

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 5th October, 1995

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:-

The Report of the Controller and Auditor-General together with the Appropriation accounts, other public accounts and accounts for the funds for the year 1993/94.

Sessional Paper No.2 of 1995, Government Guarantee of a loan between OECF Japan and Kenya Power and Company Limited in accordance with the provision of the Guaranteed Loan Acts, Cap.461 of the Laws of Kenya.

*(By the Assistant Minister for Finance
(Mr. arap Koech) on behalf of the
Minister for Finance)*

ORAL ANSWERS TO QUESTIONS

Mr. Speaker: Mr. Kapten, ask your Question.

Mr. Sifuna: Mr. Speaker, Sir, I beg to give notice of the following Motion---

Mr. Speaker: I have already passed that section.

Mr. Sifuna: But I did not give notice to my Motion.

Mr. Speaker: Order! We are on Question Time. Mr. Kapten, ask your Question.

Question No.658

ARREST OF "FERA" ACTIVITIES

Mr. Speaker: Is Mr. Kapten not here? We will leave the Question until the end. Let us move on to the next Question.

Question No.293

POLICE POST AT MATIOLI

Mr. Speaker: Is Rev. Ommani not here? We will move to the next Question. Mr. Magwaga's Question.

Mr. Magwaga: Despite there being no written answer to my Question I will ask Question No. 649.

Question No.649

LEGALIZATION OF PTAS

Mr. Magwaga asked the Minister for Education:-

(a) what steps the Ministry is taking to legalise Parents Teachers Associations (PTAs) in schools' administration and;

(b) since parents in this country are main financiers of schools' development projects he could consider their representation in District Education Boards in every district throughout the Republic.

The Assistant Minister for Education (Mr. Komora): Mr. Speaker, Sir, I am sure the hon. Member will get his copy of the answer. I beg to reply.

(a) Parents Teachers Associations were formed following a Presidential directive which was conveyed to my Ministry through a general circular issued by the Office of the President dated 29th January, 1979. Consequently, it was decided that teachers should be represented in these associations hence the adoption of the title "Parents Teachers Associations". My Ministry is currently reviewing the Education Act in order to give legal status to these associations.

(b) Parents are automatically represented in the DEBs by virtue of the fact that most of their members are parents. However, my Ministry will make specific provisions for representation of PTAs in DEBs in view of the pivotal role played by these associations in provision of school facilities.

Mr. Magwaga: Mr. Speaker, Sir, in view of the answer given, I would like the Assistant Minister to confirm that in the DEB and in the Board of Governors membership of parents should be higher than the usual membership where we have parents who are paying everything for the school. Can he confirm or deny this?

Mr. Komora: Mr. Speaker, Sir, I have already said that we are reviewing the Education Act with a view of rectifying any anomalies that exist.

Dr. Lwali-Oyondi: Mr. Speaker, Sir, I wish to ask the Assistant Minister why it has taken about ten years, since the PTAs were formed, to legalize them. Why has he not legalized these bodies because they are doing certain things which can be challenged in a court of law?

Mr. Komora: Mr. Speaker, Sir, that is why we are reviewing the Education Act. We are doing that because of the anomalies that exist.

Question No.696

PAYMENT OF WORKMEN'S COMPENSATION

Mr. Ndilinge, on behalf of **Mr. Nzai**, asked the Minister for Labour and Manpower Development why the Manager, Kenya Red Cross Society, P.O. Box 34099, Mombasa, has not compensated Messrs John Majanja Marenja and Stephen Musyoki Makove, who were injured while on duty as ordered by the District Labour Officer, Malindi, vide letters Ref. MLL/00/11 of 31st January, 1993 MOL/00/94 of 7th April, 1995.

The Assistant Minister for Labour and Manpower Development (Mr. Ali): Mr. Speaker, Sir, I beg to reply.

The Kenya Red Cross Society has not refused to compensate the two workers but in accordance with Section 15A of the Workmen's Compensation Act, they have disputed the first assessment in preference to a second doctor's medical assessment of the disabilities.

Mr. Ndilinge: If we can recall, this Question has been brought up by hon. Nzai many times. It appears as if there is foul play involved because any complaint concerning workers should not be taken lightly. These were people who were injured while working for the Red Cross Society. Can the Assistant Minister tell this House when they are going to meet and discuss about the payment of these workers?

Mr. Ali: Mr. Speaker, Sir, the delay has been caused by the two workers namely, Mr. Musyoki and Mr. Marenja who have not reported to the doctor for a second opinion.

Mr. Ndilinge: Mr. Speaker, Sir, it looks as if there is a conspiracy between the Ministry of Labour and Manpower Development and this employer because they could have ordered the Red Cross people to pay these workers. Can the Assistant Minister take the matter seriously and do that. Let him make sure that the Red Cross officials are summoned so that they say when they are going to compensate these two works who were injured while carrying out official duties.

Mr. Ali: Mr. Speaker, Sir, the Ministry takes seriously matters relating to accidents but in this case, as I have already said, the delay has been caused by the two works. So the hon. Member should assist in asking his constituents to report to the medical officer for further assessment.

Mr. Obure: Thank you, for giving me the Floor. Is the Assistant Minister aware that there is a backlog of cases relating to compensation of workers in the Ministry of Labour and Manpower Development which have not been resolved and if so, what is the Ministry doing to resolve them?

Mr. Ali: Mr. Speaker, Sir, I am not aware of any backlog.

Mr. Speaker: Next Question, Mr. Mumba.

Question No.633

EMPLOYMENT IN COAST HOTELS

Mr. Mumba asked the Minister for Tourism and Wildlife:-

- (a) if he is aware that some managers of tourist class hotels at the Coast do not employ indigenous locals in jobs which do not require high qualifications, and;
- (b) if he will direct the management of tourist class hotels at the Coast to ensure that all hotel employees at the level of clerks, waiters, sweepers, cleaners and gardeners are indigenous and recruited from districts in Coast Province.

The Assistant Minister for Tourism and Wildlife (Mr. Kisiero): Mr. Speaker, Sir, I beg to reply.

(a) I am not aware that some managers of tourist class hotels at the Coast do not employ indigenous locals in jobs which do not require high qualifications.

(b) It may not be prudent for me to direct the management of tourist class hotels at the Coast to recruit all employees at the level of clerks, waiters, sweepers, cleaners and gardeners only from districts in the Coast Province as to do so would not only be discriminative, but also against the spirit of our Constitution that encourages all Kenyans to seek employment anywhere within the Republic.

Mr. Mumba: Mr. Speaker, Sir, if the Assistant Minister says he is not aware that many managers of tourist class hotels do not employ indigenous people at the Coast, I want to make him aware. I want to tell him that it is so. Over 70 per cent of that category of employees at the Coast is not from the local districts. Unemployment at the Coast is a time bomb. What measures or steps is the Assistant Minister going to take to ensure that sweepers, cleaners, gardeners, clerks and such category of employees which does not require high qualifications are given first priority in employment other than people from outside the Province?

Mr. Kisiero: Mr. Speaker, Sir, it may be true that some managers may not be employing most of their employees of the classes that the hon. Member has mentioned from the indigenous or local people but, as I have already said, under our laws and our Constitution, the Minister has no powers to direct anyone or any employer to employ certain people from certain areas. However, we know that all managers of the tourist class hotels have to obtain licences under the Hotels and Restaurants Act, Cap. 494. I would appeal to such managers to bear in mind that they should give opportunities to the local or indigenous people. If they do not do so, eventually, local leaders like my friend will always make complaints and the only redress we can make is that when such complaints keep going to the licensing authority, when we are considering licences for such people and if there are really serious adverse reports from the local people, we shall take them into consideration when we give such managers licences.

Mr. Mcharo: Mr. Speaker, Sir, I want to agree fully with hon. Mumba that this is a serious problem at the Coast Province and I would like to request the Minister in charge of tourism that if he cannot direct, then he should advise, particularly, when it comes to the employment of personnel managers in these hotels, that the tourist class hotels employ local people as Personnel Managers so that they can consider employing the local people to perform the menial jobs. Personnel Managers from the local area would assist a great deal in solving this problem.

Mr. Kisiero: Mr. Speaker, Sir, as I have already said, the only class of employees in the hotel industry that the Minister may interfere with or may have some authority in deciding whether they should be employed or not is that of managers. Under our Constitution, the Minister has no power over anybody else, including Personnel Managers. But as I have said, we will be very happy to receive information the way we are receiving from our friend, hon. Mumba, regarding managers who may not be taking into account local problems. We will be able to talk to them privately. However, as I have already said, we have no official power to direct them.

Mr. Achieng'-Oneko: Mr. Speaker, Sir, is the Assistant Minister not misleading this House? This is because, if they are going to discuss this privately, it means that they are bending the Constitution. They are going to discriminate against Kenyans and discourage them from obtaining jobs where they have applied or presented themselves for job selection. Again, in this question, I think the Assistant Minister should have been prudent and said "no" because anything that is done on tribal or grouping consideration is against our Constitution.

Mr. Kisiero: Mr. Speaker, Sir, I have made it very clear, indeed, that we have no power to force managers to employ people from a given place. I was only adding that in case there are real known characters who may not be acceptable to the local people, we do not mind talking to them. However, we have no power, as I have made it very clear.

Mr. Speaker: Next Question, Mr. Njoka Mutani.

Question No.593

VEHICLE FOR HEALTH CENTRE

Mr. Mutani asked the Minister for Health:-

(a) if he is aware that Mpukoni Health Centre has been operating for about one-and-a half years without a vehicle; and,

(b) when he will provide this Health Centre, which is serving a very populated area, with a Land Rover as a matter of priority.

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

(a) I am aware that Mpukoni Health Centre has been operating without a vehicle for over one-and- a half years.

(b) The Ministry will provide a vehicle to this Health Centre when funds are provided by the Treasury. The Ministry of Health has bided for funds, but due to financial constraints, it has not been possible to secure funding for this purpose.

Mr. Mutani: Mr. Speaker, Sir, Mpukoni Health Centre was constructed way back in the fifties before Kenya attained her Independence and it has a maternity wing. It is in the interior of Mwonge Location and very far away from any tarmac road. The roads are impassable when it rains. Is the Assistant Minister aware that when the vehicle was withdrawn from this Health Centre, it inconvenienced the maternity patients with complications who have to be referred to big hospitals?

Mr. Criticos: Yes, Mr. Speaker, I am aware.

Mr. Maore: Mr. Speaker, Sir, since the Assistant Minister has admitted that there used to be a vehicle before one and a half years ago, and since we are aware of the coded words that the Assistant Minister is using, that is, when funds become available, the Member has specifically asked: When is the Assistant Minister going to put it as a priority in his Ministry to ask the Treasury to ask this Parliament for this Vehicle? I am sure funds are not going to come from Heaven; they will come from the allocations that the Minister is going to ask for. When is the Ministry going to ask for an allocation for this vehicle?

Mr. Criticos: Mr. Speaker, Sir, Questions have been put many times concerning ambulances in all our health centres in this nation. However, funds are very limited and most of the funds are used for medical reasons like procuring medicines. Therefore, I cannot assure the hon. Member when this will be done. However, we have three vehicles in Chuka District Hospital which also serve this particular Health Centre.

Mr. Ndicho: Mr. Speaker, Sir, the Ministry of Health is unable to run hospitals, health centres and dispensaries in this country. There is no single hospital which has an ambulance and these other kinds of vehicles. Can I request the Assistant Minister to privatise all the Government hospitals in Kenya and hand them over to the communities so that through the Harambee basis people can buy medicines, vehicles and other medical facilities for themselves? The Government is unable to man the health institutions! Could they be given to communities so that we can get medicines and all other requirements on our own?

Mr. Criticos: Mr. Speaker, Sir, I think only an Act of Parliament can bring that kind of change.

Mr. Ruhiiu: Mr. Speaker, Sir, now that we have established the fact that this Ministry cannot maintain hospitals, clinics and dispensaries, can I ask the Assistant Minister to ensure that his Ministry does not receive money from taxes paid by wananchi so that different districts and provinces can use that money to look after their own hospitals?

Mr. Criticos: Mr. Speaker, Sir, I would like to remind hon. Members in the Opposition that they are the ones who requested that aid be not given to the Government. We could have received ambulances from donors but they are the ones who have been arguing against donor aid.

Mr. Ndicho: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to blame his Ministry's inability to service hospitals and health centres on the Opposition hon. Members? Even if we said that we do not want money from donors we did so because the Government was misappropriating it. If the Government could get the money and buy ambulances for our people that would be okay with us.

Mr. Shikuku: On a point of order, Mr. Speaker, Sir. In both the Recurrent and Development Estimates it is clearly stated that a sum of not less than Kshs1.1 billion from the donors will go to the Ministry of Health. So, is the Assistant Minister in order to mislead the House that the Opposition stopped the flow of donor aid into the country when that aid is contained in the printed Estimates? Can you allow these kinds of untruths to continue in this House?

Mr. Aching-Oneko: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order, Mr. Achieng-Oneko! He must respond first. Would you like to respond, Mr.

Criticos?

Mr. Criticos: Mr. Speaker, Sir, I would like to remind hon. Shikuku that we are talking about ambulances and not medicines or anything else. Now, there has been donations from foreign countries to our Ministry but it is not sufficient to enable us supply every health centre with a new vehicle.

Mr. Achieng-Oneko: Mr. Speaker, Sir, I think the Assistant Minister is still misleading the House. This is because we have an independent Kenya Government which cannot just rely on donations from other countries. We are rich enough to run our own Government! Why should we wait for donors?

(Applause)

Mr. Criticos: Mr. Speaker, Sir, I would not like to go into the implications of that, but we do have a problem in the Ministry of Health due to the increase in our population. Therefore, we are unable to supply sufficient ambulances to health institutions. I agree that the amount given by donors was over Kshs1 billion, but that amount is meant to be apportioned to various areas in the Ministry, including maintenance of vehicles.

*(There were loud consultations between
hon. Ruhiu and hon. Ojode)*

Mr. Ruhiu: On a point of order, Mr. Speaker, Sir. Is hon. Ojode in order to call hon. Criticos "a squatter in Kenya"?

Mr. Speaker: Order! Order! I have on several occasions warned hon. Members against policing against other seated hon. Members. We do not have prefects or policemen on the Floor of the House! Proceed, Mr. Mutani.

Mr. Mutani: Mr. Speaker, Sir, the Assistant Minister has agreed that the withdrawal of this Land Rover is causing a lot of inconvenience to the ladies admitted in that hospital. Now, since there are a lot of vehicles lying in the compounds of other hospitals why does the Assistant Minister not transfer one vehicle from Chuka District Hospital, which has more than five vehicles, to this needy case?

Mr. Criticos: Mr. Speaker, Sir, I will consider that proposal, although one vehicle is currently under repair while another one is currently involved in the activities of the Kenya Expanded Immunisation Programme (KEPI). However, there is one more vehicle and I will talk to the Provincial Medical Officer to see whether what the hon. Member has suggested can be done.

Question No.618

COMPLETION OF HEALTH CENTRE

Mrs. Ndetei asked the Minister for Health:-

(a) whether he is aware that construction work on Mtito Andei Health Centre has stalled since 1990; and,

(b) why the construction work stopped and when the work will resume and the project completed.

The Assistant Minister for health (Mr. Criticos): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that construction work on Mtito Andei Health Centre has stalled since 1990.

(b) The construction work stopped because of inadequate funding in the Development Vote and my Ministry could, therefore, not meet payment for work done in time. However, the project work has been reprogrammed and will be completed in phases. There is a total of K£20,000 budgetary provision for this project during this Financial Year.

Mrs. Ndetei: Mr. Speaker, Sir, while I thank the Assistant Minister for that half-hearted answer, is he aware that this project was started without the approval of the District Development Committee (DDC) and that this contractor has threatened to sue the Government if his contract is going to be contravened since he was not paid? He claims not to have been paid the money he spent on that project. Other than the K£20,000 now allocated, what does the Government owe this contractor? Is the Government going to terminate that contract before the programme is reviewed by another contractor?

Mr. Criticos: Mr. Speaker, Sir, I need your guidance here because I understand that this is a completely different question from the one that has been asked.

Mrs. Ndetei: Mr. Speaker, Sir, this displays the highest level of ignorance on the part of the Assistant Minister! This is precisely the reason why such projects stall.

*(Hon. P.N. Ndwiiga entered the Chamber
dressed in a flowing Nigerian gown)*

(Jeers and applause)

Mr. Ndicho: Mr. Speaker, Sir, we want to seek your guidance because one of our hon. Members, whom we love so much, has entered the Chambers dressed like Shehu Shaghari. Is he in order?

