~ka~~ kusomwa, yasiwe yakikatakatawa na kutiliwa vikvazo. Makonseli huilaumu Wizara ya Serikali za Wilaya; nayo Wizara hiyo inailaumu Wizara ya Fedha. Kila siku, kuna tafutwa kisababu ambacho hakifai. Na kutafuta kisababu hicho ndio kuna kotufanya tusi_endelee mbele, na kama tunaendelea mbele, tunaendelea kwa mwendo mpole, wakati ambapo tungelikuwa tukiendelea kwa mwendo unaofaa.

Kwa hayo machache, naunga mkono.

END S.

MR. JALDESA: Thank you very much, Mr. Speaker, for giving me this opportunity to contribute ^{on} ~~to~~ the Vote of ^{the} Ministry of Local Government. This is a very important Ministry in the sense that it takes care of the elected leaders in the local authorities. The local authorities themselves, that is, the county councils, the urban councils and the municipalities are all very important. Mr. Speaker, Sir, one thing which ~~surprised~~ surprises me is that the senior officers in the local authorities, particularly in the Northern part of Kenya, are so powerful that their power even exceeds that of the Minister. ^{for Local Government.} If you take, for example, an area like Isiolo, you will find that we have been complaining to the Minister about the Clerk to the Council for the last four years. All the previous Members of Parliament from this area, the chairmen of county councils, all the Kanu officials, and everybody else, including senior Government officers from this district, have been complaining about this particular officer. Despite the fact that the Minister has promised to take action against this officer, nothing has been done. We are aware of the fact that this calibre of officers are now transferable to other local authorities but, because of the ^{corrupt} system in the local authorities, 90 per cent of the revenue collected in that ~~district~~ ^{district} goes to the pocket of the Clerk to the Council ^{who} and uses it for his personal ^{defence} requirements. All his evil activities are covered ^{up} by the money that he gets ^{illegally}.

Mr. Speaker, Sir, time and again we have complained this to the Minister and to some senior officers in the Ministry, but this man seems to have laid such a strong base for himself in the Ministry that he cannot be transferred from where he is. Some time back, some senior officers in the Ministry defied the Minister's order when he ordered inspectors to go to Isiolo to investigate the activities of this officer. So, with all due respect to the Minister, for whom I have a very high regard, he should try and make sure ^{that} the local authorities are run effectively in a manner that can serve the people they are intended to serve.

Mr. Speaker, Sir, hon. Members have talked about plot allocation. In Isiolo, the same officer has discovered a very complicated method, in which he goes to all the influential personalities and tells them, "Come to Isiolo and I will give you plots", and, in fact, he has done so. He has been doing that and he

will continue to do so because there are people who are protecting him indirectly.

The other thing which I would like to talk about is with regard to electoral areas in the local authorities. Recently, there was a Commission established to review electoral boundaries in constituencies and wards. However, Sir, I am surprised that this Commission has not reviewed electoral boundaries in my constituency. I am saying this because although my constituency is thinly populated, it is very vast. We have only five elected councillors, although this area has been recommended for an additional ward. ~~How~~ However, to my surprise, this ward has been taken to another constituency although, according to the recommendation by the district development committee, my constituency was the one supposed to be given priority, because it is very large. I appeal to the Minister to do something about this before the next elections to review electoral boundaries in this area.

Mr. Speaker; Sir, councillors' allowances ~~have~~ have been the subject of debate in this House. It is my opinion that councillors, being elected leaders, earn very little allowances. Isiolo County Council would be one of the richest country councils in the Republic had it not been for corruption. I think the Minister should devise a method of giving more allowances to councillors in an area which is capable of paying the councillors instead of, for example, equating councillors in Isiolo ~~district~~ with those in Marsabit. I know that Marsabit county council cannot afford to pay its councillors, but Isiolo county council can do so, if only the Minister can remove that bad man from there. If this man could be removed from Isiolo, then Isiolo county council would be the richest and I do not see any reason why councillors there could not be given more allowances.

Mr. Speaker; Sir, worse of all problems in Isiolo District, is the problem of banditry activities. It is not surprising to find that the whole cause of tribal conflict between the neighbouring districts and ~~is~~ Isiolo District, comes from the county council offices. Recently, leaders from Garissa and Isiolo met and pledged to unite and preach peace, but this Clerk to the Council organized a delegation of five councillors to the Provincial ~~Commissioner~~ Commissioner to say that they refuse to ~~and~~ accept what we, as leaders, had declared to do. So, unless the Minister take action against this officer, the only thing left for us now is to demonstrate.

exhausted all the other machinery. The Minister should expect this very soon from Isiolo. I am saying this because this man is becoming a security risk. The worst thing is that whenever there is any correspondence from the district to the Headquarters here, there is a junior officer who takes all the letters from this officer's file, and this is very dangerous. Eighty^{per} cent of the revenue collected in Isiolo County Council is being used by this man to cover his ~~xxx~~ evil activities, and we do not foresee any ~~improvement~~ improvement.

Therefore, I would like to make a very humble request to the Minister to take the necessary action. I know the Minister personally and, maybe, he is being given a very different picture from what is happening out there in Isiolo. I have no doubt that the Minister is very sincere but he must check to find out what is happening. We cannot all be complaining about one ~~xxx~~^{man} for many years. All the Members of Parliament from Isiolo District have been complaining about this man in writing. Even the former town clerk, the District Kanu Chairman, and his predecessor, have been complaining about ~~ix~~ this man. We cannot all be complaining about one man without a reason. We know that this man cannot face the public and so, the best thing that the Minister can do - ~~is~~ if he cannot discipline the officer since he is powerful after accumulating a lot of money from illegal collections - is to transfer him to another place.

~~xxx~~ AN HON. MEMBER: We do not want him!

MR. JALDESA: Perhaps he cannot work anywhere else, but if he cannot be disciplined, the only thing that ~~he~~^{the} Minister can do is to transfer him elsewhere.

With those few remarks, I beg to support.

THE ASSISTANT MINISTER FOR TOURISM AND WILDLIFE (Mr. Njuno): Thank you very much, Mr. Speaker, for giving me this opportunity to support this very important Vote of the Ministry of Local Government. The Minister concerned is a good friend of mine, and he is a man I respect highly. However, what I am going to say is for his own benefit and, I know, he will be grateful in future when he comes back here - and I only give him six months to do so - and tell us that he has placed ~~Kirinyaga~~^{County} Council under a commission, because it is collapsing.

THE ASSISTANT MINISTER FOR TOURISM AND WILDLIFE (Mr. Njuno)(Contd.):

Mr. Speaker, Sir, it has been very strong financially for all those years since it was incepted. Everything has been going on very well. I know at one time we had problems with the late Minister for Local Government. But this time, I do not blame the Minister for the problems we have. The problems are there because of "god-fathers" in the Ministry. They are the ones who condone mistakes done by some individuals.

