

## NATIONAL ASSEMBLY

### OFFICIAL REPORT

Wednesday, 12th March, 2003

The House met at 9.00 a.m.

*[Mr. