

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 26th June, 1996

The House met at 9.00 a.m.

*[Mr. Deputy Speaker in the Chair]*

PRAYERS

## ORAL ANSWERS TO QUESTIONS

*Question No 302*

BREWING OF *BUSAA* DURING BURIALS

**Mr. Deputy Speaker:** Is hon. Shikuku not in? We will leave his Question for a moment. Let us move to the next Question.

*Question No 412*

ARRESTS OF PARASTATAL EXECUTIVES

**Dr. Otieno-Kopiyo** asked the Minister of State, Office of the President:-

(a) how many Parastatal Executives have been arrested and charged with offenses relating to fraud during the last two years; and,

(b) how many of these executives have been convicted.

**Mr. Deputy Speaker:** Is there nobody from the Office of the President?

**The Assistant Minister, Office of the President** (Mr. Awori): I am here, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Is that the answer, hon. Assistant Minister?

**The Assistant Minister, Office of the President** (Mr. Awori): Mr. Deputy Speaker, Sir, my colleague was supposed to have the answered, but he is not in.

**Mr. Deputy Speaker:** We will pass that Question for a moment. Next Question, hon. R.K. Mungai.

*Question No 335*

COLLECTION AND USAGE OF COFFEE CESS

**Mr. Deputy Speaker:** Is Mr. R.K. Mungai not here? We will pass his Question for a moment. Next Question, hon. Philip Rotino.

*Question No 405*

REHABILITATION OF SIGOR WATER PROJECT

**Mr. Rotino** asked the Minister for Land Reclamation, Regional and Water Development whether he is aware that Sigor Water Project, on which the Government and the people have spent enormous resources, has stalled since the late eighties and is rendering no services to the people as intended.

**Mr. Deputy Speaker:** Is there nobody from the Ministry for Land Reclamation, Regional and Water Development? We will pass the Question for the moment. Next Question, Rev. Javan Ommani.

*Question No 334*

## DISMISSAL OF COLLEGE EMPLOYEES

**Rev. Ommani** asked the Minister for Labour and Manpower Development:-

- (a) whether he was aware that 10 (ten) employees of WECO were illegally terminated from employment of the said College, and that they were not paid their terminal benefits; and,
- (b) if the answer to "a" above is in the affirmative, when these former employees will get their benefits or be re-instated

**Mr. Deputy Speaker:** Well, you will get the answer now, I think.

**The Minister for Labour and Manpower Development** (Mr. Masinde): Mr. Speaker, Sir, I beg to apologise that the answer I got was not very satisfactory. So, I am still looking for more information.

**Mr. Kiliku:** On a point of order, Mr. Deputy Speaker, Sir. The Minister has no reply. He was not prepared, so that is another way of escaping from this Question. Can he read that unsatisfactory reply if it says something?

**Mr. Deputy Speaker:** Mr. Minister, are you giving an undertaking to answer it and when to give the satisfactory answer?

**The Minister for Labour and Manpower Development** (Mr. Masinde): Mr. Deputy Speaker, Sir, I will give the satisfactory answer sometimes next week because the Question refers to issues upcountry and communication has not been easy.

**Mr. Busolo:** On a point of order, Mr. Deputy Speaker, Sir. Are you persuaded by the answer given by the Minister that because the Question has to do with WECO which is in Kakamega, poor communications is to blame for lack of unsatisfactory reply?

**Mr. Deputy Speaker:** In any case, I think it will create a problem to prepare the Order Paper to squeeze it in. This afternoon is Order Paper is already out, and I think it will be unfair to try and bring it in tomorrow. So either way, it goes to next week.

**Dr. Kituyi:** On a point of order, Mr. Deputy Speaker, Sir. We need some guidance from the Chair because it is becoming more frequent that Ministers who do not have an answer say that the answer that they have received is unsatisfactory. Is it the case that the Ministers see the answers for the first time when they are in the House or they are supposed to be acquainted with facts surrounding the answer before they come here? If they are telling us that they are not satisfied with the answer they have, it suggests that they have no idea until they receive an answer written for them and brought here.

**Mr. Deputy Speaker:** I take it that the Ministers have heard that and they know what is expected of them. We go back to the Question by hon. Shikuku for the second time.

*Question No 302*BREWING OF *BUSAA* DURING BURIALS

**Mr. Shikuku:** Mr. Deputy Speaker, Sir, I must apologise for coming late, because I was held up in the traffic jam, and beg to ask the Minister of State, Office of the President:-

- (a) whether he is aware that Luhya Traditions and customs require that after the death of a person the relatives and all ladies married elsewhere are required to come back after the burial of the said person;
- (b) if the answer to "a" above is in the affirmative, whether he is further aware that apart from other things, brewing of *Busaa* is a requirement during these ceremonies; and,
- (c) if the answer to "b" above is in the affirmative, whether he is also aware that the Assistant Minister of Shianda Sub-Location in Butere Constituency normally charges a sum of between Kshs 200 and Kshs 700 before he (Assistant Chief) issues a permit for brewing of "*Busaa*".

**Mr. Kiliku:** Hon. Shikuku has said that I beg to apologise for the fact instead of---

**Mr. Deputy Speaker:** Order! Order! I thought I heard him clearly say that he was apologising for coming late.

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

- (a) Yes, I am aware.
- (b) Yes, brewing of *Busaa* is allowed during such ceremonies provided that the necessary permits are obtained and that the brew is consumed as part of the social ceremonies, but not for commercial basis.

(c) No, I am not aware.

**Mr. Shikuku:** Mr. Deputy Speaker, Sir, arising from that reply, he being a Mluhya he understands very well what I mean; we are on the same wavelength, but is he aware that to get that permit from an Assistant Chief or Chief, one has to cough out a sum of money between Kshs 400 and Kshs 700? I raised this matter with the DO. Did the Assistant Minister check with the DO for Butere Division? This has been confirmed and there are people who are ready to give evidence to the effect that they paid to get this done.

**Mr. Awori:** Mr. Deputy Speaker, Sir, if there are people prepared to give evidence, please, let them do so and a really serious action will be taken against the Assistant Chief.

**Mr. Shikuku:** Mr. Deputy Speaker, Sir, is the Assistant Minister aware that I went to the DO's office with one of the people, my neighbour who is of course a victim? The DO thought that this man would not say anything in front of him. He told the DO that he paid that Assistant Chief Kshs 500 and [Mr. Shikuku] the DO just kept quiet and said that he will look into the matter, but up to date, there is nothing which has been done.

**Mr. Awori:** Mr. Deputy Speaker, Sir, I have just replied that let me have that evidence and action will be taken.

**Dr. Kituyi:** Mr. Deputy Speaker, Sir, can the Assistant Minister explain to this House, why so many DOs, Chiefs and Assistant Chiefs have over-mobilised security personnel wasting time checking ostensibly over *Busaa* brewing when there are more urgent matters like security and theft of livestock which could be attended to better than are being attended to today?

**Mr. Awori:** Mr. Deputy Speaker, Sir, the hon. Member has a right to hold his opinion. As far as I am aware the DOs are taking care of security including checking to ensure that the people are not over-intoxicated.

**Dr. Otieno-Kopiyo:** Mr. Deputy Speaker, Sir, may I ask what security is in *busaa* brewing to involve these people to spend their time chasing the brewers? Is he in order to mislead the House that they are taking care of security when actually all they do is to chase two things; those who brew *chang'aa* and *busaa*, and hon. MPs who hold rallies in their Constituencies?

**Mr. Awori:** Mr. Deputy Speaker, Sir, again, he also has a right to hold his opinion.

**Mr. Deputy Speaker:** Next Question, hon. Dr. Otieno-Kopiyo for the second time.

#### Question No 412

#### ARRESTS OF PARASTATAL EXECUTIVES

**Dr. Otieno-Kopiyo:** Mr. Deputy Speaker, Sir, before I ask this Question, I have a complaint. The Question emanated from the fact that I happened to be a member of the Public Investments Committee (PIC) and we issued the Fourth Report. The recommendations in the Fourth Report as to who should be charged with what criminal offence were directed to the Attorney-General. Is it in order, therefore, that the Office of the President purports to come here and give us answers as to who should be charged and who has been charged and how many people have been acquitted and so on? Could that be clarified?

**Mr. Deputy Speaker:** If the Government on the other hand thinks that after they have referred the matter to the Attorney-General, then it is up to the Government to decide whether it is the Minister in the Office of the President or the Attorney-General who should reply to the Question.

**Dr. Otieno-Kopiyo:** Okay Mr. Deputy Speaker, Sir, I therefore, ask Question Number 412.

#### Question No. 412

#### ARRESTS OF PARASTATAL EXECUTIVES

**Dr. Otieno-Kopiyo** asked the Minister of State, Office of the President:-

- (a) how many parastatal executives had been arrested and charged with offenses relating to fraud during the last two (2) years and,
- (b) how many of these executives had been charged.

**The Assistant Minister, Office of the President** (Mr. Manga): Mr. Deputy Speaker, Sir, I beg to apologise that we do not have the answer now since we need to dig it up in our files and we are asking for time so that we can answer this Question next week.

**Dr. Otieno-Kopiyo:** On a point of order Mr. Deputy Speaker, Sir. This is not the first time this

Question has been listed to come before the House. Last week it was not asked because I had a Question by private Notice and according to the arrangement I could not ask two questions in a week. So that excuse being given by the Assistant Minister is lame and not acceptable to me.

**Mr. Muite:** Mr. Deputy Speaker, Sir, since under the Constitution the power to decide who is going to be prosecuted is vested solely in the Attorney-General, is it really in order for this Question, which has to do with prosecution, to be answered by any other person other than the Attorney-General who is charged with Constitutional duty of doing what the Question asks.

**Mr. Deputy Speaker:** The Question as far as I see it, it merely seeks information as to how many people belonging to that department.

**Mr. Muite:** But there will be supplementary questions.

**Mr. Deputy Speaker:** It seeks information about how many people have been arrested and charged and the department falls under the Office of the President and I do not see---

**Mr. Muite:** But there will be supplementary questions---

**Mr. Deputy Speaker:** Order! Mr. Manga when will you undertake to answer the Question?

**The Assistant Minister, Office of the President (Mr. Manga):** I have undertaken to answer the Question next week.

**Mr. Deputy Speaker:** But you understand the concern of the hon. Member? There is no reason for not having the answer ready since this is not a Question by Private Notice. You will not get this request again.

*(Question deferred)*

Next Question. Mr. Robert Mungai for the Second time.

**Mr. Shikuku:** Is it Robert Mungai?

**Mr. Deputy Speaker:** Yes.

**Mr. Shikuku:** I was given the permission to ask this Question yesterday. I thought it was the other Njenga Mungai but it is hon. Robert Mungai.

**Mr. Deputy Speaker:** I said hon. Robert K. Mungai.

**Mr. Shikuku:** Yes that is the one. I have the permission to ask it on his behalf.

*Question No. 335*

#### COLLECTION AND USAGE OF COFFEE CESS

**Mr. Shikuku**, on behalf of **Mr. R. K. Mungai**, asked the Minister for Agriculture, Livestock Development and Marketing:-

- (a) what the Government's policy on the collection and disbursement of coffee cess money was;
- (b) whether the Minister could confirm to the House that the said Government policy had been followed by the House; and,
- (c) If the answer to "b" above was in the negative, whether the Minister could explain the exceptions to the rule and what action he had taken when such rules were being flouted.

**The Minister for Agriculture, Livestock Development and Marketing (Mr. Nyachae):** Mr. Deputy Speaker, Sir, I beg to reply.

In order for a County Council to qualify for a coffee cess, the following technicalities must be met:-

(1) Creation of the County Council must be gazetted by the Minister for Local Government in the Kenya Gazette.

(2) The gazetted County Council must get authority from the Minister for Local Government to levy cess on the agricultural produce; in this particular case coffee.

In order for the Coffee Board to effect the deductions of coffee cess on behalf of the Council, the following must be furnished to the Coffee Board of Kenya:-

(1) A copy of the resolutions and minutes of the Council meeting on the collection and utilisation of the cess having been fully approved by the Minister for Local Government.

(2) A copy of the Council's minutes or resolutions appointing Coffee Board of Kenya as the cess collecting agent.

(3) All the procedures as already stated above are being followed in all cases.

(c) There are no exceptions to the rule apart from cases where new County Councils have not been gazetted and established.