(Laughter)

Mr. Speaker: Order! I think we have had occasions, hon. Members, when the Chair has had to address this House on what is and what is not proper dressing. For purposes of our Standing Orders, very clearly, the way the hon. Ndwiiga is dressed is most improper and, therefore, he is ordered to go out of this Chamber and have himself properly dressed and come back. Mr. Ndwiiga, you must now leave the Chamber.

*(Applause as Mr. Ndwiiga withdraws
from the Chamber)*

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

Mr. Speaker: Order Mr. Mwaura! Order! Will you please take your seat? Mrs. Ndetei!

Mrs. Ndetei: Thank you Mr. Speaker, Sir. Can I now proceed with my question in that, the Assistant Minister is displaying a lot of ignorance because the crux of the matter on why this project stopped was exactly what I am saying. The contractor was not paid originally and that is why the work stopped. When the DDC tried to follow up the matter this contractor threatened to sue the Government. He threatened to sue if his contract was terminated before he was paid his money. I want to know the position. Has this contractor been paid or has he not been paid? If he has not been paid, this answer is a farce and sham and nothing is going to happen. Can you proceed!

Mr. Criticos: Mr. Speaker, Sir, this Question and what the hon. Member is asking are totally different. First of all, we are not aware that the construction company is thinking of suing us. We are not aware of somebody who is thinking of taking legal action against us. Therefore, unless we have already been sued, we are not aware of any such suit.

Mr. Ndilinge: Thank you, Mr. Speaker, Sir. We all know that Kibwezi is malaria infested area. Can the Assistant Minister tell the House whether they have plans to pay this contractor, because from the way he is replying the Questioner, it appears as if his Ministry knows nothing about the project?

Mr. Criticos: Mr. Speaker, Sir, I am not aware that we owe the contractor any money.

Mr. Nthenge: Mr. Speaker, Sir, can the Assistant Minister tell us what he actually knows about the Health Centre? Is it being constructed and why was it stopped and so on?

Mr. Criticos: Mr. Speaker, Sir, I would like to thank the hon. Member for asking me this question. The project was supposed to take KShs.12,690,000. The funds which were given and paid were 66 per cent of the project which amounts to a balance of KShs.8 million. This is what we are aware of. We know the project included out-patient department, maternity wards, staff houses and external works. Therefore, in good faith, we have put it in our Budget and, we are going to complete this project. It is in our Printed Estimates and we are going to do it in phases because the Ministry wants the people of that area to get the benefit.

Mr. Nyagah: Mr. Speaker, Sir, in the past this particular Ministry has given false promises to the Opposition. The Assistant Minister has promised this House that K£20,000 will be given towards this project and that it is going to be done in phases. Now that he seems to be very aware of what is required, can the Assistant Minister inform this House as to how much this particular institution is going to cost and, how much they are going to allocate to every stage of development and when is it expected to get completed, bearing in mind that this health centre is situated in a very important cross-road between Nairobi and Mombasa where many road accidents happen?

Mr. Criticos: Mr. Speaker, Sir, with the funds which are available it will take approximately four years to complete this stages. The amount of money which has been allocated is about K£20,000. For the current Financial Year, it is about KShs.400,000. The total project, as I had said earlier on will cost KShs.12.6 million of which 66 percent has been paid so far.

Mr. Speaker: Next Question, Mr. Mak'Onyango!

Question No.671

PAYMENT OF EXAMS FEES

Mr. Mak'Onyango asked the Minister for Research, Technical Training and Technology:-

- (a) whether he is aware that students at the Kenya Polytechnic are required to pay colossal sums for examination fees at a very short notice;
- (b) why the students are not given adequate notice and what he is doing to reduce the amount required to manageable levels; and
- (c) how the fee paid by the students is utilised.

The Minister for Research, Technical Training and Technology (Dr. Onyonka): Mr. Speaker Sir, I beg to reply:-

(a) Yes, I am aware that students at the Kenya Polytechnic are required to pay substantial sums in examination fees to various examination bodies.

(b) The students, in view of this, are given adequate notice normally. My Ministry has prepared a Cabinet Paper requesting the Government to subsidise the cost of administering examinations. If the request is approved the fees payable by students will be low and manageable.

(c) The examination fee paid is used to off-set the production moderation, administration and the marking costs of these examinations.

Mr. Mak'Onyango: Mr. Speaker, Sir, while appreciating part "a" of the answer, in part "b" the Minister says that the students are given adequate time or notice. Can the Minister tell this House what, in his view, is adequate notice in so far as time is concerned? is it a day, year or what?

Dr. Onyonka: Mr. Speaker, Sir, the notices vary depending on the exam because there are several examining bodies and in some of the instances the students have to do the booking themselves directly with examining bodies. But there are also some which, of course, are administered locally. My own view is that, we know that with respect to some of the examining bodies, the necessary information is provided fairly early, sometimes even a year in advance; in others a term or two in advance. We have had occasions when students have been informed within just one term which sometimes is quite difficult for parents to raise the money.

Mr. Nthenge: Mr. Speaker, Sir, will the Minister then take the trouble to make sure that these kind of short notices are not repeated because not every parent or student can afford to collect and have enough money within such short notices? The Ministry should therefore intervene so as to avoid such situations.

Dr. Onyonka: Mr. Speaker, Sir, that is a very reasonable request from the hon. Member.

Dr. Kituyi: Mr. Speaker, Sir, appreciating the Minister's concern that a mere term is a very short period indeed for notice of payment for the exams, how does he justify the case where students at the Kenya Polytechnic were given a notice of 24 days to raise examination fees of Kshs.8,820; a letter dated 6th of June and a deadline of 30th of June, 1995?

Dr. Onyonka: Well, Mr. Speaker, Sir, it is a fact that some of the parents will find that a rather short period within which to raise that sort of money given the income per capita of this country. I do hope that we will not have that sort of thing in future.

Dr. Lwali-Oyondi: May I ask the Minister whether he has scrutinised this fee, for example, Kshs8,000 for a given paper, to see if this fee is fair or is somebody syphoning something?

Dr. Onyonka: The fees charged by and large is commensurate with the work involved in actually setting and marking the papers relating to these exams.

Mr. Mak'Onyango: Could the Minister tell this House how he proposes to resolve this matter because as already shown in this form, we have a case in which the parent is required to pay actually not Kshs8,000 but Kshs9,420 within a period of merely 24 days. Could the Minister take appropriate steps to ensure that in future all students are given indeed, around two terms or one year? Otherwise, this is one way by which the Government is destroying many of the students because there is no way many parents are going to be able to raise this money, hence the students end up missing their exams.

Dr. Onyonka: Mr. Speaker, Sir, I wish to reassure this House that I will take seriously the points raised in connection with this exam fees. I would like the House to rest assured that the appropriate action will be taken.

Mr. Speaker: Next Question, Mr. Ruhii.

Question No.484

OVER-CROWDING IN JAILS

Mr. Ruhiu asked the Attorney-General whether he can introduce amendments to the law to provide alternative sentences for petty crime offenders other than custodial sentences in order to alleviate the problem of over-crowding in our jails.

The Attorney-General (Mr. Wako): Mr. Speaker, Sir, I beg to reply. There are a number of non-custodial sentences provided for under our laws such as fine forfeiture, payment of compensations, suspended sentence, extra-mural punishments, employment, probation and security to keep peace and be of good behaviour. Sentencing of offenders is at the discretion of the presiding judge or magistrate to whom I strongly appeal to make use of non-custodial sentences in appropriate cases to alleviate the problem of over-crowding in our jails. I support the circular of the hon. Chief Justice CJ.18/A of 8th November, 1993 where he appealed to magistrates to make better use of non-custodial sentences in petty crime cases. In addition, the task force on penal laws and procedures chaired by (Rtd) Justice Lutta is considering ways of widening the scope of non-custodial sentences and how they can be effectively implemented. The recommendations would, where appropriate, be both of a legal nature and of an administrative nature and where they are of a legal nature, they will be implemented by enactment.

Mr. Ruhiu: Mr. Speaker, I think it is common knowledge in this country that our jails are over-crowded. At the same time they are, unsanitary, unhygienic, disease ridden of all types; HIV/AIDS, Tuberculosis, Scabies, Beriberi and we are aware that this is happening because of over-crowding. I should have thought the Attorney General was going to answer my Question which he has not done. My Question was why he cannot bring a bit of legislation or draft legislation in this House for debate and eventual ratification or sanction. I should have thought that what the Attorney General should have told this House is that people who commit petty offenses which we hear of like chang'aa brewing, lack of hawker's licences, lack of Identity Cards should be sentenced or committed to what I described as community service. That, they should be able to look after our environment, sweep the streets, sweep the Attorney General's office and relieve your messenger and sweep the offices of your staff---

Mr. Speaker: Very well for that lecture. Can we hear the question now?

Mr. Ruhiu: Can the Attorney General tell this House why he has said in his answer that presiding judges and magistrates are working on appeals? I thought magistrates in this country and judges pass sentences based on law and not appeals from the Attorney General or the Chief Justice.

Mr. Wako: I have to appeal because the passing of sentences everywhere is within the discretion of the judges and magistrates, obviously within the penalties provided for under our laws. We agree that there is over-crowding in our prisons. The Chief Justice issued a circular to the magistrates telling them that in petty crimes of the nature that the hon. Member has mentioned, they should opt for non-custodial sentences. In a number of areas, that is now being done. For example in Makadara courts, so far this year, 9,050 persons have been given extra-mural punishments employment. The problem has to be two-pronged. One, is to ensure effective implementation of the current laws which provide for non-custodial sentences. The appeal has gone out and I think the magistrates are now beginning to adhere to that appeal. We have encountered some administrative problems in the implementation of extra-mural punishment employment and in fact, I am scheduled to have a meeting in early November all the organs involved in this exercise; extra-mural punishment employment, that is the courts with the Provincial Administration, the prison and so on to see how it can be effectively implemented because sometimes when the court puts somebody on extra-mural punishment employment, there is no work for him to do in the community because they are not organised. So we are looking into these issues. The other point which we are looking into is of course the law itself. As I said, when the amending Bill is ready, it will come to this House for debate.

Mr. Maore: I am following the Question and the answers very carefully and I believe, even the Chair would agree that the Attorney General is deliberately avoiding the answer. He is being asked to introduce amendments to the law. What the Attorney General is saying about Makadara court is not based on law, but on individual magistrate. Can we have it in law, like it is in other developed or civilised societies, of which I believe we are a part of; a clear guideline on the rehabilitation, the community service and its implementation. It is something very clear and I do not know why the Attorney General is avoiding answering something he very well knows because I am sure he is aware of what the Question is talking about.

Mr. Wako: Mr. Speaker, Sir, what we are going to do in this House is to amend the Act as appropriate. Let me remind this House that the Government did, in fact, carry out two amendments; one in 1991 and the other one in 1992 to widen the scope of the extra tribunal. The aim was to widen the scope so that it could be used effectively and to some extent reduce the over-crowding in prisons. Now, it is in the implementation of that law where I said that there were some administrative problems which are now being addressed.

Mr. Shikuku: Mr. Speaker, Sir, arising from the Attorney-General's reply-- I was listening attentively probably to hear something about the delivery of justice in the shortest possible time period. He did not touch that. Would the Attorney-General not agree with me that apart from these petty criminals; there are many more people in prisons who have not had justice meted to them? The time has come when we should have what we call 24-hours service by the judges so that we can get rid of all these people who are still languishing and dying in these over-crowded prisons.

Mr. Wako: Mr. Speaker, Sir, the issue of expeditious disposal of criminal cases is being addressed, but the Question was confined to over-crowding as relates to non-custodial sentences and that is what I was supposed to answer.

Dr. Ombaka: Mr. Speaker, Sir, the reasons for over-crowding in our prisons are several; one of them that is being addressed by the Attorney-General is the imposition of non-custodian sentences. The other one is, of course, inadequacy of prisons facilities since there has been no expansion of those facilities for many years. Will the Attorney-General consider privatising some of those institutions because the private sector can more effectively provide those services?

Mr. Wako: Mr. Speaker, Sir, I do agree that the reasons for over-crowding in prisons are numerous. Part of them, of course, are facility, expeditious disposal of cases and many other causes. However, the Question was confined to this one cause - the non-custodial sentences as a method of contributing towards the alleviation of over-crowded prisons.

The issue of privatisation of prisons is a matter that has to be considered very carefully, because I am also aware that in some countries where this has been adopted they are having a second thought. They want them to be public institutions. So it is a matter to be considered, but to be given very careful considerations.

Mrs. Ndeti: Mr. Speaker, Sir, in a simple society like ours, one of the most damaging things for our society to deal with is having a corrupt police, a corrupt judge and a corrupt jailer. It looks like that is the case here in this country. The police force has turned to be very corrupt because judges have delayed cases where people have been put into custody for failing to produce somebody to sign a bail for them. And judges have demanded very high bail to "very small crime offenders." Sometimes they have asked for a sum to the tune of Kshs.2 million from somebody who has been convicted on a petty crime. Can the Attorney-General prevail in a way or at least advise the Government on this so that the amounts of bail given to many of these people already crowding in custody can be reduced reasonably so that they can get other people to sign bail for them so that they can be attending court proceedings while out on bail.

Mr. Wako: Mr. Speaker, Sir, I think the hon. Member has made a valid point that bail must be reasonable, and that of course, has to be determined by the courts themselves. It is true, of course, because of that and delay in the hearing of cases that has also caused over-crowding in the prisons. I am glad to inform this House that as far as this issue is concerned, my office in conjunction with the Ministry of Home Affairs and National Heritage and Judiciary and so on are undertaking an exercise to find out how many of these people particularly in remand prison who are waiting trials have waited for the trial for so long that it is not worthwhile for the case to proceed taking into account the seriousness with which the person was charged. That exercise is going on in Nairobi today and next week we will go to Coast Province and Eastern Province, and thereafter, to Nyanza and Western Provinces and ending up in Rift Valley Province.

Mr. Speaker: For the second time, Mr. Kapten's Question. Are you acting for Mr. Kapten?

Question No.658

ARREST OF "FERA" ACTIVISTS

Dr. Kituyi: Mr. Speaker, on behalf of--

Mr. Speaker: I am sorry, Dr. Kituyi. We do not have the time. I will defer that Question.

(Question deferred)

Question No.298

POLICE POST AT MATIOLI

Rev. Omani, I will similarly defer your Question to some other time. Next Order!

(Question deferred)

COMMITTEE OF SUPPLY

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

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

Vote 13 - Ministry of Public Works and Housing

The Minister for Public Works and Housing (Prof. Ng'eno): Mr. Speaker, I beg to move that Mr. Speaker do now leave the Chair to enable me initiate debate on Vote 13 - Ministry of Public Works and Housing.

Mr. Speaker, Sir, right from the outset let me take this opportunity to thank you for giving me the chance to review the plans and programmes of my Ministry for 1995/96 Financial Year. It is my sincere hope that the deliberations on the Vote of my Ministry by hon. Members will yield useful ideas, views and information that should help my Ministry to improve the delivery of services in the interest of the nation as a whole. I, therefore, welcome constructive criticisms.

Mr. Speaker, Sir, let me summarise briefly the services which my Ministry is expected to render to the nation and their financial implications. My Ministry is required to plan, design, implement and maintain all public roads and buildings in addition to providing essential services such as material research and testing, mechanical and transport operation, electrical services, inventory of Government property and stocks, accommodation for all Government department and houses for various officers including Ministers and Assistant Ministers who do not live in their own house, training of technicians who form the bulk of my Ministry personnel, supply of all common use items to Government Ministries, research on the building materials, facilitating stability of house rents through rent tribunals and formulation of housing policies and monitoring their implementation.

Mr. Speaker, Sir, last but not least, is the formulation of policy on shelter of reasonable standard at an affordable cost.

After that short introduction, let me now present my Ministry's Vote for consideration by the House. My Ministry is listed in the Budget as Vote 13 and it comprises various expenditure Heads as follows:-

- (i) General Administration and planning
- (ii) Building and Works
- (iii) Housing development
- (iv) Road and
- (v) Other services.

For my Ministry to be able to provide the above services, I require a net total amount of K£186,435,290 million for Recurrent and K£85,780,010 million for Development Expenditure. From now on, my presentation will be in that order stating with the Recurrent Vote.

Mr. Speaker, Sir, after that short introduction, let me now present my Ministry's Vote for consideration by the House. My Ministry is listed in the Government Budget as Vote 13 and it comprises the various the expenditure heads as follows:

- 1. General Administration and Planning
- 2. Building and Works
- 3. Housing and Development
- 4. Roads
- 5. Other Services

For my Ministry to be able to provide the above services, I require K£3,992, 585 under Head 380 namely; Headquarters Administration services to cater for salaries and allowances of staff. Additionally, I anticipate to raise under the same head Appropriations in-Aid amounting to K£30,000 arising from the sale of boarded vehicles and unserviceable stores.