Mr. Speaker, Sir, our laws here say that the Local Government is for the people and not for individuals. We want to encourage the Local Government to continue. But you will find that things go wrong from day to day, month to month and so on because there are some "god-fathers" in the Ministry who want to support some individuals rather than the community.

Mr. Speaker, Sir, Kirinyaga County Council which is collapsing today cannot ^{give} school grants to those children whose parents are unable to ~~do so~~ ^{pay school fees} simply because they do not have the money. This money has been squandered within a period of six months. What is happening today in the council is buying ^{of} vehicles, one after the other, renovation of offices, buying furniture and so on, while the public is waiting for all their amenities for the taxes they pay. To make it worse, those taxpayers go to the county council offices as if it was a police station. You would have expected a mwananchi to go to the offices of his county council with confidence since he had paid his taxes. That is why he would expect to be served. However, today, they are kept outside the offices. For instance, when they go to pay revenue, they cannot go into the hall. They have to line up or queue ^{outside} ~~up~~/waiting for long hours because they are not allowed to go in.

Mr. Speaker, Sir, you will be surprised to find that there are armed guards ^{at} in the entrance of the county council offices. What are they for? They are there to protect the clerk to the council.

THE ASSISTANT MINISTER FOR TOURISM AND WILDLIFE (Mr. Njuno) (Contd.):

Sir, I do not hate anybody, but I am only telling the Minister that in six months' time, if no action is taken, he will have to put Kirinyaga County Council under a commission because it is run bureaucratically today. Councillors cannot meet unless they are requested to come and discuss one agenda which will be chosen by senior officers.

Mr. Speaker left the Chair

The Temporary Deputy Speaker (Mr. Karauri) took the Chair

Sir, ~~I can tell you~~ and it is also good for the Minister to note this very seriously that there are several officers of the county council who are on compulsory leave and they are getting their money. Some have stayed away for more than one year and their cases have never been resolved because nobody is interested. Councillors cannot say anything because bureaucratically, people ^{there} have their "god-fathers" in the Ministry. Why should we pay somebody for one year doing nothing? If he did a mistake, why was he not sacked? He could not be sacked because he had a "god-father" in the Ministry.

MR. MBORI: On a point of order, Mr. Temporary Deputy Speaker. I am not sure whether I heard my good colleague mention that these people in the council have their "god-fathers" in the Ministry? Can he tell us who are these "god-fathers" in the Ministry?

THE ASSISTANT MINISTER FOR TOURISM AND WILDLIFE (Mr. Njuno): Mr. Temporary Deputy Speaker, Sir, if that is what the hon. Member heard, then I will repeat it for him to hear properly. I would like to say that ^{if} there are "god-fathers" who protect those officers, they should stop it because the council is going to collapse.

Sir, my aim in supporting this Motion is sincerely to ask the Minister to appoint a select committee, or a probe committee, to run ^{look into the affairs of} the council. Even if it is composed of two independent people ^{they should} to come and save the council from collapsing, it is most welcome.

THE ASSISTANT MINISTER FOR TOURISM AND WILDLIFE (Mr. Njuno)(Contd.):

Sir, today, you will find that people who were given plots legally and with all the procedures followed, and they have even the allotment letter from the Commissioner of Lands, ~~they~~ are not allowed to develop them because somebody feels that they were given ^{them} when he was not the clerk to the council. Now, he wants to revise all that.

Now, Sir, there are so many plots which had gone half-way in development, but the work has been stopped. This is all over the district. This is done because the plots were given in his absence. ^{would} I ~~ask~~ ask the Minister to appoint a probe committee to look into this matter ^{because} it is very important. When development on these plots is being stopped, the same plots are being given to members of staff of the council and to civil servants. Councillors have no say at all in that council. I am only requesting the Minister to look into this problem. Job opportunities have always to be announced so that all the candidates can go for interviews. But today, people are employed by one person, and he chooses whom to employ. As a result of this, you will then find that most of the employees come from one particular place because the councillors have no say. The council is run --

MR. MICHOMA: On a point of order, Mr. Temporary Deputy Speaker. While I do not want to waste ^{the} ^{of} time ~~for~~ my good friend, but the hon. Assistant Minister has alleged that Kirinyaga County Council cannot be able to meet. Is there no chairman? According to Local Government Regulations, it is the chairman who is supposed to convene meetings and not the clerk. Is there no chairman to that county council?

THE ASSISTANT MINISTER FOR TOURISM AND WILDLIFE (Mr. Njuno): Mr. Temporary Deputy Speaker, Sir, I wonder whether that was a point of order. The so-called "native land" is under the trusteeship of the council. They are supposed to give the village plots to those who ~~did not have~~ ^{never get} land ^{after} during the emergency. They are landless, and they are supposed to live in those village plots. However, today,

THE ASSISTANT MINISTER FOR TOURISM AND WILDLIFE (Mr. Njuno)(Contd.):

when the county council gives plots to those who are landless, the bureaucracy comes and "uproots" them. The council gives them to some other people. The council ~~will give~~ ^{gives} and gives ~~out~~ the next village plots to landless people ^{but}. Again, somebody else ~~will come~~ ^{comes} and "uproots" them. All the matters that we take to the Ministry is turned down because we do not know what they know and they do not know what we know. I am now requesting the Minister to help now before the county council collapses. He should change the system because it is very bad. We do not have a treasurer. We have only one person who signs cheques. Why? What was the mistake of the treasurer? Why was he sent home for all those months, and getting his full salary?

Sir, we were told that there would be a commission that would be responsible for the senior officers of the councils. Why are they now left to the mercy of one individual?

Thank you, Sir.

MR. MATHENGE: Thank you very much, Mr. Temporary Deputy Speaker, for allowing me to contribute to this very important Vote.

Sir, the Local Authorities we have today seem to be "lame" because there is no development which is going on in this country. This is because the ~~Local Government~~, particularly local councils, do not know what they should do.

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22.10.87.

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MR. MATHENCE (ctd.):

It is the high time that those local authorities in the rural areas directed their development programmes through the district development committees. Today those two organisations are working along different lines, and the work done by the local authorities is not seen. Wananchi have been paying rates, cess and rents but no services are being rendered to them. I wonder where all this money goes. Whenever local authorities design new projects, they go looking for loans. This happens particularly when local authorities want to construct new sewerage systems; they always go for grants ~~x~~ from the Ministry of Local Government. When you hear that, you are bound to ask yourself whether ~~ix~~ it is actually true because, since the time of Independence, no local authority ~~has~~ ^{by} ever completed even one project ~~ex~~ ^{by} itself.