**Mr. Shikuku:** Mr. Deputy Speaker, Sir, arising from that reply which is very absurd from the briefing that I was given, is the Minister aware that a sum of not less than Kshs 3 million per year given by Kakuzi for the construction of a road which is always impassable has not been undertaken and, therefore, when he says that this cess can only be levied if it has been gazetted, why then does Kakuzi Company pay this Kshs 3 million and they cannot get services from the County Council and when they go to the Government, it says that "You do not pay the money to us but to the County Council and the County Council is not taking care of this road at all?"

**Mr. Nyachae:** Mr. Deputy Speaker, Sir, the Question was specifically asking about what the policy was. The policy is that the cess is collected under those conditions which I have outlined above. How the cess is utilised is a different issue and I am quite aware that many farmers are not satisfied with the way the cess is utilised. That is a well known problem throughout the country and we are dealing with it.

**Mr. Shikuku:** Mr. Deputy Speaker, Sir, arising from that reply which is very encouraging and which is a nice reply, the Minister is aware that the cess is collected but he is not happy with the way the cess is being utilised. Can I put it to him that this Kshs 3 million is not a small amount of money from one company and not from the whole of Makuyu. This money is being taken by the County Council. Would the Minister get in touch with his counterpart in the Ministry of Local Government, because this is collective responsibility, to ensure that these people get the services for the money they are contributing yearly, which is Kshs 3 million, to get that road of Kakuzi maintained which is a very big company that produces coffee.

**Mr. Nyachae:** Mr. Deputy Speaker, Sir, this is not an issue and I need not start afresh with my counterpart. This matter has been discussed and in fact we have moved pretty far because in each district now we have established tea cess committees to assess and ensure that the money collected as cess is properly utilised. So we have moved pretty far with this matter.

**Mr. Mak'Onyango:** Mr. Deputy Speaker, Sir, the Minister said that before a County Council is allowed to collect cess, the Minister for Local Government must authorise it. What then is the criteria the Ministry uses in giving such authority?

**Mr. Nyachae:** Mr. Deputy Speaker, Sir, the law of raising cess was passed by this House many years ago. The basis upon which the Minister for Local Government has to decide on the amount of cess is based on the resolutions passed by the local authority as to why they want that cess. If the Minister for Local Government is convinced that this particular produce deserves being deducted cess for specific purposes of rendering services, then the Minister gazettes the cess.

**Mr. Deputy Speaker:** Next question. Mr. Rotino for the second time.

*Question No. 405*

REHABILITATION OF SIGOR WATER PROJECT

**Mr. Rotino** asked the Minister for Land Reclamation, Regional and Water Development whether the Minister was aware that Sigor Water Project, on which the Government and the people had spent enormous resources, had stalled since the late eighties and is rendering no services to the people as intended.

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

I am not aware that the Sigor Water project is not rendering services---

**Mr. Shikuku:** On a point of order, Mr. Deputy Speaker. The point of order that I am raising is that I heard you saying "For the second time". So I thought probably that it was the Assistant Minister who was late. Now if he was late did you hear his apology? He did not apologise. He just mumbled something. I do not know whether he was talking to himself. Did he say that he has apologised for coming late?

**Mr. Ligale:** Mr. Speaker, Sir, I did say that I am sorry for coming late.

**Mr. Shikuku:** On a point of order, Mr. Deputy Speaker, Sir. It appears that the Assistant Minister is finding it very difficult to say that he apologizes for not having been here when the Question was first called. Is that---

**Mr. Deputy Speaker:** Mr. Assistant Minister, I think you should apologize for coming late.

**Mr. Ligale:** Mr. Deputy Speaker, Sir, I do not really understand but I thought that if I say I am sorry for coming late, I am apologising for coming late.

I am not aware that Sigor Water Project is not rendering services to the people as intended, what I am

aware of is that the project is operational although certain parts have not quite been completed but it is supplying some water to the people of Sigor.

**Mr. Rotino:** Mr. Deputy Speaker, Sir, I do not know whom to believe now, because I am the person who lives there and I am the person who is supposed to be using the water, and the Assistant Minister stands here and says that he is not aware that Sigor Water Project is not operational. I want the Assistant Minister to visit the site, together with me, to verify whether what I am saying is true or not. What I would like the Assistant Minister to do, since he says that it is operational, is to tell this House how much money was spent on that project?

**Mr. Ligale:** Mr. Deputy Speaker, Sir, in fact I did indicate in my original reply that one or two aspects might not have been completed. We do require approximately Kshs2.5 million to install a filtration unit and a backwash tank. Otherwise, the other aspects of the water project have been completed.

**Mr. Rotino:** Mr. Deputy Speaker, Sir, this project has not been operational since 1980. Does it mean that the Ministry has been unable to raise Kshs2.5 million for the last 10 years or more?

**Mr. Ligale:** Mr. Deputy Speaker, Sir, obviously the Government can raise that amount of money but it all depends on prioritising of the DDC.

**Mr. Moiben:** On a point of order, Mr. Speaker, Sir. Since the Assistant Minister is aware that, that area is an AZAL area, what arrangement is the Ministry making to make sure that Sigor Water Project is operational?

**Mr. Ligale:** Mr. Deputy Speaker, Sir, I have undertaken to ensure that the remaining parts will be completed.

**Mr. Rotino:** On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister has said that he will undertake to ensure that the water project is going to be completed. Can he tell this House specifically when he is planning to commence the completion of the project?

**Mr. Ligale:** Mr. Deputy Speaker, Sir, I am not sure that, that is a point of order. It is a supplementary question, but all the same, we can undertake to have it completed within the new Financial Year.

**Mr. Nthenge:** Mr. Deputy Speaker, Sir, we seem to be in very big problem. The civil servants are not giving proper information to the Ministers and Members who come from a particular area are told that something is going on yet they are there and they insist that it is not being done. What is the Speaker going to do for the House so that we get proper information because they are misleading the Ministers who cannot be all over Kenya? Ministers rely on the civil servants. But a Member who comes from a particular area is told that "your road is being constructed" when nobody is working on that road. The money is being consumed by the civil servants on whatever they are doing.

**Mr. Deputy Speaker:** Next Order!

## POINT OF ORDER

### SUBSTANTIATION: DEGAZETTEMET OF FOREST FOR SEED MAIZE PRODUCTION

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

**Mr. Deputy Speaker:** Dr. Kituyi, I am afraid you know that today we have to start business early. I am allowing you strictly two minutes to raise your point of order.

**Dr. Kituyi:** Mr. Deputy Speaker, Sir, yesterday afternoon in this House, I did make a statement in my contribution, where I said that the Minister in charge of Government forests has told this House in a reply to a Question officially, that a Government Forest has been de-gazetted for the production of seed maize and hon. Sambu challenged me to substantiate that and also to say what Saw Mills he owns. I have brought before the House a copy of the HANSARD of the 27th day of July, 1995 where, in a reply to a Question raised by hon. George Kapten, about the de-gazettement of Kitalale Forest which is the extension of the ecological zone of Mt. Elgon Forest, the Minister for Environment and Natural Resources, *inter alia*, said that the purpose for de-gazetting that forest and exchange it with Oljorai ADC farm in Nakuru, was that the forest was being de-gazetted to enable ADC expand its maize seed production capacity. This is an official reply, not even a supplementary, and I am going to lay this before the House. The statement I made just needed that confirmation, that it had been said by this Minister.

Finally, there were two things---

**Mr. Deputy Speaker:** We are short of time. Mr. Minister, do you want to respond to that now or later?

**The Minister for Environment and Natural Resources (Mr. Sambu):** Thank you, Mr. Deputy

Speaker, Sir. Can I have a copy of that?

**Dr. Kituyi:** Just in case you do not know what to say.

**The Minister for Environment and Natural Resources** (Mr. Sambu): Mr. Deputy Speaker, Sir, it does not need a PhD to know that there is a difference between Kitalale Forest and Mt. Elgon Forest. It is gazetted as a separate forest and Mt. Elgon Forest is a different forest, also carrying a Game Reserve. I answered the Question specifically on what the Question was asking. It was asking whether it is correct that the Government is subdividing forest land in Trans-Nzoia District, and I said that I am aware of a recent exchange of land between the Forestry Department and the Agricultural Development Corporation involving Kitalale Forest in Trans-Nzoia District and Oljorai ADC Farm in Nakuru District. My admission was for Kitalale Forest not Mt. Elgon Forest, which is gazetted as a forest and a Game Reserve.

### COMMITTEE OF WAYS AND MEANS

*(Order for Committee read)*

### MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

*(The Minister for Finance on 18.6.96)*

*(Resumption of Debate interrupted on 20.6.96)*

*(Fourth Day of Budget Debate)*

**Mr. Deputy Speaker:** Mr. Barmasi.

**The Assistant Minister for Commerce and Industry** (Mr. Barmasai): Thank you very much, Mr. Deputy Speaker, Sir. When I talked last time, I had supported the National Youth Development Programme and I had talked about the school bursaries.

My third point is on the School Books Fund that the Minister has said he is going to increase. I think we should thank the Minister for doing that because that will go a long way in assisting the parents, especially from the AZAL areas, who have been having difficulties in buying school books.

On roads, we hope that the money that the Minister has increased and the levy for roads will be used specifically for the roads in agricultural areas. In all our agricultural areas we have a lot of difficulties with roads.

The farmers' produce cannot reach the market because the roads are in a terrible condition. We hope that the Ministry concerned and those officers who are supposed to supervise the repair of these roads would do it. One problem we seem to be facing, and I think it is the case in all the DDCs, is that a Vote is given in a department in a district for roads and what surprises most of us is that at the end of the year, when the officer in charge of roads reports, he says that "I have done such-and-such road with such-and-such amount money." When you go to look at that road, you find that not much has been done. So, we hope that there will be more supervision on the implementation of our road projects.

The other thing that I would like to raise is that, I think one problem, especially with our highways, is that we have allowed very heavy lorries to damage our roads. I would like very strongly to suggest that there should be restriction on the tonnage of lorries that are on our roads. I am sure that would help a great deal. I know of one road that was constructed in 1972 and the tonnage was restricted, and the same company went and constructed another road the following year where the tonnage was not restricted, and that road has been re-done about three times, and that is the Eldoret-Timboroa Road. The one that has not been done since 1972 is the Eldoret-Kaptagat road, which was done by the same company, but with the other one, there was tonnage restriction and up to now there is no pothole on that road. So, I strongly suggest that we should restrict the tonnage of lorries on our roads.

I would like also to touch on agriculture. It is unfortunate the hon. Minister is not in, but I would like very strongly to suggest to the Minister, and I think he has promised several times, and he said it yesterday, that there should be credit facilities for the farmers. I think we have suggested many times that we should have a farmers' bank or an agricultural bank for our farmers. It is time this one was done. We have been promised this several times, and our farmers need these facilities very seriously.

Secondly, Mr. Deputy Speaker, Sir, we require crop insurance. Our farmers are very patriotic. They

spend a lot of their money to grow food for this country, but when they suffer a crop failure, there is no compensation. I would like to very strongly suggest that we have crop insurance policy in this country. If we do not do that in the next few years, we are going to have a lot of problems in food production.

Mr. Deputy Speaker, Sir, I would like to speak on the Local Government reforms. I hope the reforms that are being suggested will include returning to the local authorities the power of hiring and firing staff. I had a privilege of working in the Local Government for about 12 years. When the county councils and the municipalities used to hire and fire their staff, there used to be efficiency, but now that this is being done by the Public Service Commission, there is a lot of inefficiency. The problems start when an officer makes a mistake in one local authority and he is transferred to another local authority to make another mistake. I also hope that the reforms in the Local Government will include transferring some of the services on the roads and health centres that were taken away from them in 1967 to the county councils and municipalities. If the money that we are voting here is given to the local authorities and have them administer the maintenance of some of our roads, we would have better roads. I can give an example of my own local authority, Wareng County Council. It has a vote of only Kshs1 million for the whole district. You will find that the roads in the whole district are passable and they have been done by the county council using that Kshs1 million. So, I very strongly suggest that we should give back those services to the Local Government plus the money to perform those services.

I would also like to touch on Kenya Co-operative Creameries (KCC). I would like to say that instead of the present board going round attacking people and attacking those members who were there before, they should pay our money first and then sort out their mess because, in any case, some of those people who are going round have been directors for 12 years and, therefore, when they talk of former directors, they include themselves. I would like to very strongly suggest that they should pay the farmers their money first and then quarrel later. Our farmers have not been paid for the milk delivered to KCC.