The next head under Sub - Vote 130 is Head 381 namely Provincial Administration Services. Under this Head I require a net total of K£5,831,022 to cater for salaries and administration services at the Provincial level where district projects are monitored and evaluated. Appropriations in-aid amounting to K£23,940 are anticipated from this

Head through the sale of tender documents and boarded unserviceable plants and equipment.

Turning now to Head 382 - District Administrative Services, I wish to request for authority to spend a sum of K£16, 836,902 mainly on salaries and allowances for the staff who are managing, supervising and maintaining projects and infrastructure at the district level. On my part, I expect to realize K£216,216 as Appropriations-in-Aid from the sale of boarded vehicles and equipment.

The next expenditure Head under Sub - Vote 830 is Head 419 - Supplies Branch. This department procures common user items for the Government in bulk and supplies the same to user Ministries and departments at cost price. The Government enjoys high discounts on bulky purchases of items through the Supplies Branch. The items so procured are also tested and verified in order to ensure conformity to desired standards. The department also processes Government term contracts and provides furniture for Government buildings. In order to continue providing these services, I require a net total of K£2,556, 870. It is also appropriate for me to point out that I also expect to realize a total of K£23,000 in Appropriations-in-Aid through the sale of tender documents and boarded stores in this department.

I now wish to proceed to the next Sub - Vote 132 - Buildings and Works. The first Head under this Sub - Vote is Head 400 - The Architectural department. The Department designs and supervises construction of Government buildings. It also renders professional and technical services to other Government Ministries and departments. In order to continue these services, I require a net sum of K£1,808,859. I also expect to raise a sum of K£6,350 in Appropriations-in-Aid from fees payable for registration of approved contracts.

The next expenditure Head is 401 which represents Quantities and Contracts Department. This department is responsible for both financial and contract management on all Government building projects. Under this Head, I am seeking authority to spend a total of K£980,368. During the year of expenditure, I expect to raise K£50,000 from the sale of tender documents as Appropriations-in-Aid.

The next Head is 402 - Structural Department. This department provides civil and structural engineering services for building and other specialised works; maintenance of sewers, jetties and sewerage disposal systems in Government institutions. I am seeking authority from this august House to spend a total of K£1,379,483 in order to sustain these services. I also wish to seek the authority of this august House to spend a total of K£3,265,500 under Head 409 - Government buildings. The funds will enable me to carry out minor maintenance works on Government buildings as well as meeting the cost of electricity and water consumed in those buildings. I also expect to raise a total of K£16,000 in Appropriations-in-Aid from the sale of boarded goods and materials and well as surcharges arising from damage to and misuse of Government property.

The last Head in this Sub - Vote is 413 - Electrical Department. The responsibility of this department is to install electricity in public buildings and to provide essential electrical and mechanical services such as maintenance of lifts in Government buildings, hospital equipment such as boilers, laundry and kitchen equipments, pumps and generators. I am seeking the authority of the House to spend K£1,955,588 mainly on personal emoluments for staff in this Department. On the other hand I expect to raise Appropriations-in-Aid to the tune of K£6,500 from miscellaneous receipts under this Head.

Mr. Speaker, Sir, allow me now to turn to Sub-Vote 133 - Other Services. The first Head under this Sub - Vote is 399 representing the Kenya Building Research Centre. For services under this Head, I seek the authority of the House to spend a total of K£193,271. This amount will be spent in coordinating the planning, documentation and dissemination of information on low cost construction materials. In the course of the financial year I also expect to raise K£91,685 in Appropriations-in-Aid from the sale of materials printed by the Department.

The next Head is 418 - Government Housing Section. This section administers the renting and leasing of office accommodation and houses for the Government. To enable me provide these services, I am seeking the authority of this august House to spend a total of K£18,799,484.

Head 505 caters for Mechanical and Transport Department which undertakes the repair and maintenance of Government vehicles, plant and equipment. To be able to provide these services, I am seeking the authority of the House to spend a total of K£15,991,251 for personnel emoluments, other allowances and purchase of spare parts. In the course of the financial year, the department intends to sell boarded equipment plants and vehicles out of which I expect to raise K£160,000 as Appropriations-in-Aid. Next in this Sub-Vote is Head 506 which is titled "Material Research". The department offers supportive services in material research and testing for various departments of the Ministry charged with building and construction work. It also carries out research and testing for industrial materials in general. I seek the authority of the august House, to spend a total of K£2,291,164 on these services.

During the Financial Year, the department will render material testing services to the public, and I expect to realise a total of K£106,000 in Appropriations-in-Aid from those services.

Last in the Sub-Vote is Head 507, representing the Staff Training Department. This department conducts technical courses both pre-service and in-service for the technical staff of the Ministry. The department training

facilities are situated in Nairobi, Kisii and Ngong. The facilities at Kisii are for training supervisors in road construction and maintenance operations, using labour intensive methods.

The training also attracts trainees from other African countries. In order to provide these services, I am seeking the authority of the august House to spend a sum of K£2,565,806. During the Financial Year, the department will also collect training levy and fees amounting to K£50,000 as Appropriations-in-Aid.

Mr. Speaker, Sir, I now wish to turn to Sub-Vote 134 which represents the Housing Department. Under Head 411 of this Sub-Vote, I seek the authority of this august House to spend a total sum of K£3,752,936, on personal emoluments, Government contributions, international organisations and other operational costs at the department's headquarters. This expenditure will enable the department to discharge its responsibility of preparing national housing programmes, as well as, formulating housing policies and monitoring their implementation. The department will also continue with formulation and development of human settlement policies.

The next Head under this Sub-Vote is Head 416. This Head provides housing services at the provincial level, for which, I request the authority of this House to spend a total of K£281,875. I also expect to raise Appropriations-in-Aid totalling K£2,500 from the sale of boarded vehicles.

Last on this Sub-Vote is Head 423 namely Rent Restrictions Tribunal. The Tribunal's responsibility is to facilitate the stabilisation of rents, especially for the low income earners, while at the same time, ensuring that capital invested in production of housing yields profitable returns. In order to sustain these services, I am seeking the authority of this House to spend a sum of K£390,377. In the same year, I anticipate to collect K£149,372 as Appropriations-in-Aid from the sale of boarded items and fees for services rendered by the Tribunal.

Last but not least, not my Ministry's Recurrent Vote, is Sub-Vote 136 which caters for the Roads Department. The responsibilities assigned to this department includes planning, design, construction and maintenance of all classified roads in the Republic. The importance of roads in the overall national development needs not be over-emphasized, since they constitute the single most important mode of transportation. Indeed, the performance of other sectors of the economy is essentially dependent on an efficient road network. For this reason, the long term objective of the Government as initiated in the National Development Plan, is to develop the system of all-weather roads which will facilitate access to all production, construction and market centres. The Government has invested a substantial amount of money in the development of roads in past financial years. It is the aim of my Ministry to sustain and preserve the benefits of these investments through timely and adequate maintenance. To enable me carry out this task, I am seeking the authority of this House to spend a total of K£103,560,949. This will enable me to carry out sustainable road maintenance programmes which include:

1. Re-sealing of the existing major and other bitumen roads.
2. Re-gravelling of existing gravel roads.
3. Routine maintenance of all classified roads.
4. Other services such as road marking and signs, maintenance of ferries and grants to municipalities.

These services will be distributed all over the country's entire road network, in order to ensure that all parts of the country benefit.

In addition to the above, I anticipate to raise a total of K£95,000,000 as Appropriations-in-Aid from the Road Maintenance Levy.

I would like to assure hon. Members that all funds that shall be collected through the Road Maintenance Levy, will be solely used for maintenance of roads throughout the country, and will be fully accounted for. We anticipate as a Ministry, that there will be a greater impact on improved road network and hence, encourage the members of the public to willingly contribute or continue paying the levy.

At this juncture, I would like to appeal to hon. Members to take a keen interest in the activities of my Ministry in their respective areas. As members of the District Development Committees (DDC), I would request that hon. Members certify themselves that officers from my Ministry posted to their areas are rendering the required services to wananchi as expected. In this connection, any officer who is found to be lax in discharging his duties should be reported to my Ministry for immediate disciplinary action.

On my part, I have already instituted specific measures to address any abuse or mis-use of Government resources by my officers. However, I will appreciate the support of hon. Members in educating their constituents on what kind of conduct and services to expect from Government officers. In particular, wananchi should be made aware that Government resources are intended exclusively for Government work. Any deviation from this requirement should be reported to the relevant Government authorities for action. Apart from the Road Maintenance Levy proceeds, I also expect to raise a further sum of K£10,000 as Appropriations-in-Aid from the sale of tender documents under this Sub-Vote. During the deliberations of this House on the Road Maintenance Levy Fund Bill last year, I promised the hon. Members that road toll collection would not fit once the fuel levy was introduced. I am pleased to inform the House that this promise has already been fulfilled, and I believe that hon. Members have already found this

out.

Mr. Speaker, Sir, allow me now to turn to the Development Vote. There are four Sub-Votes under this Vote, which include Sub-Vote 130 for the General Administration and Planning, Sub-Vote 132 for Building and Works, Sub-Vote 133 for Other House Services and Sub-Vote 136 for Roads.

I wish to take this opportunity to present my proposals for each Head under each Sub-Vote.

Head 419 namely Supplies Branch, is the only Head under Sub-Vote 130. On this Head, I am seeking the authority of the House to spend a total of K£20,000 in order to complete renovation and repair work of fuel stations at Nakuru which were started in the last financial year.

Under Sub-vote 132 Architectural Department, there are six Heads. Head 402 for Structural Department; Heads 406, 409 and 412 for border control posts. Government buildings and minor public works respectively. Last Sub-Vote 413 is for Electrical Department. I have already outlined the functions of these departments as I review the Ministry's proposal for the Recurrent Vote. To enable these departments carry out their responsibilities assigned to them which are of developmental nature, I am seeking the authority of this House to spend K£5,304,009 on the various Heads of Sub-Vote 132. The activities that will be financed with these funds include the completion of ongoing works on Lamu Sea Walls, the rehabilitation of Matanga Wanda Jetty and the electrification of various Government buildings.

Mr. Speaker Sir, Sub-Vote 133 which is entitled "Other services" has seven heads which include Heads 147,404,405 and 410 which will cater for various housing services; Head 505 catering for Mechanical and Transport Department; Head 506 representing Materials Branch and Head 507 representing the Department of Staff Training. The activities expected to be implemented under various Heads of this Sub-Vote include construction of residential houses, payment of loans for tenant purchase housing, research on low cost housing, human settlement rehabilitation programme, rehabilitation for growth maintenance equipment, improvement of mechanical workshops, research on building and road construction materials as well as rehabilitation and equipping of staff training institutions. To enable me carry out these activities, I am requesting the authority to spend a total of K£11,563,090 on Sub-Vote 133. In addition, I expect to collect Appropriations-in-Aid amounting to K£9,647,520 in the form of grants from the Government of Germany, the European Economic Community and the Swiss Development Corporation. These grants will be used for funding slum rehabilitation in Mathare, the road sector institutional studies, construction of the labour intensive training school in Kisii and the minor roads improvement programme.

Mr. Speaker Sir, having highlighted the aforementioned development programme, allow me now to turn to Sub-Vote 136 namely Roads. I would like to reiterate that roads constitute the single most important mode of transportation in Kenya today. Indeed they are a vital input for all sectors of the economy. For this reason, it is my Ministry's long term objective to develop a road network which is consistent with the needs of both the production and social sectors of our economy. To achieve the objective, my Ministry proposes to pursue the strategies that I spelled out in this House last year; namely, to preserve investments already made in existing road infrastructure. Secondly to stimulate increased socio-economic development of the country by upgrading the existing roads to all weather standards in areas where poor roads pose serious bottlenecks to development. Thirdly, to promote effective utilisation of the existing road system by intensifying axle load control and maintenance of damaged road sections. Fourthly, to promote road safety through research on dangerous road sections and undertaking remedial measures at such locations and lastly to promote increased rural employment opportunities through the use of labour road based methods of road construction and maintenance. Last year, I informed this House that my Ministry is in the process of preparing a strategic plan which could define the policy framework within which road development and maintenance programmes will be implemented. Towards this end, I informed this House that studies were being undertaken on the following:-

- (1) Expenditure priorities for the road sector in order to identify the priorities of these various road development and maintenance programmes.
- (2) Maintenance delivery options which could define the appropriate mix of equipment and labour in road maintenance activities and the appropriate use of direct labour and contracting.
- (3) Expenditure and funding needs in the road sector which would define the level of funding required for road maintenance and the likely sources of the necessary funds.
- (4) Staff rationalisation in the roads department in line with the Civil Service Reform Programme and
- (5) A study of equipment ownership and maintenance policy. I am happy to report that these studies are now at a very advanced stage and I expect to receive the final report before the end of this financial year.

Mr. Speaker, allow me now to mention some of the projects and programmes which I intend to undertake in the road sub-sector during the 1995/96 Financial Year. These include the construction of deteriorated major bitumen roads, the recarpeting of bitumen roads, upgrading of high priority earth and gravel roads to bitumen standards, gravelling of earth roads and the construction of bridges. The Ministry's road sector will undertake to implement the various projects and programmes listed under Heads 384,385,386,482,488 and 489 of Sub-Vote 136. The gross

estimates for these projects and programmes amount to K£245,976,256 out of which Appropriations-in-Aid amounting to K£177,083,345 will be realised in the form of loans and grants from various donors. I am, therefore, seeking the authority of this House to spend a net sum of K£68,892,911 under Sub-Vote 136.

Finally Mr. Speaker, allow me to take this opportunity to record my Ministry's appreciation for the manner in which His Excellency the President has continued to manage the affairs of this nation---

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

Mr. Shikuku: I am very allergic to anyone who tries to frustrate or breaks the rules of the House. I am wondering whether we have got another Finance Minister to read his statement. This is contrary to Standing Order No. 65. Is he in order to go on reading when he is supposed to have all the information on his finger tips?

Mr. Speaker: Obviously, all Ministers when presenting budgets of their Ministries are entitled to read those notes because it is a policy exposition.

Proceed!

The Minister for Public Works and Housing (Prof. Nge'no): Thank you Mr. Speaker. On policy matters, you can read from your notes. It is gratifying to note that His Excellency the President has successfully steered the nation into multi-party era contrary to the expectations of our detractors. We pray that God will continue to give him strength and wisdom so that he can continue to lead this country to greater heights of development. With these few remarks, I beg to move.

The Assistant Minister for Public Works and Housing (Mr. Mwamzandi): Mr. Speaker Sir I rise to second the Motion.

(Mr. Shikuku and Prof. Nge'no held loud consultations across the Table)

Mr. Speaker: Hon. Shikuku and Prof. Nge'no, you are now turning this Parliament into something else. You are totally out of order by discussing across the Table. This is the House.

Proceed!

The Assistant Minister for Public Works and Housing (Mr Mwamzandi): Mr Speaker, Sir, during my time when I was answering Questions here, I discovered that most Members were complaining. Some were reasonable, but others were not entirely reasonable. If a road is gravelled when it is raining, it will be washed away within the first two months. But instead of hon. members understanding this, most of them complain that the road has been neglected. We have some cases where other hon. Members here say, that their roads have never been attended to since 1988. The hon. Member who was complaining that way, is now an Assistant Minister. But when we counter-checked that information, we found that, that road was done. We had proper information from the District Commissioner that, that road was done. I concur with the Minister that we now challenge the hon. Members here that we expect the officers of the Ministry in the districts to do what they are supposed to be doing and if they are not doing anything, it should be reported to the Ministry, so that we know those officers who are not doing their duties.

Mr Speaker, Sir, the road network we have in the Republic is good and every Member should know that the public would like to see them playing their roles properly. We are doing our best with the meagre resources we have to see that these roads are well maintained. We could have cases, for example, in my area, where we have two graders which are supposed to cater for four divisions. In such a situation, you will find that by the time they move to the third division, roads in the first division will be in a bad state. So, we sometimes have to agree that work has been done, but weather conditions can be a problem to our roads.

Mr Speaker, Sir, you will also find that my Ministry is responsible for installing electricity in Government houses. We have areas where electricity could be passing through, but some Government houses are not electrified. This is because sometimes, if money is not provided for such work, we are unable to do it. We should, therefore, encourage Members also to find out from their constituencies where we have these particular cases, so that if we have money, we could electrify one or two houses in that area.