Mr. Temporary Deputy Speaker, Sir, the Ministry of Local Government is very important to our people. It is true that previously the local authorities were doing the maintenance of roads. In fact, up to now, they have machinery which is lying idle. Some of the machinery is broken down and it is not being used. You find that instead of working for the people and ~~bringing~~ bringing development to the people, the elected councillors' main duty is to grab plots to enrich themselves. Do we really elect councillors to enrich themselves or to initiate development projects in ~~their~~ their areas? The Minister for Local Government should ~~xxx~~ select a commission to go round the country and assess what individual local authorities are doing. ~~Mr~~ I do not agree with that hon. Member ~~from~~ ^{from} Isiolo who said that county council clerks should be transferred ~~fr~~ from one place to another when they do something wrong. My opinion is that if a clerk to a given local authority does a wrong thing, he ~~shd~~ should not just be ~~trn~~ transferred; he should be sacked. If you transfer that officer, he will carry over the same misdeeds to another local authority. If county council clerks are causing chaos, then the Ministry of Local Government should come out with actions to rectify the situation. Everywhere in this country everyone is crying about local authorities.

22.10.87.

MR. MATHEMCE (ctd.):

Mr. Temporary Deputy Speaker, Sir, I want to urge the local authorities in my area to avail culverts to our roads because, during rainy seasons, we cannot cross some roads even to go to schools. The relevant councils should look into the matter seriously and supply us with culverts in order to make our roads passable even during rainy seasons. Although they have money, whenever you go to them they tell you that there is no money at all or that they do not ~~have~~ have an allocation for what you are telling them to do. What then is the use of having the local authorities? It is ~~the~~ high time ~~that~~ the Minister reformed his councils with a view to making them render services to wananchi. All councillors should be stopped from snatching plots and be told ~~the~~ that they should work for this country. This country is on the run and it should be developed. In fact, corruption starts right from the local authorities before spreading to other places. Councillors are using a lot of Government money to buy many ~~trucks~~ ^{vehicles} for transporting them but not for doing work for wananchi. So, I kindly urge the Ministry ~~for~~ ^{of} Local Government to reorganise his local authorities.

Sir, due to the increased number of locations in my area, we now have four more electoral wards for councillors. We want to see those elected councillors working and bringing development to the people. If they cannot work, then the Minister for ~~the~~ Local Government should devise another way of bringing development to the people. That is why I said that any development project in a district, no matter how small and no matter who is doing it, ~~should~~ should be ~~directed~~ ^{done} through the district development committee. You find that when you go to ask about any development project from the councils, somebody refers you to the ~~the~~ district development committees. What are the councils themselves doing?

Mr. Temporary Deputy Speaker, Sir, we have settled quite a number of landless ~~people~~ people. Despite this settlement plan, we have left some areas for public utility. However, the local authorities are now using the areas we have left for public utility to allocate people plots. In fact, the councillors are

22.10.87.

MR. MATHENCE (ctd.):

allocating plots to only those who vote for them. Those people who are allocated plots are paying a sum of KShs.1,000/- per plot, which money is not brought to the account books of the ~~county council~~ ^{local authorities}. Where does this money go? There are some people who paid and have receipts ~~data~~ dating as far back as 1976 but they have not been ~~any~~ allocated plots. Is this the way we are going to run our local authorities? It is ~~the~~ high time ~~that~~ the local authorities ~~are~~ ^{together} pulled up their socks and looked for ways and means of co-ordinating development ^{together} with other people. I appeal to the Minister for Local Government to put an end to this allocation of plots which is being done without any plans because this is what is bringing corruption in the rural areas. In fact, in my area, there is a plot that the Ministry of Environment and Natural Resources has given to the local authority for future development in the town. Even before the area has been planned, councillors have already started giving out plots to people who have paid money. The Minister should take note of this and stop all this malpractice ~~in~~ in our local authorities so that we can march together in development.

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

MR. SHUKUKU: Ahsante sana, Bw. Naibu Spika wa Muda, kwa kunipatia nafasi hii ili niseme machache kuhusu Wizara hii.

Jambo la kwanza ~~ambalo~~ ambalo ningependa kutaja ni uchafu katika miji ya nchi hii. Ukienda Mombasa utakuta kuanuka, ukija ~~in~~ Nairobi utapata ndiko makao makuu ya harufu mbaya na ukienda Kisumu ndiko kwenye hatari bin danger. Mji wowote unaoenda unakuta unanuka. Ijapokuwa Mtukufu Rais amejaribu kusaidia katika mambo haya kwa kusema kuwe na tume kulisaidia Jiji la Nairobi, Jiji hili bado ni chafu. Je, ni kwa sababu gani?

END..... V.

MR. SHUKUKU (ctd):

Bw. Naibu Spika wa Muda, hii ni kwa sababu wafanyakazi walioajiriwa kazi katika mji huu, walikuwa wakipitia kwa makensei ^{madiwani} waliokuwako zamani. Kwa hivyo, uaminifu wao uko kwa wale madiwani na hali kazi haifanyiki. Dawa ni nini? Dawa si ^{Kuwa na} ~~laongea~~ kamshina na watu wengine. Dawa ni kumwomba Waziri asikie yale tunayosema. Hii ni kwa sababu sisi wengine tuna wakati wa kufikiria; wao wana wakati wa kuangalia mali na kuyanyakua. Sisi wengine tumekataa kunyakua na kazi yetu ni kuona kitu gani tutakachofanya. Kitu cha kufanya ni hiki. Wakati umefika ambao ingefaa Tume ya Jiji la Nairobi iga-gwanywe. Hii ni kwa sababu jiji hili limekuwa kubwa sana. Ingefaa katika sehemu ya Eastlands kuweko na kampuni ya kuchukuwa taka na wale wafanyakazi wanaofanya kazi huko wa Tume ya Jiji la Nairobi /waajiriwe kazi na kampuni hiyo ili wawe wakifanya kazi huko na kama hawaokoti kata, wafutwe. Kwa wakati huu, huwezi kumfuta mfanyakazi wa Tume hii kwa sababu aliajiriwa kazi kwa wakati ule na wale waliokuwako na kazi yake ni kufanya vile anavyotaka. Watu kama hawa ni wengi na kazi hawafanyi. Itakuwa jambo bora kama kandarasi itapewa kwa makampuni binafsi kufanya kazi katika sehemu nyingine jijini kama vile Eastlands na kuingineko. Makampuni haya yatakuwa huru kuwaajiri watu wao kazi ambao wataona kwamba jiji hili limekuwa safi na kuona kwamba kazi inaendelea mbele. Hii ndio itakuwa jawabu. Tunajua kwamba hakuna madiwani watakaoweza kulifanya jiji hili liwe safi mpaka ~~ix~~ tuwa pe watu wengine kandarasi ya kufanya kazi hii. Makampuni yatakaopatiwa kandarasi hizi, watapatiwa ruhusa ya kuwachukuwa wafanyakazi wa Tume hii na kuwaajiri kazi na kama hawafuati amri zao, wafutiliwe mbali na Tume hii ilipe kampuni hizo kwa kazi watakaofanya.

Jambo la pili ni kwamba, mambo ya ploti ambazo Waheshimiwa Wabunge wengi wameongea juu yao, umekuwa ni ufisadi mkubwa kwa miaka kuja miaka nenda. Wajibu wa Bunge hili ni kutazama mambo yanayowahusu wale watu waliotuchagua kuja hapa. Sisi katika Bunge hili tunasema na wale tunaowaambia, hawasikii. Wakati umefika ambao ingefaa Select Committee ya Bunge hili iende mji hadi mwingine na kuuliza: "Ploti hii ilipewa nani; hii ni ya nani?" Tukipata mtu mmoja ana ploti 60, kwa mfano, tutapitisha kwamba mtu huyo anyanganywe ploti hizo na

aachiwe moja tu ili tukirudi hapa tulote Mswada hapa utakaowashtaki wale walio-pata ploti zaidi ya moja. Hata akiwa Waziri, tutamyoosha hapa. Hiyo italeti haki katika nchi hii. Tunataka haki h katika nchi hii. Uhuru tuliopigania katika nchi hii haukuwa wa kuwaruhusu wakubwa kunyakuwa kila kitu. Tulipigania Uhuru ili kila mtu apate kidogo ale lakini si watu wachache kula na kutapika hali wengine wako njaa. Hio si Uhuru tulipigania. Mimi ninasema kama yule aliyekwenda huko Lancaster House kuuleta Uhuru huu acha wale waliokuja juzi na wameanza kunyakuwa mali hapa. Hatukuleta Uhuru wa kuwaruhusu watu wakubwa kunyakuwa kila kitu. Kwa hivyo, ningependa Select Committee ya Bunge hili kuhusu jambo hili iwekwe ili tuende mji hadi mwingine kuona kwamba ploti zinagagwa sawa sawa na watu wanapata haki yao.

Jambo m lingine linahusu uhuru wa kusema katika makonseli. Ningependa kumuuliza Waziri aliambie Bunge hili na nchi nzima kama kuna uhuru kwa makonseli kutoa maoni ya watu waliwachagua. Ninaona kama uhuru huo hauko. Hii ni kwa sababu wale watu waliochaguliwa kama ^{madiwani} makonseli, sasa wamekuwa wafanyakazi wa Serikali wa Wizara ya Serikali za Wilaya; hawasemi maoni yao. Juzi kulikuwako na mchezo kule Mombasa, kwa mfano, ambapo Diwani Maitha alitoa maoni yake kuhusu sub-tenant plots na wakakosana na Meya wa Manispaa ya Mombasa. Baada ya kukosana na Meya, alitolewa huko na kupelakwa katika tawi la Kanu, Mombasa, na kufukuzwa Chamani kwa muda wa miezi 12. Kwa wakati huo alikuwa hawawakilishi watu wake na alikuwa hapati m mshahara na marupurupu yake. Tumegundua kwamba mambo hayo yote hayakuwa haki. Kama kuna uhuru wa kusema na kama watu wanamchagua mtu aende Bungeni au kx kwa manispaa kusema, ni kwa nini Wizara ya Serikali za Wilaya ilinyamanza wakati mtu huyu alitolewa katika ^{manispaa} kenseli na kupelakwa katika tawi la Kanu, Mombasa, na kufukuzwa kwa muda wa miezi m 12 wakati alipokuwa akitoa maoni ya watu wake waliomchagua? Haki iko wapi? Ingefaa kenseli ^{diwani} akichaguliwa aseme na Mbunge akichaguliwa aseme na si kutishwa na mkuu wa mkoa au mkuu wa wilaya kwa yale anayosema. Kama nchi hii inataka tutawaliwe na wakuu wa mkoa, wakuu wa wilaya, machifu na wasaidizi wao, basi ni vizuri tuambiwe tuende nyumbani ili waendeshe nchi. Kuna maana gani kumpigia mtu kura na akija hapa akisema jambo fulani, anaambika: "Utaona."

Juzi nilisikiâ Mkuu wa Wilaya, Kakamega, akisema kupitia kwa redio - habari hii haikuwa magazetini - "Kama mtu anatumia Dunge kusema maneno yanayo- waingilia wafanyakazi wa Serikali, tutamwonyesha cha mtema kuni." Je, watanio- nyesha cha mtema kuni gani? Ni lazima Wabunge waseme na kila kinatakiwa kusemwe katika Dunge hili na si nje ya Dunge hili. Wananiambia: "Acha wale Wabunge wanaosema Bungeni waseme nje." Who elected the district commissioner or the provincial commissioner? Nobody! They should shut up. Sisi tuna uhuru wa kusema katika Dunge hili na katika makonseli. Ikiwa watu wanataka kuleta matata katika Kenya hii, watayapata. Mbunge amochaguliwa na watu wake wana- muunga mkono. Mkuu wa mkoa au mkuu wa wilaya akicheza na Mbunge au na diwani. ~~anjua~~ ajue kwamba anacheza na wananchi. Akicheza na wananchi, ijapokuwa anafikiri ana wale askari watawala. wanaomlinda, siku moja mambo yatakuwa mabaya. Wananchi watawanyoosha wote na hasa wakuu wa wilaya na askari wao wote. Wakicheza na Mbunge, basi wanacheza na wananchi na hiyo ni hatari. Hatari inakuja katika Kenya kwa sababu serikali za ~~mikoa~~ ^{wilaya} sasa zinawachezea wale watu waliochaguliwa na ~~watu~~ ^{wananchi} na wao hawakuchaguliwa na wananchi. Wanajiita Serikali na hali wao ni wafanyakazi wa Serikali.

Ningependa Waziri akiya kujibu, ~~ziz~~ atwambie ni kwa nini diwani huyu alifukuzwa kwa sababu ya maneno aliyosema katika mkutano wa konseli na watu wake wakakosa ~~na~~ mtumishi wao. Ningependa aeleze mambo haya. Je, hiyo ni democracy au ni dictatorship kutoka kwake?

Bw. Naibu Spika wa Muda, sisi Wabunge tumechoka kuonywa na wakuu wa mikoa na wakuu wa wilya. Sisi si wafanyakazi wa wakuu wa mikoa na wakuu wa wilya. No way! We are elected representatives of the people na Katiba inasema hivyo. Ingefaa wakuu wa mikoa wajue kwamba ~~wakawana~~ wanavunja Katiba wanapowa- chezea wale watu walichaguliwa na wananchi. Ingefaa pia za waandishi wa magazeti na redio wayadharau maoni ya wafanyakazi wa Serikali kuwachezea wale watu walio- chaguliwa na wananchi. Hii ni kinyume cha Katiba. ^{Katiba} ~~Katiba~~ inasema: "There shall be a National Assembly." Haisemi; "There shall be a provincial commissioner in the National Assembly." Sisi tumeapa kulinda Katiba na Sheria za nchi hii. Ningependa kuwaambia Wabunge wengine hapa kwamba wasiye wakawatumiâ wafanyakazi

wa Serikali kwenda kujaribu kuwakanyaga z wanasiasa ambao hawawapendi. Kuna Wabunge katika Bunge hili wanawaharibu watu hawa. Wanawaambia: "I am very close to Bwana Mubwa." Wakienda mikutanoni, hawawezi kwenda peke yao; wanachukuwa m'au wa mkoa wanamweka mbele na pia mkuu wa wilaya na askari chungu nzima na kuwatisha wananchi na bendera zao. Sisi tulipigana na mkoloni na tuko tayari kupigana na hawa ambao walikuwa wakubwa wakati huo; hawakuwa watoto na walikuwa wamewaogopa. Sasa wanasema eti wao ndio wakubwa na hali wanakwenda na wakuu wa mikoa na wakuu wa wilaya kila mahali. Kama wanataka ugomvi wataupata kwa wananchi. Wananchi wanechoka na wameniambia nime katika Bunge hili kwamba ^{hawaoni} ~~hawaoni~~ vizuri kama Mbunge wao aliyechaguliwa ananyanganywa chombo cha ~~lapasha habari~~ ^{Kupaza sauti} mikutanoni na anakaliwa na chifu msaidizi na kufanyiwa fujo. Kuna maana gani ya kuchukuwa kura na kumchagua mtu halafu anakaliwa na wafanyakazi wa Serikali? Kama wanataka waitawale nchi hii, basi waseme hivyo. Tunajua kwamba wao si watawala bali wao ni watumishi wa Serikali na sisi ndio watawala. Ingefaa hii ijulikane. Na kama kuna Mawaziri, Mawaziri Wasaidizi na Wabunge ambao wanawatumia watumishi wa Serikali kuwatesa wenzao waliochaguliwa, matata yatatokea katika Kenya. Hii ni kwa sababu wananchi hawatavumilia mchezo huo. Kutakuwa na vita baina na watumishi wa Serikali na wale waliotuchagua kuja katika Bunge hili. Ingefaa wakome na wasilete taabu; sisi hatutaki taabu Kenya.

Ninaunga mkono.

(END W)

W

THE MINISTER FOR PLANNING AND NATIONAL DEVELOPMENT (Mr. Omanga).

Thank you ~~xx~~ very much, Mr. Temporary Deputy Speaker, for giving me the opportunity to contribute to this very important debate on the Vote for the Ministry of Local Government. Within our system of Government in Kenya, there is a constitutional provision for local authorities and this ^{House} Parliament, therefore, must give all the support that is required for that constitutional provision. I must thank the hon. Minister for moving his Vote very ably. Sir, it is very encouraging to note that since the attainment of Independence, local authorities have been playing a great role in the development of this country and they must be viewed as such. In a country like ours, we have 80 per cent of our people living in the rural areas. We must, therefore, look at the role of the local authorities, particularly the country councils in that concept.

Over a number of years, we have seen what Government has been trying to do with regard to the up-coming urban centres. I would like to thank the Minister who has been constantly been reviewing the position of up-coming urban centres and providing for them, ~~under~~ a local authority: a nucleus of local Government in those particular areas. Mr. Temporary Deputy Speaker, Sir, I would particularly like to thank the Minister for what he has done in my own district which Kisumu and in Ogembo, Nyamira and so on. This has been done all over the place, showing that the distribution of urban councils and town councils has an approach of a balanced growth.

Mr. Temporary Deputy Speaker, Sir, another important point which I would like to make is that from the point of view of development, local authorities must be viewed, not as structures for their own sake, but as instruments ^{of} development ~~for~~ ^{for} our own people in the rural areas. We now have a situation where we must maintain an urban/rural balance and if we do not maintain this balance, everybody will tend to come to Nairobi, Mombasa, Kisumu and so on, and the provision of services in the rural areas will be affected. The point ~~which~~ I would like to make to the Minister is that the ~~xxxxxxxx~~ up-coming towns should be given funds, in fact, that is what this House should be talking about. The Question of a councillor who says this or that or does this or that, is a matter which can be followed up so that he can be disciplined. The question which this House should be very much concerned about is

THE MINISTER FOR PLANNING AND REGIONAL DEVELOPMENT (Ctd.):

whether we are providing the local authorities with enough funds to develop the infrastructure which is important. The infrastructure is important and it touches on the question of provision of water, houses and so on, because we want the up-coming towns & or urban councils to be assisted, so that our people do not continue migrating to Nairobi, and into other large towns, just because they feel that everything good comes out of Nairobi. As we go ahead, Nairobi will not be in a position to provide for everybody who comes here and, therefore, we must hold back our people in the small up-coming towns. I think this House should give the Minister all the support that he requires.

Mr. Temporary Deputy Speaker, Sir, the Local Government Loans Authority should be strengthened so that it is able to attract funds for itself, as a revolving fund, just like other organisations do. This & will mean that the Minister should be able to shop around for donor countries which can help us, and a number of countries have helped us, particularly the Nordic countries, West Germany and so on, so that we can provide for this kind of services.

Mr. Temporary Deputy Speaker, Sir, the question of land is a very important one. Land in this country is very limited and every day that our population goes up it means that we have less and less land available in Kenya. It is important, therefore, that those who are the custodians of land allocation do allocate land as carefully as they can. Local authorities must make sure that there is & enough land left for development and for common services. They must make sure that there is enough land left for schools, hospitals, playgrounds for school children who are coming up and so on. If land allocation is not properly & checked, it will bring us to danger. There have been cases of county councils acting irresponsibly in plot allocation, a question which quite a number of hon. Members have raised hue and cry about. However, councillors are not elected to go and allocate land to people, but some councillors make sure that before their tenure of service expires, they have done their best to allocate land to themselves, or to their friends and so on. This must be stopped!

We may not like the role of the Administration.

MR. SHIKUKU: Forget the Administration for a while.

THE MINISTER FOR PLANNING AND NATIONAL DEVELOPMENT (Mr. Omanga):

I can hear the hon. Member for Butere making a comment about this, but as far as this House knows the district commissioners are the chairmen of the district allocation committees. Sir, I do not want to mention places here, but I have a strong fear that as general elections approach, the allocation of land can be so irrational that a councillor may be able to say, "Oh, I was able to do this for you, therefore, be my godfather, as far as this or that is concerned". In some cases, I think we could go as far as suggesting that the Minister should stop this exercise of a land allocation unless it is strictly necessary. I am saying this because we are likely to get into a situation where by the time we find out ~~the situation~~ what has happened, we are told that the land has gone. There is a case where land which is normally used as a burial ground for the Muslim community in a town which is very close to my home, was also allocated to another community for church building. There is no easier way of bringing about inter-religious conflict than ~~to~~ to invite a Christian ~~denomination~~ denomination to build a church next to a Muslim ^{cemetery}. This is very wrong. So, this kind of practice needs to be completely stopped.

Finally, Mr. Temporary Deputy Speaker, district development committees play a great role in terms of our development process, but local authorities are also encompassed in the district development committees, but they do not need parallel planning in those particular areas. However, they are fully represented in the district development committees so that they can be able to discuss things there and not to appear to run - - - There is only ~~one~~ one National Assembly. The local authorities are subordinate to the National Assembly and they should not try to become the National Assembly within their set up and, I am sure, this has never been envisaged to be the case. I am sure the hon. Minister, who is the supervisor and the watchdog on behalf of the people, will bear this in mind so that local authorities are brought into line with the general policies which are going on.

Mr. Temporary Deputy Speaker, Sir, when I said that the local authorities should not appear to run like this National Assembly, I meant to say that ~~everybody~~ everybody has his role to play

THE MINISTER FOR PLANNING AND NATIONAL DEVELOPMENT (Contd.):

Sir, the local councillor has his role. He can never be a substitute for a Member of Parliament. He cannot! Nor can he try to grow horns bigger than those worn by a Member of Parliament in his place. I think it is important that this is understood. In some places, some councillors have even gone beyond their areas of jurisdiction. They do not realise that they are councillors within a ward and, therefore, their effectiveness is ~~just~~ ^{judge} ^{judged} by that ward. They have even gone beyond that situation.

Again, here, Sir, I hope the Minister will do what he can to cautiously to draw the attention to the Administration to do what they can.

With those few words, I beg to support.

MR. MUNYAO: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me time also to join my friends in congratulating the Minister for Local Government. I would like to congratulate him for ably handling the affairs of the ~~county~~ councils in this country.

Sir, ~~county~~ councils are one of the most difficult institutions in this country. I remember one time we had a Motion here to do with the welfare of councillors, but somehow, we decided to do otherwise. I do not intend to bring it up, but councils are the most difficult institutions ^{to run} in the country.

Sir, I have about five items which I would like the Minister, at the time of replying, to make a comment on. One, if the Minister takes the House seriously, and if he respects the House, about three or four times - last time was in April this year - the Minister for Local Government, hon. Mudavadi, stood here and directed the County Council of Machakos to employ Joyce Mburu since December, 1986, and that has never been done. Who is bigger than the other, the council or the Minister? The Minister should direct the council in what to do. That has never been done. It would be a very big shame if that

MR. MUNYAO (Contd.):

should happen. It is all here in the HANSARD. The Minister directed here about three or four times that this lady ought to be employed. This is since December, 1986. I have written to the Minister, and I have all the respect for the Minister. But I am surprised to what has been happening to his own local officials.

Sir, the other point I would like the Minister to tell me, and also the people of Mbooni, is why we have two locations in Mbooni which, since time immemorial, have never been declared electoral areas. This is Tulimani Location which is part of Mbooni since 1963, and Kalawa Location. They have never had a councillor. All the time they have been taken care of by the councillors from the old locations; that is the councillor from Mbooni and the councillor from Kimauni. I would like to support the Minister to get even double the money he is asking today, but let that money be used to provide services to wananchi.

Sir, I would like to draw the attention of the Minister to the fact that since some of the roads were constructed in several towns, it is a long time and population has increased tremendously. For example, all roads leading into Nairobi need to be rewidened up. For instance, Kiambu Road, Langata Road and so on. It is impossible to move along those roads in the morning. There is congestion of traffic. People take about three or four hours to get to town. I live in Langata. Every morning, if you leave after 6.30 a.m., you will not get to town on time. You will get to town after 9.00 o'clock. This is due to congestion of traffic. Estates are also mushrooming up everywhere. For instance, the Langata/Dam Site and several others. As these estates are mushrooming up, the Minister should be planning well in advance where to provide some dual carriage ways in those areas. At times, we have also to provide overhead bridges or whatever so that it might be easier for people to get to work on time. It is impossible

MR. MUNYAO (Contd.):

now for people to get to work on time in this City. I am wondering what the Minister is planning to do in future. We are hardly one million people in this City. What are we going to do when we are more than five million people? We have some world cities where the Minister and his senior officers have been. For instance, Hong Kong which is a new town. This city alone has more than six million people, but the traffic is very well controlled. It is high time the Minister for Local Government worked in close liaison with the Minister for Transport and Communications and any other Minister, and particularly he should work in close liaison also with the Minister for Environment and Natural Resources. I can see them sitting close together. They should also be closer in offices so that they can share ideas so that this town is not as stinking as it is at the moment.

Sir, our town has also ^{amenities in} to be planned properly to provide ^{all} the areas necessary. For instance, look at the areas of buses, matatus and so on? There is congestion all over the place. It is high time the Minister for Local Government, the Administration, the police, and everybody gave ideas as to how these things should be planned. I am sure that in about four or five years in this City, one will not be able to walk leave alone cycling.

Sir, I would like to congratulate ^{Brig.} Mr. Shigoli and his team, but they need some assistance. As hon. Shikuku said earlier, the ^{city} ~~area~~ is stinking very badly. I support the Minister when he appeals for funds to buy some fire extinguishers and so on. I am sure he needs them because every home in Nairobi has a ^{pit} ~~hole~~ where to dump the garbage. Look at all areas; everywhere! Every home has dug up a ^{pit} ~~hole~~ because the people in the City Commission are not collecting the garbage anymore. What do we do?

Sir, I am happy that the Minister talked about fire because it has become a threat in the City. I would like to appeal to him to

MR. MUNYAO (Contd.):

do something about it. For instance, on 8th May, this year - I read from the local dailies - the Minister for Works, Housing and Physical Planning then, hon. Matiba, at the Railway Club, inaugurated a chemical known as "PTE 111". This chemical is ^{not} inflammable. It can be used in oil paints and so on. So, if it is used in oil paints it means it will prevent fire, and there will be no fire in this town. Therefore, since the chemical has been approved and recommended by the Ministry of Works, Housing and Physical Planning, why do we not use it and make it mandatory ^{that it should} ~~to be~~ used in every building, kiosk, jiko and all places? It has been analysed and the Minister was talking about it. It is totally ~~not~~ inflammable. So, let it be taken seriously, and be used in a lot of areas. For instance, offices and so on. Then we will prevent fire.