I would also like to challenge these people. We have got some information that there is a machine that once got lost in KCC worth Kshs7 million. Somebody was commissioned to look for it and when he got it, he was paid Kshs 6 million while the cost of the machine was Kshs7 million. I would like the directors to tell us who that person is. Is he one of the directors or not?

With those few remarks, I beg to support.

**Mr. Gichuki:** Thank you, Mr. Deputy Speaker, Sir, for allowing me to air my views on the Budget presented recently by the Minister for Finance. The Budget, like some people say, was very short in description and it told a lot in terms of what to expect in this country, and the effect it is going to have on our economy.

The Minister for Finance, in the three-and-half years I have been in this House, has a habit of giving a lot of niceties in the Budget but what transpires after is contrary to that. What happens is the escalation of prices and more poverty as it is always a Budget that is insensitive to the plight of most of our masses. When I say this, I have in mind that whatever the Minister was able to do---

*(Two hon. Members remained on their feet while  
hon. Gichuki was contributing to the Motion)*

**Mr. Shikuku:** On a point of order, Mr. Deputy Speaker, Sir. There are three hon. Members in addition to the speaker standing up as if they are trees.

**Mr. Gichuki:** Thank you for assisting me so that hon. Members can understand each other because whatever we are discussing is very serious. What the Minister for Finance did was to increase taxes, especially through the increase of petroleum levy. I am saying this because when he increases the price of petrol in this country, this affects all the economic activities in our society. The hiking of the price of this product means that prices of various commodities will go up. When we have high taxes, we expect services, such as improvement of roads, health services, availability of medicines in our hospitals, improvement in our education, and so on. But you will find that it is on the contrary. What we are seeing and what is on the ground is quite different. When we come to the roads, you will find that most of our roads are in a pathetic situation. I am made to understand by road engineers that, we require about Kshs3 billion to make our rural access roads all-weather.

On the other hand, the Road Maintenance Levy was expected to give about Kshs9 billion per year and in that case, you will find that if we had to use the money on the roads, our road would be all-weather roads. If our roads were well maintained, the farmers would sell their produce to the market, but all over the country the situation of roads is pathetic. Our roads have potholes and this makes them impassable. This is a very sad story. I am saying this because in my area in Nyandarua, we depend mainly on money that we get from selling our milk. Selling milk is our main economic activity and we are unable to transport it, especially during the rainy season, because of the poor roads. If we were to get a proper share of the petroleum levy, we would transport our milk,



but, unfortunately, this is not possible. Again, KCC is unable to pay us in time. Even as I am talking now, our farmers have not been paid their money by KCC for the last four months, and this is a very sad situation. The Minister should have been able to expound on whatever he is going to do, to make sure that our farmers are paid in time. We deliver our produce like milk, tea and coffee, but the Budget was short of mentioning this.

Kenya is among the most highly taxed countries in the world. We have examples like Sweden which is among the most highly taxed countries in the world, but then you find that those countries are highly developed and services like education, health and other services are free. But in our case, it is different.

The Minister for Finance increased the taxes on road licences, driving licences and so forth. But we have information to the effect that those clerks in the districts have several receipt books. When you go to pay your road licences and driving licences, they use their own receipt books. For example, if a district collects about Kshs500,000 per day, they remit about Kshs100,000 and Kshs300,000 or Kshs400,000 go to their kitty. This is an open fact and it is happening in the districts. The Treasury should be able to monitor this because most of the revenue is lost in the districts and provinces. The Government is not able to get enough revenue to be able to give proper services to our people.

I am saying this because sometimes you will see those clerks in the field doing a lot of things, building big houses and driving flashy cars, after misusing Government money and taxes. The Budget was short of providing or allocating money to the Ministry of Health, to curb the menace which is becoming a national calamity; the AIDS scourge. AIDS is going to finish our people in this country. It has reached a proportion where, we as leaders, should stand up and be bold enough to sensitise our people so that we can be able to curb this menace. I am saying this because the campaign for AIDS awareness has been left mainly to NGOs and the churches. It is an open fact that half of the deceased people whose photographs appear in the newspapers die because of AIDS. We should not shy off. We should come in the open and talk about it. The Minister should have allocated quite a substantial amount on the AIDS campaign.

It is an open fact that even some hon. Members of this House have died because of the same scourge. We do not know how many are going to die in the future. We should be able to stand up as leaders and tell our people the dangers involved. We have a situation in Uganda where the scourge almost wiped whole villages. The leaders came in the open and talked about it openly. We understand now that the spread of AIDS in Uganda is now coming down. This is a case where our Government, people and leaders should come out in the open. We cannot hide that fact because it is happening.

The Minister gave Kshs3.2 billion for poor projects that are meant for the poor people. The Minister was not specific as to which projects should benefit. We do not know how that money is going to be allocated. We require this money to be allocated equitably so that we can be able to help our people.

With those few remarks, I beg to support.

**Mr. Badawy:** Ahsante sana, Bw. Naibu wa Spika. Nimesimama kuzungumzia hotuba ya Waziri wa Fedha.

Mengi yamezungumzwa na Wabunge wenzangu, hata wale wa kutoka Pwani, hasa juu ya matatizo kwa jumla na juu ya shida zile ambazo tunazipata Mkoani Pwani, na fikra zetu kuhusu vile tunanaweza kusuluhisha shida hizo. Sisi Wabunge wa Pwani, tunashiriki kikamilifu katika kupitisha matumizi ya pesa, lakini katika utekelezaji, tunashangaa kuona kwamba katika sehemu mbali mbali, tunasahauliwa.

Ukiangalia mambo ya Road Maintenance Levy, utaona kwamba mahali kama Wilaya ya Kilifi nzima inapatiwa Kshs4 milioni. Hizi ni pesa kidogo sana kulingana na vile barabara zilivyo sasa, na mahitaji yetu ya kupata barabara mpya, siyo tu za mjini, lakini pia zile zinafika mashambani.

Nikikumbuka maoni ya Waziri wa Kilimo, Ustawishaji wa Mifugo na Uuzaji alivyokuwa akiwatetea wakulima, hata wakulima wakistawisha kilimo na tuwasaidie kwa kuwatafutia masoko, kama ilivyo shabaha ya Bajeti ya mwaka huu, lakini ikiwa mazao hayo hayawezi kufika sokoni kwa sababu ya barabara mbaya zizizotosha, basi juhudi zote hizi za kuwasaidia wakulima kutoa mazao mengi na chakula ya kutosha zitakuwa hazina faida, kwa vile mazao yale yataharibikia mashambani. Haya ni maneno ambayo yamezungumziwa na wengi. Hata mimi, kwangu Malindi na Kilifi kwa jumla, kuna shida hizo hizo.

Nimesema mara nyingi sana kuhusu pahali ambapo panatoa mazao mengi sana ya mahindi na chakula, ambapo panaitwa Mathunguni. Barabara ya huko mara nyingi haipitiki, hasa wakati wa mavuno. Ijapokuwa tuna shukrani nyingi kuhusu ile barabara ya kufika Hola na Garissa ambayo inaendelea pamoja na daraja mpya, lakini kuna barabara nyingine muhimu kama ile ya Mariakani, barabara inayopita kutoka Kilifi kupitia Mazeras kwenda mpaka Mariakani, ni barabara ambayo kwa miaka therathini sasa, tunaambiwa itawekwa lami, na hivi ninavyozungumza, haijawekwa. Kazi inayoendelea kurekebisha barabara ya kutoka Kilifi hadi Mombasa haihitaji mtu kusema, au kuona na macho yake kwamba si kazi sawasawa. Ni kazi ambayo inaharibu pesa. Ninasikitika kusema hivi. Mjenzi ambaye anasimamia kazi hiyo amekuwa hapo kwa muda mrefu, na sasa ni

mzimu wa tatu wa mvua tangu aanze. Kila wakati mvua ikija, inaharibu barabara ile ile na mjenzi huyo bado anaendelea kukaa hapo.

Mambo kama haya yanataka Waziri wa Fedha, anapozungumzia budgetary controls, lazima afanye hivyo pamoja na accountability na monitoring. Lazima mjenzi achunguzwe kwa makini na kama kazi yake haionekani ni sawasawa, tujue vile tutafanya. Lazima mambo haya yarekebishwe.

Waziri amezungumzia uuzaji wa bidhaa katika nchi za nje. Mara nyingi, nasikitika kusema kwamba wizara zinazohusika zina miongozo tofauti tofauti. Ukiangalia mambo ya uuzaji wa bidhaa katika nchi za nje, ni mambo ambayo tunaweka katika karatasi tu. Tunasahau kwamba, utekelezaji wa mwongozo wa Serikali lazima uanze katika lokesheni ndogo na lokesheni. Labda tukizungumza juu ya policies kama hizi, tunafikiria miji kama ya Nairobi, Mombasa, Thika na mingine ambayo inajulikana kama vituo vya viwanda. Labda tunazungumza juu ya vituo vya viwanda. Lakini ni lazima tufikirie vile tunavyoweza kuzalisha mazao na vifaa ambavyo tunaweza kuuza katika sehemu zote za taifa hili. Hii ni kusema kwamba kuna haja ya maafisa wa biashara na viwanda kutotegemea ukusanyaji ushuru na kutoa leseni tu. Inafaa ofisi zao pia ziwe zikiwapa ushauri wafanya biashara. Inafaa wamsaidie mwananchi wa kawaida kujua na kuzalisha vifaa ambavyo vinahitajika katika masoko ya nje.

Bw. Naibu Spika, tunazungumza juu ya ustawishaji viwanda, lakini hatumsaidii mwenye viwanda kwa kumtengenezea infrastructure. Viwanja katika sehemu ya viwanda kule Malindi vilipewa watu ambao walikusudia kuziua baadaye badala ya kupewa watu waliokusudia kustawisha viwanda. Hivi sasa shughuli za jua kali haziendelei katika mji wa Malindi kwa sababu hakuna mahali pa kuziendeshea. Kwa hivyo, wafanyabiashara wadogo wadogo wanakaa kando kando ya barabara na wasumbuliwa kila siku.

Kuna haja ya Serikali kutafuta njia ya kuongeza mapato yake, lakini namuomba Waziri ajue kwamba kodi ya value added tax (VAT) inamuumba sana mwananchi. Ingefaa kama VAT ingetozwa manufacturer au importer na wananchi au consumers wasiwe na jukumu la kulipa VAT. Sasa VAT inalipwa mara tatu: manufacturer, wholesaler na retailer wanatozwa VAT. Hata consumer pia anatozwa kodi hii. Kwa hivyo, inalipishwa mara nyingi sana.

Waziri ametilia mkazo sana njia za kuzisaidia serikali za mitaa katika kukusanya ushuru. Maoni yake ni mazuri, lakini inafaa serikali za mitaa zisaidiwe na Wizara yake au na Serikali kuu katika kukusanya ushuru. Ni kweli, kama Waziri alivyosema, mabaraza mengine yanatumia pesa vibaya. Pia, kama alivyosema, baadhi ya maafisa na madiwani wanatumia pesa vibaya. Jukumu la kutunza pesa ni la maafisa wakuu katika serikali za mitaa. Maafisa wakuu wa serikali za mitaa ni kama miungu wadogo. Wanajua njia za kuwatumia au kuwatisha madiwani ili wayakubali maoni yao. Afisa mkuu anaweza kuwalazimisha madiwani kukubali kufanya lile analolitaka. Nilisema jana hapa kwamba mtindo wa Wizara ya Serikali za Mitaa kuzitaka serikali za mitaa zitengeneze balanced budget unawaumiza wananchi. Hii inafanya weka hazina wa serikali za mitaa kuweka ushuru bila ya kuzingatia mapato ya biashara tofauti tofauti katika maeneo yao. Mtindo huu wa kukusanya pesa wakati mwingine unawatesa wananchi.

Wakati huu huko Malindi watumiaji maji wanatakiwa kulipia maji ambayo wametumia kwa muda wa miaka mitano kwa sababu mita zao zilikuwa zikisomwa kila siku. Hii ni kwa sababu ati ghafula ameingia huko afisa kutoka katika Wizara ya Serikali za Mitaa ili kuchunguza kasoro ambazo zimekuwako katika ulipishaji wa maji. Watu wengine wamepewa bili za Kshs100,000, Kshs70,000 au Kshs40,000 na wamekatiwa maji. Hii inafanyika hata ingawa maongozi ya Serikali ni kuwapatia wananchi wote maji. Ingawa hatujawapa wananchi wote maji wale, ambao wana maji leo yanakatwa kwa sababu ya madeni ambayo Wizara haiwezi kueleza yalitokeaji. Haya ni mambo ya kuwateza wananchi. Inafaa mambo haya yafuatwe kwa busara, kwa sababu maji ni muhimu sana.

Kuhusiana na Wizara ya Fedha, ningependa Waziri afikirie sana utozaji ushuru kwa relief organisations.

Ni tatizo kubwa sana kutoza ushuru chakula cha msaada. Kama kumekuwa na udanganyifu katika utozaji ushuru chakula cha msaada, tunaweza kusema kwamba udanganyifu huo uko katika sehemu zote za kutoza ushuru. Mwaka jana tulisikia kwamba kulikuwa na udanganyifu kuhusiana na utozaji magari ushuru kule Kilindini. Hata watu ambao walikuwa wameshtakiwa kuhusiana na udanganyifu katika utozaji ushuru waliachiliwa juzi na mahakama. Hatujui jinsi watu hao walivyoachiliwa. Kwa hivyo, udanganyifu katika ulipaji ushuru hauko katika chakula tu. Kuyanyima mashirika ya usaidizi nafasi ya kuleta humu nchini chakula cha kuwasaidia wananchi ni pigo kubwa kwa masikini na watu wengine wanaohusika.

Bw. Naibu Spika, ningependa shughuli za export processing zones sizibaki katika miji mikubwa kama vile Nairobi na Mombasa. Ningependa shughuli hizi ziene katika miji mingine midogo midogo kama vile Kilifi, Malindi, Lamu na kwingineko. Hii ni kwa sababu samaki wengi sana wanauzwa nje. Kwa nini kusiwe na export processing zones katika Malindi na Lamu? Hii ndio sababu nilisema kwamba maafisa wenye jukumu la kusimamia shughuli tofauti tofauti wangukuwa wakiwashauri wananchi. Inafaa wajishughulishie na maendeleo badala ya kushughulikia ukusanyaji pesa za Serikali, na hali Waziri mwenyewe amekubali pesa hizi zinatumiwa

vibaya. Waziri mwenyewe amekubali kwamba inafaa mambo mengi yarekebishwe ili kuwe na usimamizi mzuri wa pesa za Serikali. Waziri amekubali kwamba kumekuwa na matumizi mabaya ya pesa katika Wizara tofauti tofauti.

Mpango unaowapa kamati za maendeleo za wilaya na pia social dimensions of development committee madaraka ya kusimamia maendeleo ni mzuri sana. Hii ni kwa sababu jambo hili litawapa viongozi wa wilaya, tarafa, kata na kata ndogo nafasi ya kujua mahitaji ya wananchi na kutoa mapendekezo yanayofaa kuwasaidia watu wetu.

Kwa hayo machache naunga mkono.

**Mr. Mutani:** Thank you, Mr. Deputy Speaker, Sir. Kenyans have been listening to Budget speeches, and if you ask them about it the following day, they are able to tell you everything. However, at present, things are very confused. The Budget we are discussing is the worst this country has ever had. When the price of petrol is increased, it is obvious that prices of everything else will go up, including those of essential commodities like cooking fats, match boxes, medicines and so on. In my constituency sugar is selling at Kshs70 per kilogramme and there is no word from the Government as to why it is costing that much.

Let me say something on losses by state corporations. Everybody is worried because 143 public enterprises have realised losses and have been sold. Who has been causing these losses? Indeed, Kenya National Assurance Company is almost closing its doors. Someone must have been given the responsibility of managing this company. The person who has misappropriated money from this company is known. He is a Kenyan. There is also the Nyayo Bus Corporation, which is now being sold. We were very proud of this corporation because it used to compete well with private commercial buses. What is happening? Who are these sons and daughters of Kenya who are allowed to misappropriate everything? Where are they? Are they untouchable?

Almost everything in this country is deteriorating. There are a lot of potholes and we are not even able to afford education for our children. In schools we are contributing money to buy soaps, pencils and exercise books which the Government used to provide by then. All institutions are realizing losses.

Mr. Deputy Speaker, Sir, let me mention something on NSSF. People all over the Republic are coming to Nairobi to claim for their benefits after retiring and yet they are turned away to an indefinite day. Some are making even 10 trips to Nairobi every now and then. I think this money has already been misappropriated and it has happened to the Nyayo Bus Corporation and these people are slowing down waiting for the month to end so that when we are deducted, these claimants are paid. Everybody is worried about what is happening in Kenya today and yet we are talking as if we are doing very well. People are very cold.

Mr. Deputy Speaker, Sir, let me also mention something concerning money. The Governor of the Central Bank should be advised to mint proper money. The coins we have are so poor; very tiny indeed. The fifty cents coin, the one shilling coin and even the Kshs10 coin is so small, they even confuse old people. Old people cannot differentiate between 10 cents, one shilling and even Kshs10. Why can they not mint proper money; a little bit big which can be differentiated? Like the ones which were circulating before-hand. It is not only this alone, look at what is happening with the notes. For example the Kshs50 note is confusing. If you add zero to the note it becomes Kshs500 and many other notes like the Kshs20 notes have pictures of naked people behind the note. Now, what is all this? When people talk about them, they are then changed. Why should we change money every now and then?

Mr. Deputy Speaker, Sir, let me now mention something on roads. The Government should repair roads every now and then. This is a very serious issue. We are seeing money being poured during the campaigns and yet roads have a lot of potholes all over the country including the City of Nairobi. When money is available, all of it should be used on roads, not otherwise.

Mr. Deputy Speaker, Sir, let me also mention something on land grabbing. This one is a national issue. Almost in every place, there is what we call land grabbing. I have been listening to what the Government has to say about it, but there is nothing being said. Nobody has been prosecuted, but then there are many ways of judging. We guess senior civil servants in the field are allowed to grab as much as possible in readiness to defend the ruling party during the next campaigns. That is why nobody has been prosecuted.

Mr. Deputy Speaker, Sir, let me also talk about tea farming in my place. The Government should do something for tea farmers. Tea farmers in my constituency harvest tea and take leaves to the collection centres. They stay there for the whole night and the following day the other lot is brought and the same applies to the third day. When the KTDA lorries come, tea harvested on the first and second days is wasted, it is rejected because it is already dry. Only the tea which was harvested on the third day is collected. This is total waste of money by both the farmers and the Government who should be earning the interest and the commission. Yet we go to other countries to borrow money. Why do we not take care of this penny, in order to be able to take care of the Shilling? We need a tea factory in Nithi Constituency because we have a lot of tea and it is going to waste. The

other day I went near the forest when I heard people complaining that the elephants had completely spoiled farms along the boundary. I reported the matter to the DC who I think is taking action on this one.

Mr. Deputy Speaker, Sir, the Government seems to be caring for animals more than people. On a five acre land, elephants come during the night and spoil the whole lot of crops on the land; sugar-cane, maize, beans, coffee and bananas. When you report this, there is no compensation. These people are preparing to kill the elephants come what may because they cannot go hungry because of these animals.

I would also like to mention something on famine relief food. This has not been coming to my constituency yet, but when it comes because people are very hungry, it should be used to feed the people concerned and not to be sold to traders as it was done last time.

The last point I would like to mention is on coffee payments. We are asking the Commissioner for Co-operative Development to ensure that coffee proceeds are passed to the farmers immediately after every auction. The commissions or the agents should not be allowed to sit on it.

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

**Rev. Ommani:** Thank you, Mr. Deputy Speaker, Sir, for allowing me to contribute to the Budget Speech which was given by the Minister for Finance on the Budget Day. While I concur with most of my colleagues on what they have said about this, I would say that, in the Budget, the Minister was trying to tell the people that "this Budget is for you," but in the real sense it was not for the people. Because when you raise the price of fuel, you have affected everything in the county because whatever we have in the country, comes from fuel. Our vehicles are run by fuel, our machineries are run by fuel and therefore the prices of everything will go up in a few months. Transportation will go up, the prices of maize flour will go up, the prices of wheat flour will go up and everything that the common mwananchi depends on will go up because of the rise in the prices of fuel. One wonders why the prices of beer which the common mwananchi is not interested in did not go up. Because, those of us who go for beers, we just go there because we want to take beer and we want to relax ourselves. But the common mwananchi is not interested in beer. One wonders why the prices of cigarettes which we know affects the lives of people did not go up. Because when we raise the prices of cigarettes, we know the common mwananchi has no interest in it, but the raising of fuel especially kerosene affects the poor common mwananchi. Because the poor common mwananchi has to have some light in the house and that light depends on kerosene. There is no way you can raise the price of kerosene and say "I have not touched the common mwananchi." Even those who are working in the towns, most of them cook by using kerosene because they cannot afford electricity, gas and so on. So, the only thing available to them is the kerosene.

The raising of the interest rate by 20 per cent on savings also affected the common mwananchi because most of our lowly-earning people earn through the banks. They would like to save some little money with banks and the money they save has already been taxed. So when we tax them 20 per cent interest on what they have saved in the bank then we are double taxing them. So, the common mwananchi is the one who suffers most. Like in my area, Western Province, the common mwananchi who is working on low payment is a teacher. We depend on teachers and so these deductions on interest has really affected them.

### QUORUM

**The Assistant Minister for Local Government** (Dr. Wameyo): On a point of order, Mr. Deputy Speaker, Sir. The hon. Member for Lurambi is making a very good speech, but this House has no quorum. There is nobody taking notes. I am drawing your attention to the fact that we have no quorum in this House.

**Mr. Deputy Speaker:** Yes, there is no quorum. Ring the Division Bell.

*(The Division Bell was rung)*

**Mr. Deputy Speaker:** We have a quorum now. You may proceed, Rev. Ommani.

**Rev. Ommani:** Thank you, Mr. Deputy Speaker Sir.

This country has had 33 years of Independence. And with 33 years of Independence, we need to have planned and we need to plan more than what we are doing now because we know that we need these taxes in order to run the Government offices, the businesses of the country, development of the country and so on. But we should have ways and means to raise taxes rather than depending on the taxes from the common mwananchi who is living on very little money to meet his ends.

In this country, if the Ministry of Planning and National Development and the Ministry of Finance would finance the Ministry of Research, Technical Training and Technology, we can have enough technology. We

would start industries, inventing some new industries that would make the products that can be sold out and people would have jobs and from this we can have taxes without taxing the common mwananchi who is very lowly paid.

Kenya is one of the countries in the world with the highest taxation. In other countries, they do the same, but their services are different. When someone is taxed so high he expects to have free medical services, free education services and so on. In Kenya, we are switching on to cost-sharing, but the cost-sharing is not helping the common mwananchi. On top of being taxed, also we have the cost-sharing, so it becomes a heavier burden for the mwananchi.

Mr. Deputy Speaker, Sir, when we come to the services rendered from the taxes collected, we say that the whole country should be served equally not just in some parts. There are some people who think that the Government should spend more of taxes in their areas or they should have more services because they voted for KANU.

I do not think this is how it should be because the whole country needs the services of the Government. I thank God that this Government is giving services to all areas of the country. It is not only giving services to areas where KANU got votes. If that was the case, then there are millions of shillings spent in Kikuyu-land that are not being spent in KANU zones. Those of us who crossed back to KANU did so because we saw its qualities. We saw the things that KANU, as a Government, is bringing into this country. But we are asking the Government to give services, if possible, equally, to every area of this country. There are some people who think that if the Government is led by another party, maybe, things will be better. It is not that way. If I had a tin of maize and I changed its name and called it sugar, it will not be sugar because the content is the same. It is the same people who are in the Government offices who are practising corruption who will also serve the new Government. What we should do is to correct ourselves from now. The leaders of this country and the officers should correct themselves now where they are in order to have a better future for Kenya. Changing the name alone does not help. We have had a multiparty system of Government since 1993 and things are still the same. People are still crying that the Government is corrupt. We should change our hearts, and the Bible says: "The heart of human being is full of deceit. It is only God who knows". There are some who are sitting in these offices, who are full of deceit. They are led by their own welfare and, that is what is leading this country into a wrong direction.