Mr Speaker, Sir, another problem the Ministry encounters here is in relation to resealing or carpeting of bitumen roads. We have sometimes been faced with the road wear and potholes. This has been caused by lack of weigh bridges along our roads like is the case in Mariakani and Athi River. These are no longer working, and some of these roads are not capable of withstanding very high tonnage. You will see that vehicles are not inspected to determine what load capacity they are carrying. In most cases, they cause roads to wear out particularly where the ground is not stable. As a result of this, you will find that we will be having a lot of potholes on those areas. There is a good road which was constructed by M/S Sacco, a very strong road, but due to the heavy traffic we have there from Tanzania to Mombasa with heavy lorries carrying high tonnage, we are also experiencing a lot of potholes on those roads.

Mr. Speaker, Sir, I would suggest here that if those weighbridges could be re-introduced, they could be of great help to the Kenyan economy because we would not be spending a lot of money repairing potholes along the roads. I know from experience for certain that the few that are there are entirely useless because businessmen create friendship with the officers who are supposed to inspect the weights of the heavy vehicles. So, you will see that two to three or four lorries belong to one businessman and before they leave Mombasa, the owner goes to Mariakani to negotiate with the traffic officers on the road, so that they can be left free to continue to their next destination despite the fact their loading capacity was not indicated on them. This has created a lot of problems and many roads have been damaged. Otherwise, Mr Speaker, Sir, if the weighbridges were properly maintained, this Ministry would be using very little money today in cases of sealing potholes and recarpeting roads.

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

(Question proposed)

Mr. Aluoch-Polo: Thank you, Mr Speaker, Sir. In moving the Vote for his Ministry, the Minister has outlined how he is going to spend his money on road maintenance. The road maintenance work in this country is not properly done all over the country and especially in certain areas of the country. We find that now that we have several districts, in some areas there are new districts and there are no road-making equipments and for the matter, three to four districts are sharing a grader. Some of these are sometimes unserviceable. So you find that there is uneven distribution of the road-making equipment, and this makes some parts of Kenya remain as if they are islands or isolated, that nothing is going to be done to help these people carry out their economic activities.

Mr Speaker, Sir, I am glad the Assistant Minister has accepted that weighbridges are not working. That means the Ministry knows that we are losing a lot of money on repairs of roads because of the overloaded vehicles that are passing through this country, and that their weights are not checked. Why is this laxity allowed to go on in this country? We would like to know why the Minister and his officers are not able to maintain the roads and weighbridges properly.

Mr. Speaker, Sir, even when the weighbridges were working, there was a lot of corruption, and even the police officers were not doing their work. They could allow overloaded vehicles to pass through these roads, not aware that we are losing a lot of foreign exchange when we were repairing the vehicles. It is not only money we are losing, we are losing life as well. Any country that does not care about the life of its citizens, is not worth being there, because you govern people, you do not govern animals.

Mr. Speaker, Sir, I have noticed that rural access roads are not repaired any more. I would like the Ministry's officers to go all over the country and take over these rural access roads, classify and allocate them roads the levy we are collecting, so as to maintain them to classified standards.

Mr. Speaker, Sir, I have noticed also that the officers in the field, most of them do not do their work properly. We have gone to DDCs, we have made proposal on the roads that should be repaired, and all these roads are not repaired. An officer can come with a list and tell you that they graded 300 kilometres of roads, but when you go there, you find that no road has been graded, no gravel has been laid on the road. There are roads especially in my Constituency that were last maintained in 1983, that is the time I was a Nominated Member of Parliament, and since then, the road has not been maintained at all. We make noise all over, we ask questions here, and sometimes we get very cheap and inadequate answers from our Assistant Minister over here, who insists sometimes that the roads have been made, and we have been telling him that his officers are not telling him the truth. We go to our constituencies every weekend and we go through these roads, and while we are there, we get stuck. You are unable, as a Member of Parliament, to visit some sections of your constituency, and money allocated for these repairs is said to have been used. Where does this money go? The Minister should be vigilant, and he should take time to visit areas of this country to see the roads for himself. Because I am sure, since we were elected in December, 1992, the Minister for Public Works & Housing has never set foot in Nyanza to go and check on the Ministry's roads, housing and all sorts of things that go with the Ministry. The Minister seems to be satisfied answering questions in this House but we want action, and action must be seen by the citizens of this country, and we only see them when the roads are made.

Mr. Speaker, Sir, I would also like to touch on the contractors that are engaged by the Ministry. There are some contractors that are engaged and they do a very shoddy job on the roads. The Ministry's officers must be true citizens of this country and they must love this country, and love their job, and also care for the citizens who are using these roads. It is no use making a road which should last for about five years without repair. After two years, you find that even the tarmac starts coming off, and then the road is repaired using murrum. I would like to see good work done by the contractor. We have got a road that has been made in Migori District from Kakira to Esibania, if we could have that type of contractor he is about to finish his job, but it is a well done job, we would be very happy. We want contractors of that calibre to be used on our roads. Many of the Asian contractors in this country, I do not know

whether they bribe the officers supervising them, or what they do not do a good job on our roads. The Minister should be vigilant and make sure that this is never repeated. The country is collecting a lot of money from the Road Maintenance Levy, Kshs2 billion is not small money. The Minister says he will account for it, we would like the accounts to be laid on the table of this House when the financial year ends so that we see how much money was spent on the roads.

Mr. Speaker, Sir, as you know, some of our Committees in this House are not working and these are the things we should be checking. Some of the General Purpose Committees should be working so that we would be questioning the Ministers and the officers, to see that the money we allocate in this House is properly spent.

Mr. Speaker, Sir, I would also like to touch on the housing. The Minister said that he has got some money from donors to rehabilitate Mathare. The conditions under which our citizens live in Mathare, Pumwani and Kibera Line Saba are pathetic! There are no roads, sewerage system and the houses are ramshackle of things. People should not live in such conditions. If this Government cares for its citizens, we should have a proper policy on rehabilitation. It is not only in Nairobi, it is in Mombasa, Kisumu, Nakuru and all the major towns of this country. The housing policy of this Government has totally failed. We would like to see a change. Bring us a Paper in this House, and let us discuss it and pass it, and when we pass it, do not keep it in your shelves, implement it. We want action!

Mr. Speaker, Sir, going back a little on road repairs, we have noticed in this country that when Ministers or His Excellency the President visits an area, that is when the roads are made. You find that they can now bring bulldozers and graders from even another province to go and make roads, so that the President does not see them in bad state. I am sure from the look of it, he can tell that they were made yesterday, because he was visiting the area. We should desist from this type of expenditure, that we spend only to please the Head of State or the Ministers. We should spend to please the citizens of this country; the public who pay taxes.

I would like to see tarmac roads everywhere in this country. There are some areas of Kenya that have got more than their fair share of road network. Areas like Nyanza, should have tarmac roads along the fishing area; along the lake shore. We have been promised this for ages, but it has never been done. Whenever His Excellency the President visits Nyanza, he promises to have these roads tarmacked. When the PS is there, he is told "Mr. Permanent Secretary, write down that one", and that is the last we hear of it and years go by. We want to see that when efforts are made, they are channelled properly to the areas that need help. The economy of this country must be distributed fairly. Infrastructure is important and when we have got roads, we can move all our agricultural products to various markets.

(Mr. Speaker left the Chair)

[The Temporary Deputy Speaker

(Mr. Wetangula) took the chair]

It should not be seen that we spend money only in KANU areas, but also in Opposition areas. Even those who defected were thinking that they were going to get roads done in their areas, and nothing has happened. Mr. Temporary Deputy Speaker, with those few remarks, I beg to support.

Mr. Muoki: Thank you, Mr. Temporary Deputy Speaker Sir. I stand to contribute and support the Vote of the Ministry of Public Works and Housing, because it is one of the very important Ministries in our country. This Ministry of Public Works and Housing, has got a very important role to play in the development of the entire country. But, while I do appreciate that, I would like to observe that the performance of the Ministry of Public Works and Housing, has gone down. Because, if we look across the country, you will find that, the roads that used to be graded at least regularly are now not done. You will find that some roads have not been graded for the last 10, 15 or 20 years, and in fact as we talk they are not passable. It is high time that we should support this budget, that, the Ministry makes sure that whatever they have set out to do is implemented properly and according to the budget.

The question of maintenance, which my colleague has already talked about is very poorly addressed. You go to the countryside, you get Public Works Officers and all that they do is only to operate kiosks or some small businesses and all that. When tractors are sent to the field to do the grading, you find these tractor drivers selling the diesel to wananchi in the countryside, and the road which was supposed to have been done is not done at all, and you find that we come back to the same situation, asking about the same roads that are impassable and all that. So, Mr. Temporary Deputy Speaker, I think it is high time that the Ministry of Public Works and Housing looked at the implementation mechanism and it is very important that they look for methods of supervision so that ---

Mr. Shikuku: Mr. Temporary Deputy Speaker, Sir, I am sorry to interrupt my hon. friend. The hon. Member is making very important points, but there is no one taking notes.

The Temporary Deputy Speaker (Mr. Wetangula): There is an Assistant Minister here, Mr. Shikuku!

Mr. Shikuku: Where?

An hon. Member: "The brand new one", (Rtd) Col. Kiluta!

Mr. Shikuku: "Brand new one", then I do not know that one.

Mr. Muoki: Thank you, my friend hon. Shikuku, I am standing next to the new Assistant Minister for Public Works and Housing and I am sure he is taking notes. So, Mr. Temporary Deputy Speaker, what I am trying to say is that, the Ministry of Public Works and Housing needs to develop a mechanism for supervision of work, when the work is being done in the field because, whatever is going on in the field is not what is reported to your office.

The other point that I would like to raise is that, there has been uneven distribution of roads in the country. If you look at the arid areas like Ukambani, and North Eastern Province, you find that these areas have no tarmac roads, the roads are very poor. There is a misconception that, the so-called high potential areas with coffee and tea are the only important areas which should have good roads. But if you look also at these semi-arid areas, you find they might have minerals and other cash crops and it is high time that the whole country is looked at as one and that, each region has got its own potential which should be exploited by having good road infrastructure in the country. And I stress this one, I would like to say that Ukambani has been given a very raw deal. If you look at Kitui, for example, where I represent Mutomo, you find we only have twenty kilometres of tarmac road in the entire district. If you look at Makueni, we only have 12 kilometres in the entire district, and, I think, this is a very raw deal. It is high time that, the Ministry looked at the roads in Ukambani.

We have the road which passes through my constituency, road B7, which connects Kibwezi, Mutomo, Kitui, Kangonde all the way up to Embu. That road as you can see, is classified as B7, which means, it is a very important road and nothing has been done. Since 1974, it has been surveyed, every time we ask here in the house, we are promised that it will be done and I even raised a question here, I was told that, that road would be done, but, nothing is happening. I think even at one point, one senior Ministry official came on record as saying that, that road would be tarmacked. But, I think what we are heading to is that, what the Minister once remarked that, his Ministry, is a "Ministry of public waste" and maybe, we could add that, it is a "Ministry of public waste and empty promises" because, we are promised this one and that, and in the actual sense nothing happens. So, I think it is a high time that, it becomes the Ministry of Public Works which implements the works that are supposed to serve the public in this country. So, I think it is very important that, a road like this one should have been done even in the 70's leave alone in the 90's. I think it is very important that, these roads are done and the development reaches the people.

Mr. Temporary Deputy Speaker, I would also like to talk about the smaller roads, the feeder roads that go to the farms and other important areas. These roads are very important, in addition to the main trunk roads. These roads are very important. If these roads are done, the farmers produce which gets wasted in the shambas and all that will be able to reach the market centres and the economy of these people will improve. So, while we look at the main roads, the trunk roads, we should also have a programme which will also look at the feeder roads, which will also help the small farmers in their respective areas to develop, so that, the economy of the country can improve. If everybody has got some income, we can also have good development in the country.

I would like to suggest that a programme like the one we used to have which was known as the access roads programme is very useful. That programme was very useful especially in my constituency where we have some small roads but at least they are able to reach the people and the people are also able to come to the towns, supply their materials and all that. So, if the Ministry happens to get some donor funds or money from the budget, it is important to remember that such a programme would be very useful to the farmers who are out there because, sometimes we may talk about the big roads like Mombasa - Nairobi, Nairobi - Nakuru or Nairobi - Machakos and forget the people whom we are representing in those areas. So, I think, a programme like that one would be very ideal.

Mr. Temporary Deputy Speaker, the other point I would like to raise, is on the issue of accountability and transparency in the Ministry of Public Works and Housing. You find a project, like we had one in Kitui - Mutitu Road, has got funds, it is approved by the DDC tenders are given, somebody is selected, but in the process, you find some collusion and in the process you do not have that project completed. You will find that a good percentage of the money which was meant for a specific project goes to a few individuals' pockets and the project is not done and the people who suffer are the people of that area, not the officer himself who may, in fact have come from a very different area with roads in his place. So, I think, it is very important that the money that we vote here, is properly used and properly accounted for, so that whatever is proposed to be done, reaches the people of that particular area.

So, with those remarks, I beg to support.

Mr. Shikuku: Ahsante sana Bw. Naibu Spika wa Muda, kwa kunipatia nafasi hii. Wizara hii ni moja katika zile Wizara ambazo ni muhimu sana. Ningependa kusema kwamba baada ya mhe. Prof. Ng'eno kutoa hotuba yake aliondoka kinyume cha sheria nambari 65 lakini sasa ninataka kumjulisha jambo moja. Wambunge wote upande wa Serikali na upande wa Upinzani wanapata shida nyingi. Wengine wao wanaambiwa kwamba kama barabara zimeharibika ni jukumu lao kuzirekebisha. Sisi kama Wabunge si kazi yetu kurekebisha barabara. Kazi yetu

nikumwambia mhe. Waziri anayehusika na ujenzi wa barabara kuzirekebisha. Sio kazi yetu hiyo. Mhe. Waziri anazirekebisha barabara hizi na kodi iliyotolewa na wananchi kwa Serikali sio kwa Mbunge. Kwa hivyo, si kazi ya Mbunge kurekebisha barabara. Kazi yake ni kuiambia Serikali hii tukufu na takatifu kuona kwamba barabara zinarekebisha lakini wanauhusika na jukumu hili hawasikizi.

Jambo la kwanza ambalo linasikitisha ni kwamba watu wa mapato ya chini nchini Kenya hutumia gari la moshi kusafiria. Gari hilo siku hizi sio gari tena kwa sababu kwanza, hatuna mabehewa ya kutosha na pili, siku hizi hata taa katika mabehewa hayo ya binadamu haipo. Hasa gari la moshi linalosafiri kutoka Nairobi, Kisumu hadi Butere halina taa. Ajabu ni kwamba anayekagua tiketi hutumia tochi kufanya hivyo na unavyofahamu mengi yanafanywa katika giza. Sitaki kutaja majina hapa. Ningependa Waziri wa Uchukuzi na Mawasiliano achunguze ni kwa nini barabara ziko katika hali mbaya na ni kwa nini hatuna taa katika mabehewa ya "Third Class" ya gari la moshi linalosafiri kutoka Nairobi, Kisumu hadi Butere.

Pili, barabara zinaharibika sana na hali zinarekebisha karibu kila siku. Kwa mfano, ile barabara ya kutoka Nakuru kwenda Eldoret inawekwa lami leo na baada ya mwezi mmoja inapata mashimo. Tunatumia fedha nyingi sana kurekebisha barabara zetu. Hatuwezi kusahau kwamba kuna ufisadi mwingi katika hili jambo la kurekebisha barabara. Imekuwa wanaosimamia kazi hiyo hawahakikishi kwamba kazi nzuri inafanyika? Utapata kwamba barabara inawekwa lami mwezi mmoja na hapo kufikia mwezi wa tatu inaharibika tena. Hii ni kwa sababu wale watu wanaopewa jukumu la kuhakikisha kwamba barabara zimerekebisha wanamchezo wa rushwa. Wanaidhinisha kwamba kazi ya kurekebisha barabara imefanywa vizuri na hali haikufanywa vizuri na inarudiwa na pesa zetu zinaishia hapo. Tumeambiwa mara nyingi kwamba DDC ikishapitisha kwamba kazi ifanywe katika barabara, fulani Wizara itiangalia jambo hilo.