Sir, fire is dangerous. Now, having said that, I will address the Minister about the money he is demanding now. It is a shock to tell the Minister that at the moment, as we are talking now, most of the senior officers in Machakos County Council are not there. What is he going to do with the money we are going to give to him? This is a council with no deputy clerk, committee clerk, treasurer, deputy treasurer, payment cashier, building superintendent, divisional community development assistant, market superintendent, surveyors, and all the rest of them. About ten posts are all handled by one man. Why should we do that?

End Y

MR. MURRAY (ctd);

Mr. Temporary Deputy Speaker, Sir, if the Minister gets this money today can he ~~execute immediately~~ promise this House that he is going to make sure that the County Council of Masaku is going to be assisted? I congratulate the new Town Clerk for Machakos. He has put that office in a good operating position. ^{The} Previous Town Clerk and his people have been doing nothing other than selling sand. That is a miserable situation. Sand collection in Machakos District has become chaotic. This is because the issue has been left in the hands of the County Council. So, you will find that there are problems every day.

The other day, Mr. Temporary Deputy Speaker, Sir, you ~~read~~ read in the newspapers that over 200 people in Mwala area had ~~the~~ declared war on sand harvesters. Last Saturday over 10 people in Tawa ~~district~~ declared war on sand collectors. What has been happening is that ~~the county~~ a few county council officials and their godfathers have been giving permission to some people to collect sand from Machakos without any revenue going to the county council. The revenue accruing from sand collection has been going into the pockets of a few individuals.

I have a lot of respect for the ordinary councillors of Machakos Municipality and the new Town Clerk. But the previous Town Clerk and a few other people left a lot to be desired. I will take time to prove this point because I have got a Motion which I am going to Table in this House - on sand harvesting in Machakos. This is looting being done in Machakos ~~District~~ District. I hope the Minister will be able to do something ~~afterwards~~ when I move that Motion. This question of sand harvesting or looting in Machakos District is a sad affair.

With those remarks, I beg to support the Motion.

MR. AUGATIA: I thank you, Mr. Temporary Deputy Speaker, Sir, for the opportunity so that I may also contribute to this Motion. First of all I would like to appeal to the Minister to make the newly created locations into electoral wards. The more wards we have the more councillors we have and the closer the electoral system comes to the people and I think the closer the administrative system comes to wananchi. When we have this kind of arrangement it means that the people are in touch with the authorities and elected leaders who can speak for them. This ensures that people do not suffer quietly without anyone speaking on their behalf. ~~Therefore~~ Therefore I am sure that the Minister will appreciate that all the newly created locations - administrative locations - deserve to have elected representatives. They ~~should~~ should be made wards immediately and have councillors before the next general elections.

The second point I would ~~like~~ like to bring to the attention of the Minister ~~is~~ concerns the councillors's salaries. I know many think that councillors do very little and therefore they do not deserve to be given more allowances. But you will find that KShs.1,200/- per month for a councillor in a situation where he must always appear in Harambee meetings and travel on behalf of wananchi to go and plead for ~~various~~ various issues and meet visitors and appear presentable in front of the electors and visitors--- You will agree with me that Shs.1,200/- as allowance per month is too little. The councillors deserve to be given something reasonable. No amount of money can be ~~enough~~ enough but I think the Minister will agree with me that this is too little.

Mr. Temporary Deputy Speaker, Sir, either we have councillors and give them proper allowances, and they do the job we want them for or we do not have councillors and therefore we do not have the allowances and therefore the work is done by somebody else. As the situation is, we have agreed that we will have councillors. If we have councillors let us give them reasonable allowances.

My third point, Mr. Temporary Deputy Speaker, Sir, is about cleanliness in the City of Nairobi. It is not possible for the City Commission workers in Nairobi to keep this City clean. It does not matter how many people you employ. It is not possible to keep this City clean. Unless we agree that for every resident in Nairobi City we shall have a cleaner, it is not easy to keep the City clean. This is because ~~xx~~ every resident is dropping some paper; every ~~xx~~ resident is careless and he is dropping ~~xxxxxx~~ rubbish around. Every resident is doing something that makes the City dirty. So, to ask cleaners to be following everybody, whether they have a bus ticket which they are dropping on the road or a ~~xxxx~~ letter which they have read and they are dropping ~~xxxxxxx~~ a piece of paper on the road or they have ~~x~~ cleaned their houses and they are throwing rubbish out of their houses--- It is not possible for ~~people to keep this City~~ City Commission workers alone to keep this ~~xxx~~ City as clean as we would like it to be.

END.Z...

5/11

MR. ANGATIA (ctd.):

We want to appeal to the wananchi of ~~ix~~ this country, particularly ^{and} the residents of Nairobi, since they are the leaders in development, being modern and in civilization, to make sure that they help to make the city clean.

Mr. Temporary Deputy Speaker, Sir, we can even flog workers; ~~we can even make~~ create ~~in~~ the office of the commissioner, the office of a governor and even another office for cleaners. You cannot keep the city clean unless the residents themselves decide they want ~~ix~~ a clean city. Cleanliness is a state of development; it is a ~~ix~~ state of awareness for somebody who wants a decent life. You cannot lead a decent life if you have rubbish all around you - at your backyard, in front, around your house, on your clothes, on the road and even in the shops. People are dropping litter everywhere and ~~dropping~~ the rubbish they have swept into the road. A system of educating our people ~~ix~~ should be found. And I am appealing to the hon. Members of this House, and I know the Minister can join me through his councillors and the local authorities and also all other Kenyans, to ~~ix~~ make sure that we ~~make~~ keep our city clean for our own good life. If we appreciate cleanliness, then it means we appreciate decent life and a clean environment in which we can enjoy our good ~~ix~~ weather, our good country, our good facilities and all the other good things we ~~enjoy~~ enjoy.

^{tarmacking}
^{building} We can have the Government spend money on ~~tarmac~~ roads, ^{and} beautiful houses, parks, and everything, but if the residents do not want that kind of standard of living, clean areas - they will make it dirty, making ^{tarmac} roads will come to nothing, building good houses will come to nothing, creating beautiful parks and planting flowers will come to nothing if the residents

MR. ANGATIA (ctd.):

do not want a clean city.

Mr. Temporary Deputy Speaker, Sir, I am spending time on this one because I would like to appeal to all, particularly ^{when we are debating} on this occasion ~~of~~ this Vote, and to ~~appeal to~~ the Minister, also, to set up ~~a~~ some committees as think-tanks to work out what we can do to educate our wananchi so that they can appreciate cleanliness, not only in Nairobi, but also in all our towns. It is possible to reduce the number of cleaners we have in Nairobi, Kisumu, Mombasa and all the other towns, and still keep the towns cleaner than they are provided the residents are mindful of cleanliness.