Mr. Deputy Speaker, Sir, we ask the Government to reduce spending by Government officers, especially those officers in the high offices. There are some offices where they have three big cars; Pajero, Isuzu, Mercedes and any new model of car which comes around in the world is ordered for such officers. Instead of spending too much money on cars, the money should be spent on the taxpayers. It should be spent on purchase of drugs and offering free education for those who cannot afford to pay for their education.

Last year, we voted for a Bill here on loans for higher education. This Bill was passed and a Board was chosen, but this year, the forms are different from the initial forms. The forms which are supposed to be filled are asking questions that make it hard for some of us to cheat. In the form, they say: "Say if you are an orphan, if you do not have a shamba and if you do not have a job". There are those people who do not have a shamba, a job, are orphans and yet they are wealthy. But there are those who have a job, but with that job, they cannot afford to buy even enough food in their homes. They cannot buy clothes and pay school fees for their children. These forms are forcing people to cheat, but some of us are not ready to cheat just because we want this money. We are asking the Minister of Education to make the necessary corrections.

With that, I support. Thank you, Mr. Deputy Speaker, Sir.

**Mr. Mbui:** Thank you, very much, Mr. Deputy Speaker, Sir. Ever since we were elected into this House, we have been passing Budgets annually, and as far as I am concerned, these Budgets are not beneficial to my people. Since I came here, there has been no project undertaken in my constituency, and, indeed, the whole of Kirinyaga District. The simple reason for this action is just because we are in the Opposition. But when you look at the way the taxation is done, my people pay the heaviest taxes. They contribute from coffee, tea, toilet papers and other items. When the allocation comes, we are not allocated any money. The money allocated there just goes to pay the salaries of civil servants. In fact, the money is used to fuel the cars of the Provincial Administration so that they may campaign effectively for KANU in these local areas. Very soon, we shall be asking questions here and we expect to get the same answer: "when the money becomes available". Ministers are not complaining now that the money allocated to their Ministries is not enough. According to me, Ministers are now behaving like "toothless dogs". They have no authority over their own Ministries at all. The Chief Executives of those Ministries are more powerful than the Ministers themselves.

Mr. Deputy Speaker, Sir, now I would like to turn to the subject of roads. All roads in this Republic, probably apart from the "royal areas", are full of potholes. Wherever you see tarmac, you will require to

re-tarmac the whole road because the road is now beyond repair. The ordinary motorist is being charged for fuel levy. Someone thinks that he is charging the motorist, but the same burden is passed onto the members of the public who travel in those vehicles. If we go on taxing our own people that way, we collect a lot of tax and in return, we do not give them services, then we are not a Government that is worth being called a Government. The question is: Where is the taxpayer's money going to? There was a road, and it is still there; we call it Kagio-Baricho-Kibirigwi road. Eight years ago, we were told that it would be tarmacked when funds become available. Nothing has been done about it, but we have got a lot of money to go campaigning around the country saying the good things the Government has done or is about to do. But of course, Kenyans are no longer fools as they can see a Government that is doing nothing, but wasting money travelling here and there with empty talk. Any Government that does not care for its own citizens during war and sickness, is not worth being a Government. In a civilised world, it should resign. Today, people are dying in our hospitals because of lack of drugs and the sick people have become prisoners in the hospitals. To make the matters worse, today there are no blankets for the patients. A week or so ago, I took a patient to the hospital as a good samaritan. I was forced to buy a blanket for that particular patient because if he was left without a blanket, he could have died. What is the Minister for Health doing? What is the whole Cabinet doing? Permanent Secretaries have powers over the Ministers. In fact, if Ministers cannot do their jobs properly, they should resign and tell wananchi that they are not able to perform.

We do not have money managers here. The Minister for Finance or the Treasury itself should be able to monitor any money that they give out. They should be able to physically check whether that particular money goes to the project for which it is earmarked. Today, you will find that some roads are said to have been constructed in the books, but on the surface, they are not. Some buildings which were constructed using taxpayers money have turned into white elephants. We have got the National Youth Service Complex in Ruaraka whereby somebody was paid but the houses are still incomplete. Some of these contracts are actually going to the sons and daughters of well positioned politicians who now appear to be above the law. But let me tell them that their days are numbered. There is nobody who will live for ever and one day, our children will enquire about the whereabouts of this particular money. That is public money.

The other day, headmasters of secondary schools were promoted to Chief Principals and yet 96 per cent of them are not really the ones who are running the schools. The schools are run by teachers. If there is an increase in salaries by the Ministry of Education, it should affect all the teachers in the country. We should not try to please a section of the teachers with public money. It should apply to all. This must also affect other civil servants including those working in this Parliament who are underpaid albeit being overworked. They have almost turned into beggars. The only good thing which they have is the black uniform. That is all! We demand that the salary of the civil servants should be reviewed immediately. Civil servants are corrupt because they cannot meet their financial obligations. Just imagine the money that was swindled by Kamlesh Pattni. If that money was given to civil servants, of course, we would not be having corruption.

The army got a salary increment yesterday and this should also apply to the Police Force. This should not be used to gain political mileage. It is the duty of the Government to pay well those serving it. Nobody should feel that the Government is doing him a favour because that his right and his services must be rewarded accordingly.

On the issue of land, in Kirinyaga District today, the Provincial Administration is grabbing land from the poor wananchi. They have got their special boards and I have seen this one happen. We have got a case where a DO1 changed land belonging to a poor woman and give it to another person without even consulting the land board. Although he was transferred, he has not been prosecuted. I demand that this DO, the registrar and the advocate should be taken to court immediately because they are not above the law. The image which they are creating is that the Government is stealing from its people.

If I would say that the Government now is not able to rule, then, I would not be cheating. It is very shameful for a Head of State to go cleaning the city while we have got civil servants under him who should be commanded to go and clean it. A President is a President and the people working under him should obey him. Why does he have to go across the city cleaning the streets? Those particular executive officers are civil servants. They cannot listen to their councillors because they are protected politically. This political protection has damaged the image of this Government and it should be corrected now if Kenya has to be the Kenya we knew under the sun.

I am also appealing to the Head of the Civil Service once again---

**QUORUM**

**Mr. Moiben:** On a point of order, Mr. Deputy Speaker, Sir. I think there is no quorum in the House.

**Mr. Deputy Speaker:** Yes, there is no quorum in the House. Ring the Division Bell.

*(The Division Bell was rung)*

**Mr. Mbui:** Mr. Deputy Speaker, Sir, what I said and what is defeating Kenyans now, is that Ministers and Permanent Secretaries are not actually obeying orders from the President. In 1992, the President gave guidelines on coffee marketing. This is a parastatal, but a few people there have decided to ignore this directive on coffee marketing. It defeats one to know who is now commanding who, the Coffee Board of Kenya, or the President. I now request the Office of the President to act on this one immediately.

Mr. Deputy Speaker, Sir, there is a lot of confusion here and there. Recently we had new directors of KCC appointed and now they are being kicked left and right. We should request that these people are left free to manage KCC, and if anyone wants to check on KCC, he should check on the former corrupt directors because those are the ones who ruined KCC that we know now.

Finally, I do request that the Government should be ready for the change of the Constitution now.

**Mr. Moiben:** Thank you very much, Mr. Deputy Speaker, Sir, for giving me this opportunity. In beginning my remarks, I want to thank His Excellency the President of the Republic of Kenya for acceding to the request and considering the salary increase for military officers.

**Mr. Sifuna:** They do nothing!

**Mr. Moiben:** Mr. Deputy Speaker, Sir, inflation is inevitable in this country and also worldwide. I think the military salary increase has come at the right time.

Mr. Deputy Speaker, Sir, I happen to come from Trans Nzoia District and of all the districts, since Independence, this District is one the most affected development-wise. Since Independence there is not even a single industrial project in Trans Nzoia and our people there are suffering very much from unemployment. My appeal to the Government through the Ministry of Agriculture, Livestock Development and Marketing, is that they should look into the plight of the Kenyan farmers in Trans Nzoia. In Trans Nzoia District, we produce the only Seed Maize in the Republic and through that production farmers have been made to do with impassable roads. The only tarmac road we have that connects Kitale and Endebbes was constructed before Independence. I am appealing to the Government to consider tarmacking Kitale-Endebbes-Suam Road and Endebbes-Kapsokwony-Cheptais Road. In those areas, we have a lot of potential land for food production and if those roads are improved, even to bitumen standards, I am sure that the food output will even be doubled from those two districts.

Mr. Deputy Speaker, Sir, farmers in Trans Nzoia grow even tea and they have to transport tea leaves 200 kilometres to Nandi, where we have the factories. I am appealing to the Ministry of Agriculture, Livestock Development and Marketing, to order, not to request, KTDA to consider putting up tea factories in Cherangani and the other one in Saboti to save the farmers from Kitale. It is too much to produce a crop of a very high quality and then to have the same dried up in transit before it reaches where it is going to be processed. This has made some people give up growing tea, and yet tea is one of those cash crops that earn this country a lot of foreign exchange. I am appealing to the Ministry concerned to re-activate the Marketing Department, which I think is not very active this time. The farmers related enterprises are the ones suffering. For example, we do not get any money from KCC, coffee and seed maize in time, and this Minister must understand that the Marketing Department is the one that is trying to make the Ministry of Agriculture, Livestock Development and Marketing as though it is not effective. I am appealing particularly to the Minister, who is a very able Minister, to look into the case of the Marketing Department of his Ministry because one department cannot frustrate farmers like this. It is very serious.

Mr. Deputy Speaker, Sir, I would also like to appeal to the Ministry of Health to consider, even for once, the completion of Saboti Health Centre. Sickness does not know any political boundaries. Anybody whether in KANU or the Opposition strongholds can be sick, and for the entire one division to have no health centre or any medical facilities is a very serious matter. The Government set aside some money for Saboti Health Centre. That Centre was almost complete four to five years ago, and the contractor even took way the so-called 10 per cent of the amount before completing the project. I am appealing to the Ministry of Health to consider those people regardless of which party they belong to because they are Kenyans. It is inconceivable that one division has three health centres and yet the other two have none. I am merely talking of Saboti and Kwanza Divisions, Kabkoi, Endebbes, Saboti and Kiminini. They have actually no health centres at all. I am appealing to the Government to consider those people because they are also Kenyans, and do something about them.

Mr. Deputy Speaker, Sir, on the question our town, Kitale, I believe it is public knowledge that this is one of the oldest towns in the Republic. It is shocking that other towns grow and yet ours remains constant. This is because of poor planning by some Water Department officers. We had some projects some five years ago to bring water to Kitale Town. Kitale Town borders Mt. Elgon on the Western side and Cherangani Hills on the Eastern side, and water can easily be pumped to that Town through gravitational force. On the contrary, the personnel of Land Reclamation, Regional and Water Development had the guts to recommend that the water be pumped to Kitale Town from 30 kilometres away near Moi's Bridge. This makes water in Kitale more expensive than petrol and yet we have water flowing from Mt. Elgon, even causing floods in hon. Osogo's Constituency; Bunyala. I am appealing to the Ministry of Land Reclamation, Regional and Water Development, to consider as a matter of priority, connecting Kitale Town with water from Mt. Elgon through gravitational force. They only need to buy the pipes and no engine is involved, only big pipes. We need big pipes enough for a human being even to go in, so that we have a lot of water coming, then industries will come.

**Mr. Sifuna:** From Mt. Elgon!

**Mr. Moiben:** Mr. Deputy Speaker, Sir, in Mt. Elgon we have a lot of forests and during colonial times, the Europeans had the guts to evict Africans, and people went far from there. During the time of Independence, the same farms were turned into forests, instead of putting our Kenyans to settle there. I am appealing to the Ministry of Environment and Natural Resources, to consider as a matter of urgency, whether they can de-gazette the entire Katelane forest which is wrongly called Kitalale and Kikamborombo Forest which is also wrongly called Sekendumba Forest, and Timboroa Forest and Kaptagat Forest, so that our people who are landless, can get some piece of land to settle on. There is a serious issue of landless people in Trans Nzoia District. We have as many as 30 people on one acre and there is virtually no development that one can undertake because almost everybody is in rags. To be alive is a problem. I am appealing to the Government to consider settling our people so that they can also participate in development issues, for example, to put up projects like schools because in Trans Nzoia District, many children still learn under shades of trees while sitting on stones. It is very serious. And there is virtually no development because the people are very poor. So, I am appealing to the Government to continue putting up industries in Trans-Nzoia so that our people can get employment. For example, when the Armed Forces do any recruitment, you will find up to 10,000 young men queuing up for eleven chances and that helps to confirm that unemployment in Trans-Nzoia is a very serious issue.