Nitaongea kuhusu sehemu ninayowakilisha Bungeni. Barabara inayoitwa Stand-Kisa - Msalaba ilipitishwa katika miaka ya sabini kwamba iwekwe lami lakini hadi leo haijawekwa lami. Juzi tu wanaohusika na mambo haya walikuja na kufanya kazi kidogo katika barabara hiyo lakini hatuoni dalili yoyote ya lami kuwekwa. Hivi sasa kazi ya ujenzi imesimama. Pili, ile barabara ya kutoka Sigalagala kwenda Butere ilipitishwa miaka ya zamani kuwa, iwekwe lami lakini hadi leo haijaweza kutiwa lami. Wakati kulikuwa na uchaguzi mdogo kule Ikolomani tuliona vitu viwili. Wale wenye kushughulika na ujenzi wa barabara ile barabara waliletwa na masorovea wakaanza kuiangalia hiyo barabara. Tukaambiwa kwamba tukichagua Mbunge kutoka Kanu basi barabara itarekebisha. Wakaja wakaingalia lakini hakuna lolote linaendelea leo. Wakaja wakaangusha miti ya stima wakitayarisha kuvuta stima lakini hadi leo hakuna stima. Walifanya hivyo hivyo kule Kipipiri na Ukambani. Wananchi wanafahamu kwamba Serikali hii ni ya uwongo. Ni Serikali ya kudanganya watu. Ni Serikali ya kuchezea akili za wananchi. Hadi wakati huu barabara ya Sigalagala kuelekea Butere haijatiwa lami na miaka mingi imepita. Barabara nyingine ilikuwa ile ya kutoka Ekeru kwenda Sabatia hadi Buyangu. Ilipitishwa iwekwe lami na mpaka sasa haina lami. Juzi tu ndiyo niliona badala ya kutiwa lami wanatia murrum. Nilipomuuliza mhandizi ni kwa nini hawaweki lami, alisema kuwa pesa zimepunguka. Na hiyo murrum inaanza kupata mashimo na iliwekwa karibu wiki tano zilizopita. Hii ndiyo Serikali ya Kanu tukufu ambayo tunaambiwa kila siku! Utaratibu wa barabara ni muhimu.

Tukija katika settlement schemes ambako tunaishi, barabara ni mbovu sana na zimekaa miaka nenda miaka rudi bila kurekebisha na hali mahindi, ngano, miwa, chai na pareto zinatoka huko. Hizi barabara ni lazima ziwekwe lami ili ziwe "all weather". Hii ina maana kwamba kukinyesha magari yatawaza kubeba mazao ya wakulima bila kukwama. Kwa sababu ya hali mbaya ya barabara, wachukuzi wameongeza bei ya uchukuzi wa mazao ya mashamba na mkulima hawezi kupata chochote kutoka wa mazao yake. Mkulima ana barabara mbovu na akipeleka mahindi yake katika National Cereals and Prodcue Board halipiwi. Mahindi yanaletwa kutoka nje na yeye amekaa pale tu. Anaambiwa kwamba sisi tunataka umoja, mapenzi na amani na akae hivyo hivyo na kitu cha pili, atingize kidole. Hayo mambo ndiyo yanaendelea. Watu hawataki kutingiza vidole sasa. Hawana nguvu ya kutingiza kidole hicho kwa sababu wanaumia na jambo hili lingeweza kusemwa kinaganaga. Barabara ni kitu cha lazima na ni wajibu wa Serikali kuhakikisha kwamba ziko katika hali nzuri ijapokuwa leo tumeambiwa hapa kwamba Serikali inataka usaidizi kutoka nje katika kutekeleza kila jambo. Leo ni zaidi ya miaka 30 tangu tupate Uhuru. Bado tunangojea kuomba. Hata leo tumeambiwa kwamba hatuna usaidizi kutoka nje na wale donors wametupa Kshs 1.1 billion kwa lile jambo la utekelezaji wa vituo vya afya hapa. Tutakuwa tukitengemea kuomba kila mwaka? Tutakuwa tukikopa kila mwaka na hali fedha zetu tunaziharibu wenyewe? Serikali lazima iambiwe ukweli huu. Sio eti tunaitusi Serikali. Tunaiambia shida za wananchi na wananchi wajue kuwa kuna barabara mbovu na sio wajibu wa Wabunge kuzirekebisha. Ijapokuwa radio haisemi yale tunasema tunasema, yako katika rekodi zetu na wakati wa kupiga kura tutabeba HANSARDS na kuwambia wananchi kwamba tuliiambia Serikali kwamba Mbunge hawezi kutengeneza daraja. Mbunge hawezi kurekebisha barabara. Hapa rekodi zinaonyesha kwamba Wizara hii imepewa Kshs 1 billion ya kazi hii ya kutengeneza barabara. Imekuwa kazi hii haifanywi halafu Mbunge analaumiwa? Inakuwaje Mbunge analaumiwa na hali Serikali imepata pesa za kufanya kazi hiyo? Kwa hivyo, sisi Wabunge lazima tuwaambie wananchi walifahamu jambo hili. Sio kusema kwamba ukiwa upande wa Kanu utapata maendeleo. Kuna barabara mbovu sana

katika sehemu za Kanu mara 60 kushinda zile za Upinzani. Hata kule mhe. anasema ni Kanu damu barabara ni mbovu sana. Wengine wanadanganywa kuwa wakiingia Kanu watapata maendeleo. Yako wapi? Kipipiri, walimwaga miti ya stima na murrum na hiyo ndiyo wanasema ukiwa Kanu utapata barabara nzuri. Barabara za Kanu ndizo mbovu sana. Ninataka kuwajulisha ndugu zangu kwamba sisi kama Wabunge tunafanya wajibu wetu wakuiambia Serikali kwamba hatuna barabara nzuri. Wananchi wa Kanu na wa Upinzani wajue kwamba sio kazi ya Wabunge kurekebisha barabara. Na hivyo ndivyo mambo yalivyo na hata ukienda Kanu hakuna lolote litafanyika. Huja ukapata wengi katika Kanu hawataliona Bunge hili. Sisi pia tutapoteza kura lakini wengi watatoka upande ule. Kwa hivyo, hivyo ndivyo mambo yalivyo.

Bw. Naibu Spika wa Muda, ningependa kumaliza kwa kuambia Waziri hivi: Hatuwezi kuendelea mpaka barabara ziwe nzuri. Hatuwezi kuendelea ikiwa Waziri wa Ujenzi na Nyumba akiambiwa barabara moja ni mbovu, anazidi kukataa hapa, ilhali, wananchi wanajua kwamba mambo anayoyasema mbunge ni kweli. Hatuwezi kuendelea ikiwa tutadanganywa. Tunachohitaji ni kupatiwa huduma na Serikali hii. Tunataka wale wabunge wa upande wa KANU pia wahudumiwe kwa sababu hii ni Serikali ya Upinzani na Serikali ya chama kitukufu kinachotawala. Hii Serikali ifanyie watu wa KANU haki. Mnaambiwa chama cha KANU ndicho baba na Mama.

Bw. Naibu Spika wa Muda, kwa hayo machache, ninaunga mkono.

Mr. Boy: Ahsante sana Bw. Naibu Spika wa Muda kwa kunipatia nafasi hii niunge mkono Hoja hii muhimu na nitoe maoni yangu.

Bw. Naibu Spika wa Muda, mwaka nenda mwaka rudi, sisi hukaa hapa tukapitisha Bajeti, na tunapokuwa tukizungumza kupitisha Hoja kama hizi, maofisa wa gredi hujaa katika benchi ile, kutoka PS, PR na hata PO. Tatizo kubwa ni kwamba, wakiondoka hapa, zile "notes" wanazoandika za Wabunge wanazitupa ndani ya "paper dustbin". Kwa sababu gani wanazitupa katika "paper dustbin"? Ni kwa sababu hakuna tulisemalo hata moja linalofanyika. Sisi tunasema hapa, na wao wanatutazama kama picha. Wakiondoka hapa, wanaingia ndani ya magari yao, yale ya rangi ya manjano, hao! Wanaenda zao. Wanasema; "hao ni kawaida yao kusema aye, aye, basi".

Bw. Naibu Spika wa Muda, jambo ambalo ningependa kuongea sasa ni swala la Petroleum Levy. Pesa hizi---

Mr. Ndicho: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for hon. Juma Boy to attack civil servants who are here directly when we know very well that it is not their fault? If there was money, they could implement what they are told by the Ministry.

The Temporary Deputy Speaker (Dr. Ombaka): That is not a point of order. He is quite entitled to state his point of view. You will have your chance.

Mr. Boy: Bw. Naibu Spika wa Muda, nitaendelea kuongea juu ya Petroleum Levy. Kitu ambacho kinanishangaza mimi mpaka sasa ni kwamba, kule Kwale, sijaona maana yake. Sioni faida kwa sababu sijaona hata jambo moja ambalo ninaweza kusema watu wetu wamesaidiwa na hii Petroleum levy. Hali ni ile ile. Hakuna chochote mpaka leo. Sasa petroleum levy hii inafaa mahali gani? Sielewi mimi! Tuelezwe ni wapi inafaa, maanake sisi pia tunalipa lakini hatuoni chochote. Hili ndilo tatizo kubwa. Tunalipa kila siku tunaponunua petroli lakini hatuoni faida yake. Hata sijui pesa hizi zinaenda wapi. Hili ndilo tatizo.

Jambo jingine ambalo ni la muhimu ni hili: Kila mwaka, tangu nizaliwe, nimeona Mhe. Mwamzandi akitukanwa juu ya jambo hili. Tangu mwaka wa 1969, nikiwa bado shuleni, watu wamekuwa wakilalamika juu ya barabara ya kutoka kituo cha polisi cha Msambweni mpaka hospitali ya Msambweni, ambayo si zaidi ya kilomita tatu. Kila siku tunapitisha pesa hapa, barabara mpya zinajengwa, lakini hii barabara haishughulikiwi, miaka nenda, miaka rudi. Hii ni "danger bin hatari". Ninawaambia ukweli. Wabunge wengi wa upande huu na upande ule wataenda kwa sababu ya barabara. Hizo suti mtaziweka minadani. Barabara zitawatoa Wabunge ndani ya Bunge hili, na mnaona jambo hili kama ni mchezo. Wengi wetu tunapofika sehemu za mashambani, hatuwezi kuingia katika maeneo yetu. Tena, ukifika katika eneo lako, gari lako likikwama, wananchi wanasema; "muache, huyo ndiyo mbunge", kana kwamba wewe ndiye uko na matrakta. Na huu ni ukweli wa mambo. Wabunge wa Bunge hili wafahamu ya kwamba, vitu vitatu vitakavyo waangusha ni barabara, maji na stima. Hivyo ndivyo vitu vitakavyo tuunganisha sisi! Mwaka jana, asili mia 60 ya wabunge hawakuliona Bunge hili tena, na mwaka huu tena, ninasema tutaangushwa na Wizara hizi hizi, uwe katika Upinzani au kwa Serikali.

Bw. Naibu Spika wa Muda, nikiendelea na swala hilo, kuna barabara ambayo imewekwa lami. Hii ni barabara kuu ya kutoka Mombasa kwenda Lunga Lunga. Ukifika mahali panapoitwa Tiwi, ndani ya barabara ya lami, kuna uharibifu wa ajabu ambao unaangusha magari. Barabara yenyewe imewekwa lami lakini imeharibika sana. Sasa mimi ninashindwa, hawa wahandisi ambao wamekuwako kwa miaka hii yote wanafanya nini? Hata sasa, wahandisi wanatumia hii barabara. Je, hawaoni huu uharibifu wote? Utaona gari limeandikwa "Chief Engineer, Public Works", linapita hapo hapo na uharibifu huo, na ni barabara ambayo imewekwa lami. Haya ni mambo ya kunishangaza mimi. Nikiendelea zaidi, kuna barabara ya kutoka Kwale, Mkongani, ambayo inapita ndani ya National Park. Ninashukuru hawa watu wa Rural Access Roads. Pale palipo na usawa, sema. Hawa watu wa Rural Access

Roads hivi sasa wanafanya kazi nzuri katika Constituency yangu. Kidogo, wamenipa nafasi nyingine ya miaka mitano, huenda nikarudi hapa. Watu wa Rural Access wanafanya kazi nzuri isipokuwa wale waangalizi wao wameanza tabia ya kutaka kuhongwa ili kuandika watu kazi. Mimi nina ushahidi wa muangalizi ambaye kazi yake kubwa ni kuhongwa na wanawake, aweze kufanya mapenzi nao ili awapatie kazi, na nikiulizwa niseme, nitasema ni nani. Katika Constituency yangu hivi sasa, ---

Mr. Shikuku: Jambo la nidhamu, Bw. Naibu Spika wa Muda. Mhe. Boy ametueleza jambo kubwa sana. Anasema wale waangalizi hufanya mapenzi na wanaweka ili wawape kazi. Anaweza kutuambia ni muangalizi gani huyo?

Mr. Boy: Ndiyo, Bw. Naibu Spika wa Muda. Ni muangalizi ambaye hivi sasa anasimamia ile sehemu ya kutoka Kwale mpaka Mwaluvamba. Mhandisi mkuu anamjua muangalizi huyo. Na nina ushahidi kwamba ameshafanya hivyo. Hayo ni makosa, hatari bin danger! Tunaomba muangalizi huyo aondolewe katika sehemu hiyo.

Huyo ndiyo anaharibu huu mradi wa Rural Access Roads, ijapokuwa wanafanya kazi nzuri. Ujanja wake ni kwamba, mwanamke akitaka kazi, vile yeye ni mkubwa na ana pikipiki, anambeba na kuzungumza naye vizuri ndipo aweze kumpa kazi. Tunataka muangalizi huyo aondolewe, na ninatumai PS na Waziri wamesikia.

Bw. Naibu Spika wa Muda, jambo lingine ambalo ni muhimu ni kwamba, Wizara hii inashindwa kuhifadhi vifaa vyake. Ukifika kwa wilaya, utapata kwamba mhandisi mkuu wa wilaya ana lori moja pekee. Hana tipper wala loader. Ni mhandisi mkuu wa wilaya, ana lori kubwa na gari la kuzungukia akitafuta miogo. Kuna faida gani? Hana loader, ile tipper iliyoko ni mbovu. Hakuna vifaa, kazi yake kubwa ni kuzunguka na Land Rover yake kutoka Kwale mpaka Diani. Kwa hivyo, ikiwa tunataka kufaulu, ni lazima Wizara hii iwe na vifaa halisi, tippers na loaders kwa sababu kugredi hakuna maana. Grader haina kazi maalum. Hata ndovu akikojoa barabarani, gari haipiti kwa sababu mkojo wa ndovu ni mwingi unaweza kujaza dramu moja. Sasa, pale mahali ambapo hapapitiki, ndovu akikojoa, gari linakwama kwa sababu maramu imeshatoka na udongo tu ndiyo umebaki. Kwa hivyo, tukitaka kufaulu, kule mahali ambako hakupitiki, mhandisi awe na tippers na loaders ili barabara ziweze kufanyiwa patching. Hatutaki barabara yote itengenezwe; bali sehemu ambazo hazipitiki ndizo tunazotaka ziwekwe viraka viraka. Ili kufanya hivi mhandisi wa wilaya inahitajika awe na vifaa vya kufanyia kazi. Jambo hili la utengenezaji barabara nimelizungumzia tangu 1993 niliporudishwa katika Bunge hili, na hali barabara za watu wengine zimeendelea kutengenezwa. Haya ndiyo mambo ambayo tunayapinga.

Bw. Naibu Spika wa Muda, kitu kingine ni kwamba tuliambiwa kwamba barabara ya Kwale/Kinango ingewekwa lami, na jambo hili lilitangazwa rasmi katika mkutano mkubwa uliokuwa huko Kwale. Kama anavyosema mhe Shikuku--- Wakati huo uchaguzi mkuu ulikuwa karibu na mhandisi alingia na kuanza kuipima barabara hiyo. Sisi tulianza kusema Kanu ilikuwa inafanya kazi. Lakini baada ya uchaguzi mkuu yule Mhandisi alitoweka. Hili ni jambo baya ambalo lilitendeka kuhusiana na barabara ya Kwale/Kinango. Kinachonishangaza sasa ni kwamba tunaambiwa hakuna pesa za kuitengeneza barabara hii lakini wakati huo huo pesa za kutengeneza barabara mahali kwingine ziko. Hali hii ni kama mvua inayonyesha upande mmoja. Hili ni jambo baya na ni heri "mvua hii inyeshe kila mahali". Kwa hivyo, ombi langu ni kwamba inafaa jambo hili lichunguzwe kwa makini.

Kwa hayo machache, naunga mkono.

Dr. Kituyi: Thank you very much, Mr. Temporary Deputy Speaker, Sir. After that major entertainment from the Chief Whip of the Government I want to make my contribution which will not be as flattering. But as a point of departure, normally a presentation by a whip of a party reflects the soul of that party. When a whip stands on this Floor and makes a major statement, whether he is from the Government or from the Opposition, he approximates the mainstream thinking in the political leadership that he represents in Parliament. To the extent that, that logic applies to this House, we have to start asking ourselves whether there is a Government in this country or not, if an embodiment of the spirit of Government, the Chief Whip of Government, has shown us the blatant flaws of this conglomeration of leaders, called the Nyayo Government.