I would like to thank the Minister for the efforts that have been made in small municipalities like Kakamega. We now have a reasonable ~~in~~ bus park there; there is some ~~ff~~ fresh air in the town, and also, we now have some vehicles and equipment for fire-fighting. But occasionally, we see these vehicles being used as if they were passenger vehicles. If, for example, a fire broke out when the vehicle ~~was~~ was far away at Mukumu or at the hospital dropping people there, people would not get it when they need it because it has gone passengering - carrying people and dropping them around. I hope the Minister will look into this to make sure that those vehicles are used for fire-fighting and that they are increased and looked after properly because fires do not tell you when they are ~~t~~ going to come. They do not wait until you have dropped your friend in an estate in order that it may break out. They break out at any time.

Mr. Temporary Deputy Speaker, Sir, I would like to support one hon. Member who talked about the Local Government Loans Authority. I would like to appeal to the Minister to give some power to this Authority and make it a fully-fledged bank at the disposal of the local authorities. It is possible to make

MR. ANGATIA (ctd.):

this Authority a proper bank. In this way, it will carry out its duties responsibly such as paying out money, and it will also make sure that it pays its debts responsibly. This is *better* instead of having a loose arrangement whereby local authorities can borrow money from the Authority without taking it too seriously. They think that since the money came from the Government they can take it ~~easy~~ *easily* since the Authority is part of the same Government. Therefore, they do not make ~~any~~ *any* effort to make sure that this money is paid. We would like the Minister ~~for~~ to look seriously into the possibility of making this Authority a fully-fledged bank to serve the local authorities.

The next point *that* I have is on the Commissioner of Lands and the ^{local} authorities. People want to put up industries, houses, and various institutions in towns, market places and small urban areas, but the land still belongs to individuals.

END A

MR. ANGATIA (CTD.):

This is becoming a big problem. If you take local authorities that were made urban councils recently, such as Mumias, Luanda and others, you will find that their land still belongs to individuals who are putting up permanent structures. However, the Commissioner of Lands has not taken over this land in order to make sure that planning is properly done in such a manner that if there is going to be a police station, a school or a factory that emits a lot of smoke in certain areas, these facilities are where they are required. Nobody has thought of this. When you make a place like Luanda or Mumias an urban council, somebody should move in quickly to plant and instill restriction so that nobody does a certain thing in this or that area. We cannot wait until it is too late, or until the situation is smouldering and suffocating us before we realise that we should plan and allocate land to various sectors of a town. The moment any area is declared an urban, market or trading area, a system should be evolved where land is acquired immediately and planning starts at once. L.N.P. We have very good planners in this country, as we have the necessary facilities, people and foresight. We know what we want, and yet we sit back and see structures go up. We know that these are the wrong structures, but they are growing up because we are too late in planning these areas. So, a combination of the Ministry of Local Government and the Commissioner of Lands ought to move in quickly and make sure that these areas are properly planned so that they do not grow up as they wish and that everything is not left to chance. This will also minimise the exploitation of wananchi by a few people who happen to ~~be~~ accidentally have land close to these councils whereby they keep selling land to one person today and reselling it to other people the following days. In this process, these landlords exploit people, besides creating congestion and bad town development.

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

THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES (Prof. Sumbi):

Thank you very much, Mr. Temporary Deputy Speaker, Sir, for this opportunity

THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES (Prof. Sumbi)(Ctd.):

to contribute to this Motion. The Ministry of Local Government is very important
^{as}
~~and~~ it encompasses both rural and urban areas.

My first point is on physical planning. The previous speaker mentioned something about this, and I would like to emphasise that the Ministries of Local Government and Works, Housing and Physical Planning, whenever they see a shopping centre where people have started constructing the first permanent buildings, should move in and carry out physical planning there. Most of you here have been to Mombasa, I am sure. Along the Nairobi-Mombasa Road, you will see that towns and shopping centres have sprung up, but whenever you approach them you are, first of all, faced by either dirty kiosks or shallow pit latrines, and you find that you even do not want to get in there because of the smell coming from the toilets. If the physical planner had initially gone there, you would be faced by beautiful buildings beside which one would want to stop and have a soda. So, I request the Ministries of Local Government and Works, Housing and Physical p Planning to come together and make sure that they carry out physical planning before a lot of buildings are constructed in a place.

END BB

THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES (Prof. Sumbi)(ctd.):

Mr. Temporary Deputy Speaker, Sir, dirt seems to be our lover. I am saying this because our main towns and even our smaller ones are today very filthy. The previous speaker said that every mwananchi should be made aware of the importance of cleanness. The Ministry of Local Government should provide equipment for garbage collection and workers who can work. If that is not possible, just like we have seen in Nairobi where a lot has been done to remove garbage, then we do not know what to do. We are aware that Nairobi estates that are occupied by the middle and upper income groups are very dirty. The residents just throw the garbage outside their ~~houses~~ houses and no vehicles come to collect the garbage for months, although we continue to pay for garbage collection. For example, I have talked to the town clerk and to the deputy town clerk to come and see for themselves the garbage in Gummo Estate but nothing has happened. I have even mobilised the residents and told them not to throw papers all over the place, but they ~~just~~ asked me, "If our dust bins are full, then where do we take the garbage?". There are so many flies around that area that I am even scared that my children may get sick. Why can we not get sufficient vehicles to ~~it~~ collect all that garbage. Why can we even not start a fund on Harambee basis to keep our city and our towns clean? Why can we not do something like that to buy the necessary equipment if the City Commission cannot afford?

Sir, there is another alternative that I would like to suggest ~~at~~ to the Minister for Local Government. In most towns and cities ~~around~~ around the world, it is not the local authorities that provide garbage collection services. Why can we not get contractors to do that job. That way, we would be able to tell the contractors, "If this garbage is not collected, we are not going to pay you for this month". Why can we not have something like that because the employees we have, especially the City Commission workers, are not able to do the job? For example, there is one street where my house is located in Gummo Estate that can be kept clean by one person if he works at least five hours a day. But when you go there you find a group of about 20 men and women sweeping the same street but

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THE ASSISTANT MINISTER FOR CULTURE AND SOCIAL SERVICES (Prof. Sumbi)(ctd.):

they never keep it clean. They draw the garbage from the road and put it on the pavement, and when I asked them why they do that, they said, "That is someone else's department; some other people will collect the garbage and take it away". But before those other people come, the filth is blown by the wind to the doors and to the ~~ext~~ road again.

Mr. Temporary Deputy Speaker, Sir, I am saying that His Excellency the President ~~has~~ has assisted to keep Nairobi clean, but we are not keeping the city clean ourselves. If the workers continue to be the way they are, we should give this job to private firms who will be able to keep the city clean.

ADJOURNMENT

THE TEMPORARY DEPUTY SPEAKER (Mr. Karauri): Hon. Members, it is now time for the interruption of business. The House is therefore adjourned until Tuesday, 27th October, at 2.30 p.m.

The House rose at thirty minutes past Six o'clock.

END..... CC.

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