Mr. Deputy Speaker, Sir, we want to have industries. In fact I am appealing that in case, because we have a lot of trees, the Pan Paper Mills ever has any plans for expansion, then it should come to Trans-Nzoia because we have trees for them, we have the necessary infrastructure like the railway line for it and we have a lot of water in Kiboram River which is called River Nzoia by mistake. It actually is called Kiboram River. So if there is any expansion to be done on this factory, our people will even tolerate the bad smell that is emitted by the paper industry. We will even tolerate the bad smell because employment itself in this factory will make our people very satisfied.

So, Mr. Deputy Speaker, Sir, if it is possible, the Government now through the East African Co-operation, should try to expand our border posts like for example Suam which was elevated the other day so that we have all the facilities for our officers; the customs officers and immigration officers making communication for businessmen convenient along the border. I am appealing to the Minister for Environment and Natural Resources to also consider, as a matter of priority, the Kaptagat forest for re-settlement because as of now, the place is teeming up with wild animals who harass labourers at the Agricultural Development Corporation farms looking after the maize and what have you. If Kaptagat forest can be de-gazetted, I am sure there will be a lot of good activities to do with business between Kenya and the neighbouring country.

So, with those few remarks, I beg to support.

**Mr. Mathenge:** Thank you, Mr. Deputy Speaker, Sir.

**A hon. Member:** He is so excited.

**Mr. Mathenge:** Yes, I am excited, of course, because I see you all want me to speak.

Mr. Deputy Speaker, Sir, we are debating the income and the expenditure of the Government of the Republic of Kenya. Now my home district of Nyeri---

**Mr. Deputy Speaker:** Order! Order! It is very serious. I expect Members who have already spoken on this matter not to seek to catch the Speaker's eye again and the record shows that hon. Mathenge spoke on 19th June 1996.

**Mr. Mathenge:** I spoke on the Procedural Motion even if you check with the HANSARD.

**Mr. Deputy Speaker:** The record shows that you spoke on the Committee of Ways and Means. Well we can check that and come back to it. For the moment I am afraid I will go by our record which I must assume to be



correct. If of course hon. Mathenge as he is protesting insists that he did not speak on this matter, then hon. Mathenge can see me in my chambers. If the record of the House is wrong then, of course, I assure you that you will be given your rightful chance. For now I am afraid that I should now give the Floor to the next Member from the Opposition and I see only one Member who is ready to speak and that is hon. Sifuna.

**Mr. Sifuna:** Mr. Deputy Speaker, Sir, thank you very much for giving me this chance to contribute on this Motion.

Mr. Deputy Speaker, my first point will be on the National Assembly. We should start cleaning our House first before pointing fingers at other Ministries. I am saying this because there was a Motion in this House which was accepted that the National Assembly should look into ways and means of at least raising the salaries of its workers but up to now the Government has not implemented the salary increase of these National Assembly workers at all. We are lucky since we have been given our salaries but the workers of the National Assembly have not. I do not see why a Motion that has been accepted by the House cannot be implemented. It is high time we rather---

*(Loud consultations)*

**Mr. Deputy Speaker:** Order! There is strange behaviour in the House. What is going on? Continue hon. Sifuna.

**Mr. Sifuna:** Mr. Deputy Speaker, Sir, another point which I want to touch on is about Bungoma Municipal Council. We have now given the money to the Ministry of Local Government, like other Government Ministries, but the problem that we have, particularly in Bungoma Municipal Council, is that the Town Clerk of this Council has crippled the services of that municipality. I have taken the trouble to see the Minister and the Permanent Secretary over the mismanagement of the Council and up to date nothing, whatsoever, has happened to the Town Clerk who has been there for ten years. He went as far as even stealing the money from the Council. I even gave the cheques to the Permanent Secretary to prove that he stole the money but the Government is adamant as regards taking legal action against this particular Clerk to Bungoma Municipal Council.

Mr. Deputy Speaker, Sir, as we speak today, telephone lines were disconnected far back in June 1995 and they have never been re-connected at all simply because the Council cannot pay telephone bills. Water was disconnected in September 1995. Today there is no water in the Council and yet wananchi keep on paying rates and even Services Charge. We fail to understand why the Government cannot take action against this particular officer. Why is the Government protecting this man when in actual fact he has stolen money and even the cheques were given to the Ministry?

Mr. Deputy Speaker, Sir, on the side of the Ministry of Agriculture, Livestock Development and Marketing, the Minister should try to find all possible ways of raising sugar-cane prices. We have seen that the price of sugar has gone up and yet the price of sugar-cane has static for the last two to three years. It is high time the Government looked into raising the prices of sugar-cane in order to help the sugar-cane farmers in the region.

Mr. Deputy Speaker, Sir, during last year's Budget, the Minister for Finance did promise this House that the pensioners will be able to get their increments but these pensioners have become prisoners instead of pensioners because they have no way of living comfortably like other people. So this time, I hope, the Minister for Finance will be serious and make sure that pensioners do get their increments as promised during last year's Budget.

Mr. Deputy Speaker, Sir, it is high time the Government decentralised the payments of National Social Security Fund (NSSF) dues to district level. I do not see why the Government fails to implement this issue of making sure that retirees do get their dues at the district level rather than travelling all the way from their home districts to Nairobi to claim NSSF dues.

Considering that somebody is staying in Mandera and maybe he is claiming only Kshs40,000 from NSSF, the fare alone from Mandera to Nairobi and back may be much more than the amount of money that he is going to claim from NSSF. But if this payment was decentralised to the district level, it would be very easy for that member to get his dues without difficulties.

The Minister, the other day asked Parliament to approve the Kshs200 million as the Government's contribution to National Youth Development Programme. Whereas we accept the harambee motto, but honestly Kenyans are overburdened with too many taxes in this country. It has become a habit; even in your office, you have so many cards inviting you to harambees. So, you do not know whether you are employed to contribute to harambee or to come and contribute effectively in this House. So, you find that asking too much from the Kenyans is just like asking a patient with HIV virus to contribute blood to a normal person. Enough is enough! We should find ways and means of making sure that the Government reduces this element of harambees, at least, to churches and medical bills and not for development.

*[Mr. Deputy Speaker left the Chair]*

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

On the office of the Attorney-General, we fail to understand why the AG bends the law so much against the Opposition. We are not enemies of the KANU Government, but it is just an element for checks and balances. A Member of Parliament on the KANU side is equal to a Member of Parliament of the Opposition side, and they should accept the Opposition in this country. Even in Heaven, God has an opposition, that is why the devil is there. Otherwise, if God was so powerful, He would have removed that devil. I do not know why the AG or the KANU Members of Parliament are so allergic to Members of Parliament in the Opposition. Even when you go to various Ministries, when an officer hears that you are a Member of Parliament from the Opposition side, he is not prepared to listen to you. A good example is the head office of the Kenya and Lighting Company, here in Nairobi. Once you ring and say that you want to see Mr. Gichuru, the managing Director, it will be very difficult to talk to him once they know that you are an Opposition MP. It is as if you are a hyena. For how long are we going to be afraid of each other? Even the Attorney-General, last year, was asked by hon. George Anyona, to find out why the KANU party has not dropped the title of party President and party Vice-President. To-date, they are still using those titles yet other political parties have been told not to. Therefore, it is high time that other parties started using those same titles; "President and Vice-President". Because we are at par as far as political parties are concerned. Even before God, there is no question of manslaughter; murder is murder!

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

**Mr. Sifuna:** I have not finished Mr. Temporary Deputy Speaker, Sir. Can you give me five minutes so that I can give my piece of mind. It is not yet time!

**The Temporary Deputy Speaker** (Mr. Wetangula): Time up, Sifuna! Your time is over. Hon. Awori.

**The Assistant Minister, Office of the President** (Mr. Awori): The responsibility that all leaders have, both legislators and others, is only one and that is to enhance the quality of the lives of the citizens. Hence we in Parliament must ensure that services are given to wananchi in all respects. To do that, we do require a vibrant economy and investments in this country. To enable investments to come to this country we need to create an enabling environment. The enabling environment has to be in several categories. First, there has to be political stability in the country. In spite of the fact that there is a fractious Opposition in this country, we still have got political stability. Now we do require to create an enabling environment on the economic side and that requires planning for economic development. To do so, we must have a proper infrastructure in this country. It is necessary that the Ministry of Planning and National Development works very closely with the Ministry of Finance when a Budget is being prepared. The infrastructure that is very necessary, is for instance, road network.

The road network has got to be planned countrywide. To date we have planned for roads in a piecemeal manner looking at different areas in the country. We do require a road network plan for the whole country, to ensure that every part of the country has got good and quality roads. We do need a good road from the Coast right up to the border of Kenya and Uganda, from North right up to South and from every area. These roads have got to be properly paved, we have to find good contractors to build roads that will last long. The roads have got to be planned in the cities as well, Nairobi, Mombasa and other towns. We need a good railway system. It is a shame that the railway system that was built nearly 100 years ago has not been improved at all. Today we should be having more than four or five lines, instead of having the one line that we have from Mombasa to Kisumu and other areas. We know that using the railway is cheaper in conveying goods than using the roads. This should help improve our economic wellbeing.

Water is very important. For a long time, we have discussed, on and off, the question of using Lake Victoria as a source of water, pumping it to the highest point in the country and allowing it to gravitate to the various parts of this country. We must take a firm decision to implement this decision which we have arrived at on and off long before Independence. It is rather disappointing that even today when we pick up a newspaper we find that even in the cities there are people now who have to carry water on their heads and even diplomats have to use their cars to go and collect water for their houses. There is no reason at all why this should be.

On energy, I would like to say that energy plays a major role in the development of infrastructure. We do require much more electricity than we have at the moment. If we have to have a good transit system, we must be sure of our electricity which does not blackout from time to time. We need telecommunication to cover the whole area so that any investor visiting this county can communicate with his home office at any time without any

difficulties at all. With infrastructure in place, we should be able to attract, not just local investment, but overseas investments as well. Becoming a little parochial, I am talking about my own district of Busia. It is absolutely essential that the Government ensures that there is one large Government project in every district, and in my district, I am calling upon the Ministry for Finance to help the Ministry of Public Works and Housing to tarmac Road C30 which covers three districts. It covers the district of Kakamega, Busia and ends up in the district of Siaya. This should help the economic growth of our area and will stimulate the fishing industry. We know right now that the amount of fish that is being exported, only a part comes from the Coast but the bulk comes from Lake Victoria and from our part of the world. If the road C30 was to be tarmacked, it would help enlarge the industry of fishing. Finally, when we improve the road network in Busia, particularly Road C30, we will be enhancing tourism in our area. At present, the tourism which goes a great deal to Mombasa is reduced. We find that Mombasa is saturated because of the difficulties of water, telecommunications and as a result of this, a lot of tourists are now beginning to give up coming to this country if the only offer is Mombasa. We do believe that Lake Victoria offers a very good area for tourism.

With those few remarks, I beg to support.

**The Assistant Minister for Foreign Affairs and International Co-operation (Dr. Manduku):** Thank you Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to also contribute on this important Motion; the Budget for 1996/97. I should congratulate the Minister for Finance for putting forward a fairly balanced Budget which is geared towards the economic development of this nation. I would wish that as he has proposed in this Budget, it should go a long way into the areas where it is meant to develop, particularly the rural areas.

When we look at the petroleum levy, we have hope that this money will go towards improving our roads in the rural areas and mainly those areas that are agriculturally productive. What I mean is that, agriculture is one of the major sources of foreign exchange earning for this country. Kenya only depends on agriculture mainly to get foreign exchange. So this money should be used in the development of agriculture. In Kisii for example, we are known for growing a variety of agricultural products; coffee, tea, pyrethrum, maize product, bananas and the rest and we are blessed that we have plenty of rain which enables us to grow most of these products, but in turn the rains destroy all our roads. Therefore, I will ask the Minister for Public Works and Housing to look into these roads so that our products from our farms are transported into the markets.