Before I go on to complain about little roads and bridges in Kimilili Constituency I wish to make some fundamental statement about policy and governance. Usually we will want to expect of a Government to have a vision, whether on the construction of roads, construction, maintenance or disposal of public houses or the movement of civil servants in any given Ministry. Listening to the Minister for Public Works and Housing and his Assistant Minister, and to other contributions from the Government side, and also looking at the document where they are asking the House to give them money there does not come through any idea whatsoever of what longer term vision they have as a Government on the road network, the role of roads vis-a-vis other forms of transport in this country and the prioritisation of certain roads over other roads.

I say this because I witnessed a very interesting incident when the President was coming to my district. In the Bungoma District Development Committee (DDC) we went on for one year complaining about certain stretches of tarmac roads which were very fast in very densely populated areas and we wanted the "sleeping policemen", the bumps, erected on those stretches. After one year these bumps were put but, unfortunately, for us soon after there

was to be a by-election in Webuye and the President was to pass along this road. So, because of not wanting to inconvenience the presidential motorcade to go over slow bumps bulldozers were mobilised to scrap all the bumps that we had taken one year fighting to have. And even after the President comes things do not end there.

Mr. Temporary Deputy Speaker, Sir, some of us have been very unhappy about the totally unjustifiable waste of resources resulting from going to by-election campaigns. But one of the strange things about those by-elections is that roads are graded, some stretches are gravelled and sometimes we have trucks pouring water on roads to reduce the dust because the President is coming to campaign. When the President comes, if you are lucky, you can have him decreeing the construction of a road. He just says "Let there be a tarmac in that area", and the Minister concerned stands up and answers "Yes, Sir". Just like the other day when he said "Let there be doctors in health centres" - I do not know whether they are coming from China or wherever - but anyway, the Minister still answered "Yes, Sir". Now, there is a fundamental question on this. If we are coming here as Members of the National Assembly to prioritise roads, to fairly allocate resources on roads---

The Assistant Minister for Public Works and Housing (Mr. Mwamzandi): On a point of order, Mr. Temporary Deputy Speaker, Sir. It is not out of order for one to use the name of the President to support their argument!

The Temporary Deputy Speaker (Dr. Ombaka): Mr. Mwamzandi, that is not a point of order. Hon. Kituyi is well within his rights and within the Standing Orders.

Dr. Kituyi: Thank you, Mr. Temporary Deputy Speaker, Sir, for clarifying something that some people have problems with. They hear the word "President" and think that I am using it to justify my argument. I have not done that. But I am saying that if we are deliberating here about allocation of public resources, taxpayer's money, and prioritisation of certain construction works and then a presidential statement leads to the construction of a road which is not even in the Budget, this raises a lot of serious questions about how we appropriate public resources.

Having said that I wish to continue on a number of things---

The Assistant Minister for Public Works and Housing (Mr. Mwamzandi): On a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Dr. Ombaka): If it is on the point I have ruled I am not going to allow it.

The Assistant Minister for Public Works and Housing (Mr. Mwamzandi): Mr. Temporary Deputy Speaker, Sir, I just wanted to read to you the relevant part.

The Temporary Deputy Speaker (Dr. Ombaka): I have made a ruling on that! Proceed, hon. Kituyi.

Dr. Kituyi: Mr. Temporary Deputy Speaker, Sir, all of a sudden hon. Mwamzandi, who has major conceptual and linguistic problems in this House wants to read to us Standing Orders! I wish he could wait and reply to this Motion.

The Temporary Deputy Speaker (Dr. Ombaka): Hon. Kituyi I have ruled on that; please, proceed.

Dr. Kituyi: Thank you very much, Mr. Temporary Deputy Speaker, Sir.

Now, a Question was raised in this House by hon. Wetangula and it was answered by hon. Mwamzandi. The Question was on the shoddy work which had been done on the stretch of the road from Makutano to Timboroa, a 36-kilometre stretch which looks like a moon scape today. The answer given by the Assistant Minister at the time was twofold. One, that we must accept the less than perfect quality because the contractor was the only local one that is involved in road construction work. Two, since the construction phase was not over a lot of maintenance of that stretch was going to be done by the contractor. This is close to the root of a major mistake by this Government. One, there is totally no justification where the Government can commit taxpayer's money to shoddy work just because the owner of the company is a local. After all, at any time, many of these so-called local contractors keep all their profits outside the country while foreign contractors reinvest their profits in this country. So, just the fact that the frontier of a construction company happens to be a Kanu politician is no good enough reason to construct such a shady piece of stretch as we have between Makutano and Timboroa. Two, I have been passing along that road very regularly and have seen that the people who are involved in filling the potholes in it are employees of the Ministry of Public Works and Housing; they are not employees of the company owned by hon. Biwott, as the Minister alleged at the time of answering that Question. I wish that even if they want to lie to hon. Members in the Opposition, these Government Ministers could speak slightly less than untruths when they are replying to one of their own.

Moving from that, this Ministry appropriates our money to maintain public houses and it should explain to Kenyans why all of a sudden, over the past two or three years, they have found all Government houses worth condemning. There is so much condemnation of public houses in this country! Go to Mombasa and you will find that every Ministry is losing its houses. The houses are condemned and then occupied by people from the right political connections. Why do they not find it a risk for their own beloved ones to occupy condemned houses?

Why are they condemning very good public houses in order to allow those who are politically correct to

grab? It is a shame and disgrace if year in year out they come to us again and pretend that they are custodian of public will and they want more money to maintain government houses and the only maintenance they are doing is to find which one should now be grabbed by who and they condemn it.

Mr. Temporary Deputy Speaker, Sir, I would like when the Minister comes to reply to this Motion to tell the House why there is a request in these Printed Estimates for money for loans for tenant purchase housing scheme. There is such a provision. There is a request in the Printed Estimates. Why should the Ministry of Public Works and Housing be asking for money to give loans for tenant purchase at this time when the same Ministry is giving some loans to the National Housing Corporation, which would be a better place for people to go if they are seeking that or to go to the private mortgage market instead of having to smuggle it in through the "Ministry that is supposed to be the Ministry for House Condemnation"?

*[The Temporary Deputy Speaker
(Dr. Ombaka) left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, in the Budget last year, I noticed something strange. There was a provision of money for a road from Turbo-Mautuma-Kimilili. I know where that road passes, it passes straight through the centre of my Constituency and in my neighbourhood. That money was approved and the road from Turbo up to River Nzoia, the total part of that road that traverses Lugari Constituency was gravelled. The two thirds of the road, which is in Bungoma District was not even graded. I see a similar request for the same Ministry for the same road. It will be very helpful for the Government to tell us when they use names that traverse Opposition areas, whether it is just the icing on the cake to justify allocation of money which money, is then later on used only to construct or maintain roads in sections for the persons who are politically-correct.

Mr. Temporary Deputy Speaker, Sir. We have raised this matter here before and we will continue raising it. That it is immoral when you leave Nakuru on your way to Eldoret, that you have three alternative permanent tarmac roads either through Makutano, Eldama-Ravine or through Iten. There is no justification that all of a sudden the productivity of this area can justify such roads when other important areas are left without roads.

Mr. ole Tuya: Thank you very much Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute on this Motion. I think roads are the most important things that we should consider in our nation because without roads there will be no development. I think the Ministry of Public Works and Housing is totally failing and should think on how to help because almost everybody in the country is crying because of poor conditions of roads. I think the worst poor roads in the country are those found in Narok District. When you leave Nairobi and reach the boundary of Naivasha and Narok, you will enter the rough roads of Narok District. From Nakuru towards Nalili at the end of Bomet District you will enter the rough roads of Narok District. From Nakuru towards Simau at the end of the boundary of Kericho District you will enter the rough roads of Narok District. From Kericho when you reach Mulot you enter the rough roads of Narok District. I think it is better if roads are properly maintained throughout the country.

Mr. Temporary Deputy Speaker, Sir, if you see the road from Nairobi to Mara, it is the most rough road and yet a good substantial amount of money is received through the famous Maasai Mara Game Reserve. Is it not shameful for such a road to be rough to an extent that visitors always get accidents? Every week there is an accident and I think the Ministry should take great interest on that road because it is important road and it can let us down.

Mr. Temporary Deputy Speaker, Sir, this road is the only tarmac road we have in Narok and I think it is better if that tarmac is not there because it is completely worn out. Some of the roads in my Constituency are neglected completely. There is a road from Mai-Mahiu to Mara which is impassable. There is a road from Ewaso-Nyiro leading to Naorosola and Loita and it is better if it is a murruma road for it has never been graded for many years.

Mr. Temporary Deputy Speaker, Sir, there is a road from Muswoniti towards Naikara, it has never been graded and such kind of roads should be murrumed because for over 10 years they have never been repaired. Again, the road from Uswanyiri to Olosomolu which is on the boundary of Kenya and Tanzania has been neglected for over 20 years and it is very bad indeed. Some of these roads will help school inspectors when they are going to inspect schools. These roads are also important when milk is being delivered to schools. I think this is the time when these roads should be considered.

We have a road which is 50 kilometres from Mulot to Narok which the Ministry has been promising to tarmac very soon. I do not know when the Ministry is going to start working on that road. You find the Minister saying that a certain road will be graded on a certain month and then after one year it has not been done. I think it is

better now for the Minister to see that these roads are graded this time.

Mr. Temporary Deputy Speaker, Sir, there is also a road from Ewaso-Nyiro leading to Leleik up to Transmara and it is a very good road for tourists leading to Kiligoris but again it is rough. It is better for the Ministry to consider repairing this road. I know most of the roads in the country are in very poor condition but I think Narok District have the worst roads and I think we also need to share that national cake.

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

Mr. Ndicho: Thank you very much **Mr. Temporary Deputy Speaker, Sir,** for giving me this opportunity to say a few things about this Ministry. However, it is very sad as **hon. Shikuku** observed that the Minister is not here to hear and record the very useful---

The Temporary Deputy Speaker (Mr. Wetangula): **Mr. Ndicho,** his Assistant Ministers are here and are taking notes on his behalf.

Mr. Ndicho: Thank you **Mr. Temporary Deputy Speaker, Sir,** much obliged. I appreciate the fact that also the Permanent Secretary for the Ministry is here I would like to alert the House that there is a plot for the Ministry of Public Works and Housing in Thika, the only five acre plot which has now being grabbed and it is now being demarcated this morning I was with the District Public Works Officer. I had to bring the issue to his attention and ask him to go to the site of the plot meant and earmarked for public works depot for that new district. Right now, it is in the hands of grabbers and I appeal to the Ministry to move very fast and save that plot because it is the only one they have in that district for keeping their tractors, graders, trailers and so on when they get them. It is my pleasure that the PS had noted that and the Minister is also here.

I will also want to thank the Government for re-carpeting the Nairobi-Thika Road but, I would like to point out that the contractor who is doing that job, just like that road from Timboroa to Makutano is doing a terribly shoddy job. The tarmac is already put and it has been carpeted but, as you drive there you feel your vehicle going this way and that way yet it is a new road. The question still comes back here; who supervises the better engineering of these roads? When we were young, we used to see these things being done and we used to see engineers from the Ministry coming to supervise and ascertain that what has been done is according to the standards set by the Ministry. So, it is important that the Ministry should be serious about what is happening because a lot of money is being used to pay the contractors yet they are doing shoddy jobs. I am not an expert in that field but, I think, a road takes about 10 years before it begins to wear out. But the roads we are having in Kenya today last only two to three years before they are completely worn out. I think it is upon the Ministry officials who are concerned to pull up their socks and ensure that the works that have been done by private contractors are according to the standards set. The other point is that the Ministry is not only concerned with roads, we know they are also concerned with the maintenance of Government houses including this Parliament building but when you look at it, I think it was last refurbished when **hon. Shikuku** came here for the first time. It is very dusty and there are a lot of cracks outside and it is never even maintained. Just look at the ceiling of this Chamber. If you go to many other Parliaments in the Commonwealth countries, you really feel that you are in Parliament but here you feel as if you are in one of the district KANU offices. It is important---

The Assistant Minister for Energy (Mr. Nang'ole): On a point of order, **Mr. Temporary Speaker, Sir.** Is **hon. Ndicho** in order to impute that some of the good KANU offices we have in the districts are as the way he is trying to put?

Mr. Ndicho: The other point I wanted to raise is that it is very important that officials in this Ministry look after Government buildings. I have used Parliament buildings as an example. They should maintain the sound system here. You see when you are seated at the back there, where I normally sit, and I am given a chance to speak, I have to walk about five kms to where the microphone is. I appeal to the officials from this Ministry to come to this House and even put the microphones nearer to the speakers so that when we want to speak we do not waste a lot of time going to where the microphone is. This is the work of the officials of the Ministry of Public Works and Housing, so that when we are here to talk about the issues of the public we represent, we utilise all the little time we have. It is a challenge to them to see that it is important to make this House as an example, as one of the best buildings in this land, as the best landmark. But if you look the Kenyan Parliament buildings from outside, it is, I think the dirtiest in the Commonwealth countries if not in Africa South of Sahara. There are also cobwebs, you can hear the Members agreeing to this, **Mr. Temporary Deputy Speaker.** All that they are saying is the truth. Look at the toilets here. Who is supposed to wash and clean toilets in Parliament buildings? Is it the Members? Is this not the work of the Ministry's employees since they are paid from tax-payers money? It is important---

The Assistant Minister for Public Works and Housing (Mr. Mwamzandi): On a point of order, **Mr. Temporary Deputy Speaker, Sir.** I think **hon. Ndicho** is misleading the whole House. We are really---

Mr. Temporary Deputy Speaker (Mr. Wetangula): You are arguing, that is not a point of order.

The Assistant Minister for Public Works and Housing (Mr. Mwamzandi): I think **hon. Ndicho** is misleading the whole House and out of order therefore, because the Ministry is not responsible for the cleanliness of

the toilets here. The National Assembly has its own staff to see that toilets are cleaned.

Mr. Ndicho: Your argument is treated with the contempt it deserves. The other issue I would like raise is that Kenyan motorists are paying a lot of money for Fuel Levy Fund. So the question comes; who is in charge of this levy? Who controls these billions and billions of shillings which are supposed to maintain the roads? In fact, we should not have Questions concerning roads in this country because I am paying Kshs2.00 for every litre of petrol that I buy. This money is collected from all over the country, from Garissa to Mombasa and from Kisumu to Garba Tulla. Billions and billions of shillings are collected in one month because petrol stations are opened for 24 hours. You can imagine the billions of shillings that are collected from this. So, the question is: Where is this money going? Who is pocketing the money? You see the gesture the Minister is making---

The Temporary Deputy Speaker (Mr. Wetangula): That will not go to the HANSARD.

Mr. Ndicho: Definitely, but the question is: Why is this money not being used to maintain the roads as the term "Road Maintenance Levy" implies? That is why Kenyans say that our money is collected and then it is stolen. It is stolen by people in high echelons of this Government. I have roads in Juja, the road from Ruiru to Githunguri up to Uplands, a road passing through a very high potential agricultural area where there is a lot of Coffee, Tea and milk yet this road is never maintained. There is another road from Ruiru to Kiambu passing through coffee estates which pay a lot of money through coffee cess. I appeal to this Government, if they want votes and to be considered, they must also develop Opposition areas. I still sympathise because even KANU zones are even worse. **Mr. Rotino:** Mr. Temporary Deputy Speaker, Sir, the Ministry of Public Works and Housing is one of the vital Ministries after the Ministry of Education because if one wants to move from point 'A' to point 'B' he needs a road network. For hon. Members to campaign in our areas, they need good road network.

Mr. Temporary Deputy Speaker, Sir, I would like to thank the Ministry's staff for what they are doing despite all the problems that are there. In spite of the financial constraints that are existing within the Ministry and the entire Government system, the Ministry of Public Works and Housing is doing its best to be able to ensure that those roads are maintained.

Roads in Kerio Valley are almost impassable as I am speaking now. From Birecho to Marichipus and from Lodwar to Tot the roads are almost impassable, especially after the long rains. The culverts and bridges on those roads have been done unprofessionally because during the rain seasons all drainage system is blocked up, hence breaking the roads and making them impassable. I am appealing to the Ministry to see to it that professional work is done when roads are being murramed so that roads in Kerio Valley are well maintained. From Kapsawar to Tot through Arror it takes one more than 11 hours to cover a distance of 85 kilometres. Those roads need to be considered.

Mr. Temporary Deputy Speaker, Sir, on the rural access roads, the Ministry is doing commendable work, but the casual workers working on these roads, especially in West Pokot have not been paid for the last four to five months. Can the Ministry staff who are responsible for maintaining the rural access roads ensure that they are paid on monthly basis. They should be paid promptly because they are casual workers who depend entirely on that work. For example, the casual workers working between Romut and Chesegeon road have not been paid for the last six months. If something could be done, I would appreciate.

Mr. Temporary Deputy Speaker, Sir, let me touch on the bush-clearing along Kapenguria-Lodwar road. If one is driving along Kitale or Kapenguria-Lodwar Road sometime one may not be able to negotiate some corners because bushes have not been cleared. I am appealing to the Ministry to see to it that, that bush is cleared to enable those drivers to drive smoothly without being obstructed by the bush.

Mr. Temporary Deputy Speaker, Sir, at the moment, the Kitale-Kapenguria Road and Kapenguria-Lokichoggio road are being recarpeted. This recarpeting is sub-standard because, as I speak now, you cannot drive along that road because those big trailers that go to Lokichoggio have completely spoiled that road. The level of the murraming is very low. I wish the engineer who is in charge of that road drives on that and sees what I am talking about because the road is really sub-standard. There is no need of recarpeting a road now and after one or two years the whole exercise is repeated after spending a lot of money on it.

Road signs are very important on our roads. So many accidents happen along Kamatira as you descend the valley towards Kerio Valley, as you drive from Kitale to Kapenguria to Lodwar, because there are no road signs on that road and even on other roads in other parts of the country. I appeal to the Ministry to see that road signs are put along the roads for our safety. I do not know whether the contractor who is recarpeting this road is going to put up those signs.

I will now talk on the tendering and awarding of contract in the Ministry. This has been mentioned several times in this House and outside that tendering procedures are not up to date. Well, I have no case in mind, but I know that although we still have indigenous contractors, not all constructing companies have directors who resides in overseas. I would like to encourage local contractors to open up companies to construct roads, and the Ministry

should be able to give priority to those contracting companies that have local support. If you visit new roads that are being constructed you only see whitemen or paper citizens who own these companies. I plead with the Ministry to be awarding contracts to local entrepreneurs so that they can improve their living standards.

Mr. Temporary Deputy Speaker, Sir, I want now to talk on the priority of tarmacking roads. I do not know how the Ministry makes priorities on which road to tarmac or in which province. If you look at West Pokot or West Marakwet we have no tarmac road. We are only advantaged by being in-between Turkana and Trans Nzoia. That is why there is a road passing through West Pokot. There is no tarmac road that has been made specifically for West Pokot. I remember last time, I brought a Motion here requesting the Ministry to tarmac a certain road. There is a road that passes through a very potential area of Markwet District and West Pokot as opposed to Keiyo District and Trans Nzoia. The Kapenguria-Cheptonge-Iten Road is a priority road. We want to see whether the Ministry is going to tarmac, even a distance of five kms, 20 kms or 30 kms of that road. With regard to Birecho-Marechi Road, we want the Ministry to do something on it so that we have something to tell our people. We would like to have a document from the Ministry on this road, even if the road will be tarmacked in the next ten or 20 years. We want to have something tangible to tell our people, because we cannot keep on giving our people promises all the time despite the financial constraints that we are facing.

Mr. Temporary Deputy Speaker, there is a programme called Road 2000. I do not know what this programme stands for. If that programme is there, I hope that it is intended to help in the rural areas. Maybe, the programme is intended to facilitate us to get funds from foreign donors. If that programme is there, let it be used to help people in districts like West Pokot.

Mr. Temporary Deputy Speaker, Sir, I would like to suggest to the Ministry to have what we call, "highway maintenance unit". I do not know whether we have one in our country or not. This cuts across districts and provinces so that you do not have a Provincial Works Officer or Provincial Maintenance Officer whose responsibility is to ensure that a certain portion of the road is maintained. This is possible because we have specific highways like from example, Lokichoggio-Mombasa, Nairobi-Mombasa, Eldoret -Malaba highways and so on. These are the highways that are supposed to be maintained. If we can have a unit that specifically takes care of the highways, it would save us time and money. For example, if you have highway traffic police situated at the centre of one highway so that they are not just confined to specific areas, that would go a long way in helping maintain these roads. In that way, the Ministry could concentrate on other areas of the road. This Ministry is called the Ministry of Public Works and Housing. The housing component is there. If you go round all the district headquarters and see the houses that civil servants live in, they are in pathetic condition. Those houses should be considered for maintenance by the Ministry.

With those few remarks, I beg to support.

Mr. Ogeka: Thank you, Mr. Temporary Deputy Speaker, Sir. This is a very important Motion. It will either develop or underdevelop the country. It can enhance development or retard it. Further to that, roads determine the mortality rate of a given area. Actually, road carnage is a big concern to us. In introducing my concern nationally, first, I commend the Ministry for bringing in the technical staff. This shows a lot of concern and I hope they will leave this place having known the national concern of the legislators.

First, the quality of vehicles in this country is determined by the type of roads we have. Actually, the wear and tear will determine the type of roads we have. The importation of spare parts will depend on the worthiness of the roads that our vehicles use. It is therefore going to be very economical if we have quality roads in the country.

The second part of it is the manhour in terms of communication. How much time do we spend travelling with regard to the quality of our roads? We should be spending minimum time to be able to perform our duties efficiently. If the manhours in this country are going to be spent in terms of communication, then I think the personnel concerned are not contributing to the development but to the underdeveloped of the nation.

Other than death caused by HIV/AIDS, the second area that contributes to high death rate in this country are accidents caused on our roads. Does this happen because the drivers are careless, our vehicles are unroadworthy or because our roads do not provide safe opportunity to the drivers or the road users? To me, in terms of percentage, approximately 50 per cent of deaths on the roads are caused because of the bad quality of roads that we have. They have pot holes which can last for many years without repair and when they repair them, the technical staff do so using murrum but you wonder how bitumen and murrum would provide a safe road. You can travel on a road in the morning and in the evening find a pothole. It might happen that in the morning you did not leave that pothole there but on coming back in the evening you suddenly find a very deep pothole and try to swerve to avoid it only to summersault. A death is caused. To my dear brothers the technical staff, I would like to tell you to work on our roads to curb road carnage. Let us be very much concerned about the safety of our roads.

Coming to another cause of road carnage which adds up to 20 per cent of the death rate from roads is the state of our vehicles. Our income in this country is so small that if our vehicles are not going to be roadworthy within two years from the time we buy them then I think we are posing a real economic burden to the Kenyan citizens. At least we

should be able to use our vehicles for a period of five to ten years without major maintenance or repair. For lack of roads, Africa was termed a dark continent. With roads everything seems bright. What role does a good road play in terms of facilitation of development? It is important to note that a country without roads is a dark country. Quality of development in a country will be determined by the road network. If you want to assess development of a country you need to go into that country look at the road network, how well they are maintained, how they are managed in terms of installation of road signs and you definitely know that, that country is serious not in terms of quantity but in terms of quality of development they guarantee to the people.

Coming crucially to areas of saving, I would like to talk particularly on one of the roads which appeared in a Government Budget in 1978. This is Muhoroni-Fort Ternan-Kipkelion-Londiani Road. This was the major North Road. The road that the colonialist emphasized on. This road has been disregarded. It was to be taken up under the ADB funding and for one reason or the other on a very subjective view somebody felt that this road must not be developed because it would underdevelop Kericho. The idea was so naive. If anything, it denied the Kenyan community the saving of a 40 kilometre stretch of road in terms of fuel and vehicle spares. Should we repair it straight away the rich Kipkelion area connected to Muhoroni area would fantastically benefit the country. The sooner the road can be worked on the technical staff and the Minister here, the better for this country.

Coming quickly to the areas that I serve, the sugar belt of Muhoroni, we have the Mambo Leo- Miwani-Chemelil- Muhoroni Road. It was tendered in 1993/94 for prequalification. To my dismay, in this Budget, it does not exist and all we need is to repair it. I wish to ask this Ministry its policy in terms of repair and maintenance of roads. We make roads but just a scratch on the road turns out to be a ravine; a deep pothole and the following day the road is totally cut across. What is our national policy in terms of road maintenance? How long should a road take before it is regavelled? Talking further on that, the Mambo Leo-Miwani- Chemelil-Muhoroni Road is a high density road in terms of gross income to the country. It is a heavy duty sugar road. The last time it was done is hardly 15 years ago and no maintenance has been done to it. Currently, it is totally out of use. Talking on a shorter road, Ahero-Miwani Road, it was cut in April this year. I have gone to the District Works Officer, consulted him on this matter and actually he only needs some six culverts to bring the road back to use and one can visit the place many more times. They sometimes tell me to contact the headquarters. I think centralization has to be looked into if it hampers work at the point where we need the actual development. That comes closely with the Public Works depots. Actually, the colonialists were even better in distributing the work units in the respective divisions and very quickly the people in the Public Works depots could come into immediate action to rescue a situation which would otherwise run out of hand if allowed to stay long unresolved. That is a section of the Government that should be reviewed. Through the Fuel Levy Fund let the District Public Works Units do their work. We had some District Public Works Units in Muhoroni, Koru, Songo and in Chemelil but currently we do not have any and if anything we have a moribund in Muhoroni which has no tractor, van not even a tipper and I wonder actually what they are doing.

Finally, I want to talk on rural access roads. We do not have these roads. Currently, we have over 500 tractors plus vehicles travelling in these sugar roads. I request the Ministry in respect of the role the rural access roads play in terms of cane development to look into this. Besides the sugar cess, there is the sugar development fund which goes into the maintenance of roads and I challenge the Ministry to allocate some funds that would properly go into facilitating cane transport to the factory. This is of crucial concern nationally and the sooner we get to it, the faster we shall complement the agricultural output for the benefit of our country. Finally, I now come to the last road which is in Muhoroni and this is the Muhoroni-Songo-Nandi Hills Road. The one which comes from Tinderet was tarmacked.

The one which connects Muhoroni to Songo was isolated. It is an island of a murram road. Actually, in terms of equitable distribution of service to all on national integrity and unity for purpose, it is important that one section of the road does not have to be neglected and isolated and another section improved to a higher quality than the other one. If we are going to create a united Kenya, let us look at the universal requirements of the people and make provision for them adequately.

I wish to support this Vote and even wish to give it much more for the betterment of the roads. Thank you, Mr. Temporary Deputy Speaker, Sir.

Mr. Isaack: Mr. Thank you, Mr. Temporary Deputy Speaker, Sir. Many hon. Members have spoken about the roads that are not accessible to the rural areas in their constituencies. I will speak about North Eastern Province in general and about Mandera District in particular. During the rainy season, the entire North Eastern Province is not accessible. Since Independence, 33 years ago, we do not have an ounce of a tarmac in the entire Province of North Eastern. The only way we, hon. Members from that Province can reach our areas is by air. The planners of this country have neglected the road network in the entire Province such that the entire Province is almost a closed area and it is not accessible to the rest of the country. The planners of this country have been arguing that North Eastern Province is a barren country, that it is a place where there is little economic activity. Let me assure this House that with the continuous land fragmentation and the population explosion in our arable land, North Eastern Province will be

the only hope in the future where the country's bread basket will entirely lie. As the population increases in the entire country in our arable lands, as I have said, North Eastern Province will be the place where this country's food basket will come from because, we have areas that have a potential for agriculture and it will be this province that will sustain the economy of this country in future. Therefore, the Ministry of Public Works and Housing and the planners in this country should ensure that this Province is opened up by providing a tarmac road, at least, between the districts which constitute this Province.

Mr. Temporary Deputy Speaker, Sir, my constituency is made up of six divisions. During the rainy season, I am only accessible to the Central Division which is made up of Mandera town. This occurs over a period of four months in a year. I am not accessible to the rest of the five divisions. I would like to mention the areas that are affected seriously because of these poor roads. The road that connects Mandera town via Aradia to Elwak which runs parallel to the Somalia border and in some places, it is only five miles away from the border, has grossly been neglected for the last 20 years. No serious improvement has been done on this road which serves three divisions among the six divisions which constitute my constituency. Apart from the economic development that this road would bring, the biggest problem is the security risk that occurs as a result of these poor roads that serve these areas. As we know, Somalia has had no central government for the last three or four years. This road that goes parallel to the Somalia border which, as I have said, in some places is five miles from the border, has caused a serious security risk. It is not just the people who live around this area that are at risk during the rainy season, but also the civil servants, including the District Officers and the police. They face the risk of being attacked and they cannot be helped by the district headquarters. During the rains, this road is cut off from Elwak and from Mandera, thereby, making the people living between these sections vulnerable to attacks at any time and they cannot be assisted. They cannot get immediate assistance because the road is cut off.

Mr. Temporary Deputy Speaker, Sir, even at one time, a police post was attacked and three guns were stolen by bandits. There was no immediate assistance since the road had been cut off because of the rains and the poor condition of the road. The District Officers that man these divisions which lie along this road use camels during the rainy season as a means of transport. That is the only means of transport they can use. Imagine a District Officer travelling by camel for 100 kilometres from a division called Lasi(?) to Mandera because that is the only means of transport available. You can imagine that the camel is a very important animal in my constituency. If it was not for the camel, the civil servants would have been in a very serious problem. I would like to urge the Ministry of Public Works and Housing to seriously address this issue. Apart from the economic activity that this road will open up, the lives of the people are at risk. We are living along the Somalia border where there is no central government and where there are marauding militias that are not under the control of any government and which can attack any place. Now, there is a road serving this area which is not accessible, and these people cannot be helped. The lives of the people are in danger and they can be killed at any time without receiving support from the nearest police station. I cannot talk of this road opening up any economic activities. Our lives are already in danger. Security is paramount, it is number one. After that, you can now think of areas of development. That road that presently serves the area between Mandera, Elwak and Lasi has now become a gully. It has been eroded so much that there are gullies in all the sections and vehicles cannot use it. During the dry season, vehicles have made their own road, by-passing that whole road because most parts of the road have now become gullies. In other parts, it has become filled with sand dunes so that even during the dry season, it is impassable. For the benefit of the people living along this area and the civil servants who are supposed to protect the lives of these people but who are in problems because they cannot use their own means of transport, I, therefore, I urge the Ministry to seriously address this issue. The only means of transport during the rainy season that remains is camels. You can imagine that this involves our security but we use camels, just because the road is impassable, in order to track down bandits. I therefore, urge the Ministry of Public Works and Housing to seriously ensure, as urgently as possible, that this road is passable.

Mr. Temporary Deputy Speaker, Sir, the life span of Kenyan roads is very short. You can see a road that has been tarmacked lasting for a very short life span. I do not know whether this happens because of poor workmanship, or what the reason behind this situation is. The biggest problem is that many of the roads on which we have spent millions of shillings have a very short life span. So, the Ministry must address this situation. I understand that the Chinese construct the best roads. And I think some of our contractors are not serious in ensuring that they construct roads with very long life span. The Ministry of Public Works and Housing is spending billions of shillings to construct roads that have a very short life span because, probably, the right materials are not used. Therefore, the Ministry should ensure that roads that have a very long life span are constructed.

With those remarks, I beg to support.

Mr. Michuki: Thank very much, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this debate on the Vote of the Ministry of Public Works and Housing. You will recall that I have been one of the hon. Members who, during the past period of this Seventh Parliament, have asked a lot of Questions on

roads. Indeed, when I asked my 12th Question I later withdrew it from the House, as far as I was concerned, although the Chair would not allow that, and I did this out of, if you like, frustration which, since 1993, the Ministry had caused me. In spite of that the problem remains the same. The roads in my constituency in relation to which I have raised Questions remain in the same condition. Examples of these are Thuita/Kamune/Kiriaini Road, Mihuti/Kenya Njeru/Road, Kayu/Kihoya/Road, Nyagatugu/Wanyerere Road and many others. The answers which I have received here have been very disappointing.

I also brought a Question here regarding the resurfacing of Murang'a/Kangema Road. At that time, April, 1994, a Minister of the Government stood up in this House and told the whole nation and the whole world that come June 1994 a contractor would be on site. As you realise, a lot of time has passed and yet no contractor has been on site, despite the fact that the African Development Bank has provided money for this road. Indeed, I cannot remember any project that has been carried out in Murang'a District since we were elected in 1992. Surely, that is the place where there is Opposition - that is where hon. Matiba comes from. In fact, 95 per cent of Muranga-Kangema Road passes through hon. Matiba's constituency and yet it is the only road we can use to get to Kangema. So, the Government is behaving like this man who wanted to hit his wife but in the process hit his son and killed him. If the Government wants to hit hon. Michuki or hon. Matiba, what will happen to the hundreds of thousands of people in Murang'a District? The Government is behaving like that man who killed his child because while aiming to hit his wife he missed her and hit his son.