There is a major problem of roads in Kisii. I should say that in our Seventh Parliament, Kisii has not been properly looked into on the maintenance and building of roads because from time to time, Members of Parliament from Kisii and Nyamira have requested these roads to be improved and we are not going to be tired of doing this. We are going to request the Government to look into the Kisii-Chemosit-Nairobi Road. We have been talking about this road all the time. Recently, the Minister for Public Works and Housing visited Kisii and said that in July, they were going to repair that road and that money had even been set aside for that purpose, but when we looked at the Budget, we only saw that K£300,000 had been set for that road. That is an equivalent of Kshs6 million. One wonders whether this money will be enough to tarmac a road of about 600 kilometres. I do not know whether this is a reality. We are saying that we think that there is no concern for the Kisii people. We are asking the Minister for Finance to look into this road. Many people have promised to look into it, for example, His Excellency the President, visited Kisii the other year and said that the road would be tarmacked. Our people are hoping to see it tarmacked, but a sum of K£300,000 might not be enough to do this work. That is the money that might be required to clear bushes only. So we are asking that they look into this problem because it is a real problem. Of course, many other roads have been put forward for consideration, but when we look at the Budget, we see that no money has been allocated for them.

Let me also talk about the health situation in Kisii. Kisii people have been neglected in terms of health services. The only hospital in Kisii is Kisii District Hospital and it was built very many years ago, before Independence. This hospital has not been expanded yet the population of Kisii is rising at a very enormous rate.

We are now nearly 2 million people depending on a hospital with a bed capacity of 200. This is unrealistic! As a medical doctor, I find it amazing. Recently, there was a terrible outbreak of malaria in Kisii. I went to the Kisii District Hospital over the weekend and I was amazed by what I found out. There were four people sharing a bed and four others under the bed and all of them were critically ill. Even if we had enough staff to look after these patients, it is not possible because the bed capacity is not there. Our health centres are all "dead". They are not there and we cannot come here and pretend that we are given services. This is because if you look at the statistics about the mortality rate in Kisii for children between one and five years old, you will find that the mortality rate in Kisii out of every 1000 children born, 109 die. Whereas places like Nyeri, it is only 37 children that die. Let us look at other parts of Nyanza Province. Let us look at what they call the "Luo Nyanza", but I do not think that language is right. Let us talk about Kisumu, Siaya, Homa Bay and the rest. Their mortality rate is

213 children per 1000. Throughout Nyanza Province, there are no medical facilities.

I should thank the President for going to Pumwani Maternity Hospital. I would ask him also, when he tours Nyanza, at least to visit the New Nyanza General Hospital, and look at what is happening there. Maybe, he will also order that the New Nyanza General Hospital to be renovated, so that in Nyanza Province, we will have a referral hospital, where we can send critically ill patients and where we will be sure that the services will be properly given. It is terrible. We have now stopped talking about those deaths. When we come here, we ask the Minister for Health about it, and he says: "No, we have to dispatch a team". How long are we going to dispatch a team to go there when there is a crisis? Why do we not have a programme for those people?

Recently, the National Population Council put up a hospital at Kisumu. Its construction was completed 1991. Such hospitals were put elsewhere in the country. There was one put in Kajiado. The Kajiado one was damaged after completion. But it has been repaired and opened and medical facilities and equipment have been put there. I have been talking about Kisumu year-in-year-out for the whole period I have been here. But every time, I have been told that equipment have been ordered and they are in high seas. I do not know how long they will be in the high seas before arriving in Mombasa. I think that things are just being taken for granted.

The other day, people were complaining, or asking in this House, why the Kisii Members of Parliament are making noise and fighting among themselves. We are not fighting among ourselves. The Kisii Members of Parliament are united. The only problem that we have got is that we are fighting among ourselves because we see that we are not having any services from anybody and so we should make noise. It is like when you are at home and you find a mother beating up her children, but what she does is not hating the children, but she wants the husband to pay attention to what is happening.

So, the Kisii Members of Parliament want the Government to pay attention to us. The Kisii Members of Parliament are fighting because we want the Government to pay attention. By paying attention, we want services provided.

With those few remarks, I thank you, Mr. Temporary Deputy Speaker, Sir, for having given me the opportunity.

**Bishop Njeru:** On a point of order, Mr. Temporary Deputy Speaker, Sir.

**The Temporary Deputy Speaker** (Mr. Wetangula): But you have already spoken on this Motion!

**Bishop Njeru:** Mr. Temporary Deputy Speaker, Sir, what I want to ask from the Chair is this: I was sent by all the Opposition Members of Parliament today, to say that they are very serious about the question of changing the Constitution. Therefore, they sent me to speak on their behalf. So, when you give a chance to the KANU side, you should also give a chance to the Opposition side.

That is all that I am asking. I know I have already contributed to this Motion.

**The Temporary Deputy Speaker** (Mr. Wetangula): Under what Standing Order do you want to speak on their behalf?

**Bishop Njeru:** Mr. Temporary Deputy Speaker, Sir, under such circumstances---

**The Temporary Deputy Speaker** (Mr. Wetangula): Under what Standing Orders? We are governed by the Standing Orders.

**Bishop Njeru:** Mr. Temporary Deputy Speaker, Sir, when there are no other hon. Members on this side of the House, I should be allowed to speak.

**The Temporary Deputy Speaker** (Mr. Wetangula): Order, Bishop Njeru! With a light touch, Bishop Njeru, there is no representative capacity here. It is you and yourself. You do not represent any other hon. Member on the Floor of this House.

**Bishop Njeru:** Mr. Temporary Deputy Speaker, Sir, according to the history of this House, the whole Floor on the Opposition side, as you see, has never been this way. Therefore, I am requesting you through the Chair, to allow me only ten minutes, so that I may be able to ascertain that I was here throughout the day. I cannot sit here while you are only giving chances to the KANU side, and yet I am here. What does the Standing Orders say about a situation whereby there are no Opposition Members in this side of the House except one?

**The Temporary Deputy Speaker** (Mr. Wetangula): Your conduct is bordering on nuisance. Carry on. hon. Rai.

**Mr. Rai:** Bw. Naibu Spika wa Muda, ningetaka kuchukua nafasi hii nikushukuru kwa kunipa nafasi hii, ili nipate kutoa maoni yangu.

Ni kawaida kwamba, kila mahali panapowema, lazima wendawazimu waweko. Tukizungumzia Bajeti, kufikia wakati huu, nataka kujaribu kuweka mfano huu kwamba, ni sawasawa na mama ambaye alikosa unga akaweka sufuria na mawe ndani, na akatia maji, na akawadanganya watoto wake kuwa chakula kinaendelea kuiva. Lakini, mawe hayawezi kuwa chakula. Huu mfano unafaa Bajeti hii ya mwaka huu.

Inapofika wakati wa kupandisha bei ya petroli, tulijua dhahiri kwamba yule raia wa kawaida ndiye atakayetezeka. Hii ni kwa sababu, pengine wewe na mimi tuko na fixed deposit accounts na tuna CD ambazo zinaleta interest pamoja na savings account, lakini yule raia wa kawaida, ambaye tikiti yake ya kupanda gari kutoka hapa mpaka Dagoretti imepanda mara mbili, na hana kitu chochote na anastahili kuishi katika nchi ataumia.

Lazima tuambiane ukweli kwamba, hadi kufikia wakati huu, ikiwa Bajeti itaendelea kuwa hivi, raia wataanza kupiga kelele barabarani wakiuliza Serikali hii imewaweka wapi. Lakini hayo ni baadhi ya maneno ambayo lazima tuyaweke maanani.

Bw. Naibu Spika wa Muda, tunapokuwa tunazungumzia habari ya bajeti, ni lazima kwanza tuangalie priorities za DDC ni nini. Lazima tujue ni njia gani itatumiwa kutenga pesa hizi ili zisaidie mradi huu na ule. Tunatatizika sana tunapojaribu kufanya hivyo. Lazima tuulize Wizara ya Fedha inatumia mpango gani. Hii ni Bajeti ya nne kutoka niingie katika Bunge hili na siyo hao walipata priority gani kutoka kwa DDC ya Kwale ikionyesha kile Kwale ilitaka mwaka wa 1993, 1994 na 1995.

Tunapitisha miradi na kuleta mambo haya Nairobi. Lakini imefika wakati ambapo unaambiwa Serikali haina pesa, mpaka Bajeti isomwe. Sasa tumesomewa Bajeti lakini baada ya wiki mbili, Mawaziri watakuja hapa wakisema miradi itatekelezwa wakati pesa zitakapopatikana. Sasa, tunapitisha mawe hapa sasa. Lazima tuambiwe ukweli. Kama tuna lengo la kutaka kuwasaidia wananchi, basi, ni lazima pia tuambiwe kwamba katika Wilaya ya Kwale, tumewasaidia wananchi kwa mradi fulani, na wamepata hiki. Tukiendelea kuishi namna hii, itakuwa ni kazi ngumu. Watu wanaoishi katika sehemu za Kwale, hasa sehemu ya Kivuko cha Ferry kule Mombasa. Ferry hiyo inategemea Halmashauri ya Bandari ya Kilindini, kupata msaada wa pesa mara kwa mara. Ferry inavukisha watu lakini haitozi ushuru. Inatoza ushuru kwa magari peke yake. Kwa sababu raia wanaopita pale hawalipi, Serikali lazima itenge kiasi fulani cha pesa kila mwaka kusaidia Shirika la Kenya Ferry Services. Hivi tunavyozungumza, Ferry zote ni mbovu kule Likoni. Tunasubiri mpaka Ferry ididimie bahari ndiyo tuanze kuhesabu hasara. Wakati wote, watu wa Kenya Ferry Services wanaomba pesa kutoka Kenya Ports Authority (KPA). Serikali ingehitajika kutenga kiasi fulani cha pesa ili ihakikishe kwamba usalama wa raia wanaovuka katika sehemu hizi ni salama. Tunaposubiri mpaka tuambiwe Ferry imebeba watu wengi na wamekufa, na Serikali haitoi chochote ni jambo ambalo linatumiza.

Kwa sababu tunaamini kwamba Bajeti ya Serikali pia inategemea pesa za utalii, watu hupiga mlolongo wakingojea ferry. Tumeuliza Serikali iangalie vile inaweza kutupatia kivuko kingine bila kutumia Ferry. Swala ni kwamba; hakuna pesa, na Serikali inajaribu kuangalia vile itapata pesa.

Sisi watu wa Pwani tuna bahati mbaya. Wakati Mawaziri wanatumia lugha ya kusema kwamba: "We are looking for a donor", tutampata wapi, hasa sisi watu wa Pwani? Mnaosafiri mkienda kule nje ni nyinyi. Miaka 34 imepita tangu tupate Uhuru na hakujakuwa na Waziri wa Fedha kutoka Pwani, ambaye angeenda nje na kusema: "Tupeni hiki lakini tumieni hiki kusaidia kule Pwani". Hayo ndio mambo ambayo ni lazima tuyaangalie. Hii ni kwa sababu utafika wakati ambapo lile ferry litaingia baharini na litachukua siku tatu kuliokoa.

Bw. Naibu Spika wa Muda, sisi watu wa Pwani tulipewa shirika la maendeleo linaloitwa "Coast Development Authority (CDA)". Shirika hili linajihusisha sana na mambo ya maji; linajaribu kuwasaidia watu. Hivi sasa tunazungumzia Bajeti na ningetaka kujua CDA limetengewa kiasi gani cha pesa ili liweze kuingia na kuzisaidia zile sehemu kame. Hakuna kiasi chochote cha pesa kilichotengwa! Tunatatizika kwa sababu wakati wa kiangazi na silanga zetu hujaa mchanga ambao hauwezi kufukuliwa. Wakati kama huu watu wa bara wanategemea maji ya mfereji lakini watu wa Pwani hawana kitu cha kutegemea. Ni lazima tuwe na mipango mizuri ya kuwasaidia wanachi wa sehemu hizi wakati wa kiangazi. Inafaa silanga zao ziwe na maji hata wakati wa kiangazi.

Kuhusu afya, kwa kipindi cha karibu miaka mitano zahanati ya Samburu haina gari. Kwa zaidi ya miaka 10 hospitali ya Kinango haina mortuary. Hii ina maana kwamba mtu akifa leo ni lazima azikwe leo leo. Hii ni kwa sababu chumba cha kuhifadhia maiti hakina barafu. Kila wakati ninapouliza kuhusu jambo hili naambiwa kwamba Wizara ya Ujenzi na Nyumba itapopata pesa, itaenda kukirebisha chumba hicho. Sasa tunazungumzia Bajeti ya Serikali na lazima tuanze kukumbukwa katika mambo kama haya kwa sababu sisi ni watu kama wengine.