The roads I am talking about include Gitugi Road on which over Kshs75 million was spent before work on it was abandoned. The last time I was in the Minister's office he had promised that construction work would resume because, as he put it, and I would like him to listen to it, the President had ordered that all stalled projects must be completed. That is what I was told last year. However, come the Estimates for this Financial Year there was no provision for this road, except only a provision for payment of compensation to people from whom a lot of land was acquired by the Government for this road. It would have been better if the owners of that land had been allowed to continue cultivating their land. They have not been paid and yet they cannot use their land. All these things, very empty promises, are being noted by the citizens of this country. I think that there should be decency in dealing with public affairs. If you do not want to do something for a variety of reasons, for example because Murang'a District is all in the Opposition, please just say that you will not do it; but do not continue promising things you have no intention of fulfilling. That is not a behaviour that should be associated with any Government.

Now, the first time we passed the Road Maintenance Levy Bill it was estimated that Kshs1.8 billion to Kshs2 billion would be raised every year through this Levy. I believe that when the Minister came here a second time to raise the rate of the levy he was again to raise about Kshs1.2 billion. So, where is this money going? Is it going to the construction of the Eldoret International Airport? Or, is it going to other directions? I am just asking questions! The Nairobi-Mombasa Road is a killer! The other day I was travelling between here and Taita Hills and by the time I got to Taita Hills I was very tired. This was because the Nairobi-Mombasa Road is very unevenly repaired and yet it is an international road which, in any case, was built by the British and not by the Kenya Government - and I know it. Where is that money for maintenance of the roads?

Mr. Temporary Deputy Speaker, Sir, where is that money to maintain roads as agriculture, trade, tourism and human contact depends on roads? This is an area where the Government appears to be most inefficient? I think the Government and the Ministry of Public Works and Housing, will have to assume a new ideology of fairness, consideration of the rights of taxpayers and an ideology that is committed to the development of the whole of Kenya irrespective of the views that people hold in those areas.

Mr. Temporary Deputy Speaker, Sir, I would also like to say that the maintenance of road reserves, is no longer done. Every road had been allocated with mowers so as to ensure that grass on road reserves was not neglected. If you got tired as a traveller, you were able to sit and relax, so that you could drive better. There is no such a place on our roads today. The bushes come right through. Look at Nairobi-Thika road; it is like that. Where are those people who were maintaining roads before? Were they angels? Are they not maintained because we have devils? Were they better than those who are there? These are the questions that the citizens of this country are asking. Or is it just indifference or is it because this Government is incapable? You will have to acquit yourself from all those accusations because they are being discussed in every village, house and office. All these things are being discussed and the Government is being assessed in all directions and particularly at a time when the lives of people now seem as if they do not matter. Very many people are dying on the roads, yet we know that potholes and lack of visibility are major contributors to these deaths and we have a Government that does not take any action to rectify that situation. So, what sort of Government is this? It is a Government that is unable to perform? So, Mr. Temporary Deputy Speaker, Sir, I cannot support the Motion.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Mr. arap Saina): Thank you very much Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support this very important

Motion on the Ministry of Public Works and Housing Vote. The whole scenario of road network is so important that even the money we are debating on and eventually approving for this Ministry is not even enough. This is because we need roads. It is one of the most important infrastructure for the development of this nation. It is so important that we cannot do without really developing this country, either in agriculture, commerce and industry and in the whole set up of the economy of this country.

Mr. Temporary Deputy Speaker, Sir, these roads are necessary but they have become a human killer, worse than malaria, typhoid and cholera. Therefore, we need really to examine the structural future of our roads to minimise most of the accidents that are occurring on the highways of Kenya. It is one aspect which we have to address because I believe and most of the hon. Members sitting in this august House will agree with me that there is such a big volume of traffic on the highways. That volume of traffic is even much heavier than the roads themselves. Take for instance the highway starting from Mombasa, on the Indian Ocean base, to the Atlantic; that highway goes through Kenya. But if you see the size and the weigh along that road, of the lorries carrying loads you only say that this road, however strong it is, will only last for a short time. So, the same with the highway from Mombasa to Sudan. The traffic which is plying on these roads is too heavy. So, this amount of money is not even enough. If we are really serious, we have to go back and look for more money. This money is not enough, otherwise, we should go for go to another alternative way of transport. Railway transport is one of them which we have neglected.

Mr. Temporary Deputy Speaker, Sir, I think it is important for Kenya to address the issue of traffic jam. Even today, as we speak, there is heavy traffic jam on the highways here and on all roads leading out of town. People start coming from home at 7 O'clock but they reach their offices between 10.00 a.m. and 11.00 a.m. They work for one hour and then it is lunch time. They take another one hour to reach their homes for lunch. By the time they resume work in the afternoon, it is already very late. I think we have to seriously think of an alternative way of rearranging our roads in Nairobi, especially, and the highways because of the volume of traffic and the loads being carried along those roads. Even if we borrow money from the World Bank, African Development Bank and so on, and build roads, they will not last. We have to do something to make sure that we build roads according to the specification of the loads that are being carried on these highways.

Mr. Temporary Deputy Speaker, Sir, I think the only alternative we can have do in Nairobi is to introduce flyovers. The flyover highways will help move the traffic much faster than it is now because the amount of work people do in Nairobi or produce is too little because of the delays. The delays are between their residential homes the offices and back again. If we do not do that in another 10 years, we will live to regret and the sooner we think of introducing flyovers in Nairobi the better.

Mr. Temporary Deputy Speaker, Sir, may I also take this opportunity to thank the Minister and the Government as a whole, for this new road which touches my constituency of Eldoret North.

This is a road which goes through Ziwa which is in Eldoret North Constituency and across Moiben River to Cherangani Constituency. We have been waiting for such a facility and now we have got it and we can now move our farm produce like maize, wheat, milk, coffee and tea to the market as fast and more efficiently than before. This is a very good opportunity that the farmers have been given, and I thank the Government on their behalf.

Last year when contributing to the Budget, I did bring up the issue of a bridge in Nandi. This bridge is on the tributary of Yala River, which is called Kimondi. It is a swampy river inflated with papyrus and the water does not move very fast, and the bridge is submerged under water for almost three quarters of the year. I request the Minister to consider this bridge and apportion some money necessary for improving it. This road which passes over Kimondi River serves tea farmers in Nandi district and also the daily farmers as well.

I must also take this opportunity on behalf of my colleagues in Nandi like hon. John Sambu who is here, to thank the Government for proposing to tarmac Kipsigat-Serem Road. I saw in the estimates that the money has been allocated and soon the construction will start. Indeed, very soon, we will be able to see the physical operations.

With those few remarks, I support this Vote. Thank you very much, Mr. Temporary Deputy Speaker, Sir.

Mr. Mak'Onyango: Thank you, Mr. Temporary Deputy Speaker, Sir. I take this opportunity to join my colleagues in ventilating on this important Vote.

I want to take this opportunity to call on the Government, to come up with some specific policies regarding this Rural Access Road Programme. You will find in some areas that the programme is very much in force and it is very active, and whatever it is doing is at least visible. However, in other areas we no longer have this programme. Road network is very, very important for economic activities of any given part of this country, hence, the need for a comprehensive policy on matters such as the development of these rural access roads and, of course, the up-graded roads. The rural access roads assume a very important role in this very important sector, hence, the need for us to have our development planned and implemented in a systematic way. It is in order that this programme should cover the whole country at any one given time. Now, the situation we have right now in which you have the programme in place in some areas and not in others I think is discriminatory and it should be discouraged.

I also want in the same breath to raise the question or the need for a systematic tarmacking of roads. We should have an arrangement whereby in any one given year this House should be told that we are going to tarmac a given number of kilometres so that each year an hon. Member of this House can look and see where he falls within the tarmacking programme. I am saying this because this is a major infrastructure and there is the need for every part of this country to share equitably in the distribution of this particular resource. If we are going to have certain parts of the country developing or being opened up for development through provision of roads and not others, this is discriminatory and it is time we did something about it. It is time we had equity when it comes to development of the road network in the country. Having said that, I would also like to request that there be some kind of legislation regarding the quality of work when it comes to the tarmacking of roads. I am saying this because roads are a very costly undertaking. It consumes quite a sizeable portion of our national cake and yet of course the same applies to their maintenance. So this is one area where I feel very strongly that there should be some kind of legislation that would require for example that for any contractor to be given a job to undertake, he should at least meet certain specifications that would ensure that the road has a long span. That is, if we perhaps decided that ten years would be the minimum lifespan of a road, then I think it would help just merely because of the cost involved. Let us have an arrangement whereby a contractor would at least undertake to meet certain specifications that will have to be set which will ensure that the number of years agreed are indeed met and that in the case where the road breaks down before that given number of years expire, then he will still be required to return to that road and repair it. If this is done, I think it will help eliminate a very big problem that we have in this particular sector right now. I think this is one area where corruption has taken quite a big toll. If we came up with this kind of legislation, I am convinced that we would be able to eradicate the question of ten per cent which is solely responsible for the poor types of roads we have in this country. So in order to eradicate corruption in this particular area, this kind of legislation would go a long way in improving matters.

Mr. Temporary Deputy Speaker, Sir, I want to move to the question of housing. It does seem to this Government or to our present Bwana Minister - I want you to hear this. That putting up houses is development.

Houses and bridges are stalled. They do not yield so much in terms of economic wellbeing of this country. The millions and millions we are putting up in stone and brick could better serve this country if put into income generating projects like the Molasses Plant that is now stalled in Kisumu. If maybe, the money that was put in the National Social Security Fund building in Nairobi was perhaps dedicated to that kind of project it would, at least, help to uplift the standard of living of millions of farmers in a big part of the country and in that way, the farmers be able to contribute more meaningfully to the economic well being of this country. It is my submission that this country would be a lot better off, if this money that we are putting into stone and brick was put into more useful projects. Projects that would be able to generate employment for our youth because the question of unemployment is a big problem in this country and we are not doing anything to tackle it. So, let us have more funds put to the establishment of industries or factories to create more jobs instead of so much being put into stone and brick.

Mr Temporary Deputy Speaker, there is need for change of policy in this particular direction. Having said that, now I want to have a look at our roads down in Nyanza Province. I am particularly concerned with the road that leads from Siaya to Nyadolela, Rwambwa, and onto Port Victoria. This is an important road because much of the fishing that goes on at Port Victoria is of economic importance to both the fishermen and this country. The fish traders use this road several times to transport their fish from Port Victoria to Kisumu and Nairobi. This road is in a pathetic situation right now, and I am sure it would help the fishermen a lot more, if it could be tarmacked, so that more fish could be transported from Port Victoria upto Kisumu and so on.

Now, Mr Temporary Deputy Speaker, I do want to take issue with the Minister on the bridge at Rwambwa which links Alego-Usonga and Bunyala on the other side. The bridge is in a total mess, yet it is one of the most costly bridges we have had in this country. Ever since it was put up, nothing has been done to maintain it and it is just about to be washed away by the water. Therefore, it is high time hon Minister, you took time off to go and see what this bridge looks and save it before it collapses.

Now, Mr Temporary Deputy Speaker, I also want to call on the Minister to come up with some kind of policy on how the roads are going to be upgraded systematically, so that as many roads as possible can come under the fuel levy net, since, the fuel levy is only meant for graded roads. So, let us have a systematic way of upgrading the roads, so that as many of our roads as possible can come under this net to benefit from the fuel levy.

With those few remarks, I beg to support.

Mr. Falana: Asante sana, Bw. Naibu Spika wa Muda. Yangu yatakuwa machache sana.

Ningependa kuzungumza juu ya barabara ya Trans-African Highway. Hii barabara inatoka Cape Town, Afrika ya Kusini hadi Cairo, nchini Misri. Ni jambo la aibu kusema kuwa sehemu hiyo ya barabara, takribani kilomita 500, haijaguswa wala kuhudumiwa na haijawekwa lami. Sehemu hii iko nchini Kenya, katika Mkoa wa Kaskazini Mashariki katika jimbo ninalowakilisha Bungeni. Barabara hii ni ile inayotoka Isiolo kwenda Marsabit na

Moyale hadi mpaka wa Ethiopia. Barabara hii inailetea taifa hili letu tukufu aibu kubwa sana, na kwa hivi sasa, imeharibika sana.

Bw. Naibu Spika wa Muda, hivi ni kusema kwamba, ni jambo la aibu sana. Je, tumekuwa maskini namna hii? Hata tukishindwa kurekebisha barabara, tutashindwa kupata hata panga tu ya kukata miti ili isiingie kwa barabara? Hizi pesa tunapitisha hapa kila wakati, tunataka kufaidika. Hata mengi yakishindwa kutekelezwa, panga zinunuliwe ili miti ikatwe na magari yapite. Vile ilivyo, magari yakitoka Marsabit au Moyale, mara tu yanapofika Nairobi, yanapelekwa kwenye garaji au karakana. Kwanza, kufika hapa ni bahati. Gari likitoka Nairobi kuelekea Marsabit au Nairobi hali ni hiyo hiyo. Wakati wenzetu wengine wanaongea kuhusu lami, tunashangaa sana. Kile tunachouliza Serikali itufanyie ni kurekebisha barabara hii, ili tuweze kuipita. Ninavyoongea sasa, magari kutoka Moyale hayawezi kuitumia barabara kuu, badala yake yanatumia barabara ya kuenda Mandera, Wajir, Garissa, Thika hadi hapa. Na huu ni ukweli mtupu. Barabara imekuwa ni tisho kabisa, haiwezi kutumika, hasa, kutoka Moyale hadi Isiolo. Tunaleta nyama kila siku hapa Dagoretti na vile vile mbuzi kule Kariobangi. Hata kama Serikali haitaona umuhimu wa hii nyama mnayokula, siwafikirii hao mifugo. Kwa sababu, kupakia hawa wanyama kwa gari, hata ni kuwaumiza. Wao hukaa kwa gari kwa muda wa siku mbili au tatu na huku hawana nyasi wala maji. Wanapofika hapa sokoni bei yao huwa imepunguka kwa sababu wamekaa siku mbili na njaa. Hii ni kwa sababu ya njia isiyopitika kwa urahisi. Hatutaki lami, lakini tunaomba iweze kupitika tu. Tukiongea mambo ya migawanyiko, hata wenzetu wakisema kuwa wale watu walio katika sehemu za KANU wanafaidika ni vizuri waelewe kwamba Kenya ni moja. Kama ni taabu, tunapata aina moja.

(Applause)

Kusema kwamba KANU inafaidika ni uwongo, kwa sababu tunalipa kodi au ushuru sawasawa; uwe kwenye upinzani au KANU. Kama ni deni lile tunapata kutoka nje tunalipa sawasawa. Kwa hivyo, jambo la kusema kwamba, KANU inafaidika na huku mnapata ni makosa. Nimeshangaa kusikia kwamba kuna barabara kadha kule Kerio Valley. Nilifikiria kwamba sehemu ya Kerio Valley na kwengineko huko hamna taabu ya barabara. Kama vile tulivyosikia kuwa hizo barabara za Kerio Valley and Kisumu hazipitiki hata nami pia nasema kuwa barabara za mkoa wa Kaskazini Mashariki hazipitiki. Taabu ya barabara hapa Kenya haijui migawanyiko ya kisiasa.

Nikiongezea kuhusu nyumba za Serikali, nyumba hizi ambazo zimeharibika zinafaa kurekebisha. Vile mambo yanavyoendelea, hivi karibuni nyumba za Serikali hazitakuwepo. Kwa hivyo, kwa vile hali ilivyo, nafikiri itakuwa nafuu kwa Serikali kurekebisha nyumba badala ya kujenga nyingine mpya. Kwa hivyo, zile nyumba zinazobaki inafaa tuzitunze, badala ya kupatia watu. Kuna barabara huko kwangu kwa wakati huu inayotengenezwa na kampuni inayoitwa Sogea. Pesa hizi zinatoka DRT (Drought Recovery Programme), ingawa hiyo barabara ni ya Wizara hii. Hiyo barabara, inatugharimu Kshs150 milioni. Kazi ile inayofanyika pale si kazi inayofaa. Wanatengeneza kilomita moja na wakifika kwa ya pili, wanaondoa murrum na mchanga.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Wentangula): Order! hon. Falana, you will carry on, on 11th. Hon. Members, the House stands adjourned until Wednesday, 11th October 1995, at 9.00 a.m.

The House rose at 6.30 p.m.