Ni kweli Serikali ilianzisha mradi wa kutoa maziwa mashuleni, lakini maziwa haya hayafiki katika sehemu nyingine kwa sababu hakuna barabara. Kwa hivyo, ni afadhali kutuondoa kutoka katika mradi huu na kutuweka katika mradi mwingine ili wananchi wafaidike. Hii ni bora kuliko kusema kwamba maziwa yanatolewa kwa mashule, na hali maziwa hayo hayafiki katika mashule. Ukimuuliza afisa anayehusika atakwambia: "Ni kweli kwamba nataka kupeleka maziwa katika mashule lakini hakuna barabara. Nitayabeba

maziwa hayo kichwani?" Ingekuwa bora kama waalimu wanaoishi katika sehemu kama hizo wangelipwa hardship allowance ili wawe na motisha wa kuwawezesha kuendelea kufanya kazi kule.

Watu wa sehemu yangu wanategemea kilimo. Tunapopata mazao yetu sisi huhitaji kuyapeleka sokoni ili tujipatie pesa za kuwasaidia watoto wetu kupata elimu. Sasa tuna shida kwa sababu barabara zimeharibika. Hapa zimetengwa pesa za kutengeneza barabara, lakini tutakapouliza kwamba barabara zitengenezwe tutakuwa tukiambiwa barabara hizo zitategenezwa pesa zitakapopatikana. Wakati fulani Mtukufu Rais alipoizuru Wilaya ya Kwale aliidhinisha kwamba barabara ya kutoka Kwale kwenda Kinango itiwe lami. Sasa ni zaidi ya miaka sita na jambo hili halijafanyika! Ikiwa Wizara haiwezi kumtii Rais ni nani atakayemtii? Ni lazima tuingilie mambo kama haya na kuona kwamba watu wa Kwale, Kilifi, Mombasa na Nyeri wanapata wanachotaka.

Kila siku tunazungumza kuhusu usalama kwa sababu ya shida tulizo nazo. Sisi wenyewe tunajenga vituo vya polisi, na wakati umefika ambapo jeshi la polisi lingetiwa motisha. Ukiambiwa uende ukaishi katika zile nyumba wanapoishi maafisa wa polisi, hutakubali. Hata kama umekufa unaweza kufufuka ukiingia katika nyumba hizo. Hii ni kwa sababu nyumba hizi ni sawa na mortuary. Maafisa wa polisi wanaishi kama wagonjwa walio hospitalini. Maafisa hao wakitoka katika nyumba hizi huwa wamerukwa na akili. Kwa sababu hii wanapokutana na mwananchi, awe na kosa au la, ni lazima wakati mwingine wamuimize kwa sababu ya vile mioyo yao inavyotezeka.

Bw. Naibu Spika wa Muda, wakati mwingine ni lazima tutafute njia za kuwasaidia wananchi wanaposema kwamba hawana chakula. Hii ni kwa sababu kuna sehemu nyingine ambako bila ya kusaidiwa kwa njia kama hii maisha yatakuwa magumu. Wakati huu Bajeti imesomwa na wananchi wanasikiliza viongozi wanachosema kuhusiana na Bajeti nayo. Wakati utafika ambapo hakutakuwa na Mbunge au Waziri. Inafaa tujitayarisha tukijua kwamba mwaka wa 1997 umefika.

Kwa hayo machache, naunga mkono.

**The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Ligale):**

Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to the debate on the Budget which was delivered here by the Minister for Finance. In the outset, I would like to congratulate the Minister for the way in which he has strived over the last three years to bring back credibility to this country. It is remembered that when the Minister inherited that portfolio, our image was at a very low ebb in the international arena. The donor community had more or less branded us a pariah nation, and we were under siege. The Minister has, under the guidance of the President, been able to guide us back into acceptability internationally. He has brought about credibility to this country, and I think he should be congratulated.

Obviously the last two years have been rather difficult ones, and he was the first to admit it. But now we can see some light at the end of the tunnel. The fact that last year we had a growth rate of 4.9 per cent, as compared to 4 per cent in the previous year, is an indication of the brighter future that is coming. The fact that the International Monetary Fund, World Bank and other donors have released significant tranches of funding in the last few days is an indication of the confidence that they are beginning to show in our country and the leadership of this nation.

I think we should congratulate the President for the studious way in which he has gone out there to try and woo investors into this country. He himself has addressed at least three investment conferences abroad. If there is anything that we need very urgently and desperately, it is investment. We need investment to enable us create jobs for our thousands and thousands of young men and women who are leaving schools and universities and are finding it increasingly difficult to get jobs. I have no doubt that these efforts by our President will begin to bear fruit. He went to Malaysia, Brussels and London to address investment conferences, and I have no doubt that this effort is beginning to bear fruit. But while we are endeavouring to woo investors from abroad, we Kenyans should realise that the development of this country can only depend on us. We cannot really on a long-term basis, depend on people from out there. A climate must be set to enable Kenyans to be able to invest in their own country and to save for investments; to save to be able to invest in their own country; to be able to invest in infrastructure, manufacturing and in service industries. That climate at the moment is not too conducive, particularly when you look at the interest rates. Because the major banks in this country are still foreign-owned and they are the ones which seem to control the rate of interests in the market place, they have maintained this at such high levels that any Kenyan who wants to borrow money for development purposes finds it very difficult to actually go out there. Currently, the effective rate of interest in commercial banks is close to 30 per cent. You would have to have an enterprise that within the first five years gives you a rate of return of close to 40 per cent to be able to service those kinds of rates of interest and there are not too many enterprises of that nature. I would like to request the Minister to address himself to this issue of interest rates in our banking sector.

Mr. Temporary Deputy Speaker, Sir, the main thrust of the Minister's Budget Speech when he gave it on this Floor, was the need firstly to alleviate poverty in this country. A lot of our people in the urban sector, in the

rural sector are living in real poverty; abject poverty. You need only to go into our major cities or, even in the rural countryside and small market places, to see how many people are turning into petty trade and so on. It shows that a lot of our Kenyans are really suffering. Although the economy is beginning to pick up, a very large number of Kenyans are really living below the poverty line and something ought to be done to alleviate this poverty. So, the Minister's main thrust that his Budget is supposed to put aside a large percentage of money under the social dimensions is an important element.

Employment is another important aspect and I am glad that the Minister has undertaken to ensure that job creation is a major thrust of his Budget for this year. But the employment can only be created by the private sector and hence, the need for us to create that conducive environment in which both Kenyans and people from abroad can invest to be able to create those jobs. We must make it quite candid that anybody who wants to invest, does not have to go through a rigmarole of so many steps; of so many things that he has to undergo before they can go to invest. We must get into a position where you have a one-stop place, where you can go and you know that all your queries regarding investment will be answered. The Investment Promotion Council is attempting to do that. I know they have written some leaflets and some pamphlets to indicate the steps that one has to go through to be able to invest in this country. But I still think that we can make it even easier for investors to come.

We should try and avoid too much bureaucracy in licensing and all the rest of it because it is not going to induce people to come and invest and to create the jobs that we need.

Mr. Temporary Deputy Speaker, Sir, I would like to address myself to one aspect; one area that I know something about and which is plaguing me. This is the question of Local Government Reform. I know it is an area that was addressed in the Minister's Speech and I know that it is something that we are reading about everyday. You read newspapers and you see statements like the Nairobi City Mayor threatening to strip. It is time these civic leaders began to take their jobs a little more seriously. We can do without the theatrics of the King'oris of this world. Let them get down to work and give service to Kenyans. They should give services to Kenyans who elected them into those offices rather than getting involved in theatrics that we are going through every day. It does not have to take our beloved President to go out there and to launch the cleaning of the City of Nairobi for the councillors to realize that they are supposed to do this job. They should have done this job a long time ago and yet we are allowing the City to sink into filth; to such filth that you cannot go out there and enjoy the good air that we used to enjoy in this City. These things have been happening over the last 10 years. Twenty years ago, Nairobi was a place to behold. You were proud to belong to this City. But it has just deteriorated and it is not just in Nairobi alone. Go to Mombasa, Kisumu, Eldoret and the rest, all those towns have deteriorated to the extent that we now take dirt and filth for granted. Why should Kenyans do this? The Omamo Commission went out there to look at the Local Government to see what can be done to enhance the system of Local Government in this country. I am hoping that, that report will be released soon and that the Government will take action to have it implemented. But, even if we implement it and even if we give local authorities more resources of taxation, for them to get the resources to give services to the people--- We gave them Services Charge, but it has not made a difference at all in their delivery of services to wananchi in the various towns. We must as Kenyans stand up and say: "enough is enough." Either we have a Local Government system that works or we scrap it. If it cannot work, if it cannot be able to deliver services to wananchi in the various municipalities in the county councils, in the town councils, then we are deluding ourselves. All we are doing is to keep the councillors there because of grassroots support, because of the political acumen that they have, but in terms of delivery of services, we have really got nothing from them.

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

**Mr. Sajjaad:** Mr. Temporary Deputy Speaker, Sir, the Budget has been a very fair Budget. It is a Budget which is geared to economic development of this country which should in the long run benefit all Kenyans.

I would like to dwell on the health facilities. I would like to request especially the Ministry of Health, to register medicines manufactured in Asian and Eastern countries. Because medicines manufactured in European countries are very, very expensive. There is one drug Syndroxine, which, when manufactured in Europe costs 10 times the price of same drug manufactured in India. As long as the specifications and the licences are correct, we should encourage the registration of these medicines.

The other point I would like to mention is this issue of Asians. We have been hit at and even been told that if some people come to power, we will have to leave the country.

**An hon. Member:** No way!

**Mr. Sajjaad:** Why should this be so and yet we are Kenyans like all of them? We were born here, our parents were born here and our grandparents came here. We have invested in this country, we have worked hard, we have toiled and we have reached where we are. They are accusing us of tribalism, what about them?

**An hon. Member:** Matiba especially!

**Mr. Sajjaad:** Look at their enterprises, look at their organizations, they only employ one tribe only. We Asians employ all the tribes, we encourage people, develop ourselves, develop the country and we try to assist in economic development and charitable organizations. So, I do not see why accusing fingers should be pointed at us.

With those few remarks, I beg to support.

**Mr. Manoti:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to the Budget speech.

I cannot say that this was a balanced Budget because when petroleum products are raised, it affects everybody. It means that all the products have to be expensive, and if the products are expensive, then it means the common man has to pay for such products. Therefore, this Budget was not fair for the common man.

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

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

Mr. Temporary Deputy Speaker, Sir, since we came to the Seventh Parliament, and this being the fourth Budget, we have discussed so many issues about the Budget. We have approved money for the Government to give services to wananchi. But if I point out in Kisii district where I come from, in the last four years I have been here, although the Government says that it is going to spend so much money in such and such areas, in Kisii and Nyamira, I can say openly here that the Government has not done anything for us.

There is a road which we have been talking about here in the House, that is Kisii-Chemosit which is very important, and all hon. Members from Kisii and Nyamira districts have talked about it. Sometimes last year, the Minister for Public Works and Housing, Prof. Ng'eno, promised that, that road was going to be tarmacked. He even told this House that Kshs324 million had been set aside for the construction of that road. But, in this year's Budget, 1996/97, that road has only been given only Kshs60 million. What is Kshs60 million for? Is it for mobilising the equipment and machines to the site? Is it for assisting the contractor to go to the site? Three months ago, the Minister himself was in Kisii and Nyamira, he talked about this road. But when they set aside Kshs60 million for this road, it is a mockery to the community. It is high time the Government knew that they are also contributors to the development of this nation. Therefore, if there is any money which is being allocated anywhere, they should also be given their share.

We have a number of rural access roads, but as we are talking now, those roads are impassable because of the rains. We know that in Kisii and Nyamira---

### QUORUM

**Mr. Farah:** On a point of order, Mr. Temporary Deputy Speaker, Sir. We seem to have hon. Members of Parliament or Parliamentarian's apathy in the House similar to the voters' apathy. We do not have quorum.

**The Temporary Deputy Speaker** (Mr. Ndotto): Yes, there is no quorum. Ring the Division Bell.

*(The Division Bell was rung)*

### ADJOURNMENT

**The Temporary Deputy Speaker** (Mr. Ndotto): Order! Hon. Members, I am afraid that we have to interrupt our business now because we cannot make up a quorum. The House is, therefore, adjourned until this afternoon at 2.30 p.m.

The House rose at 12.00 noon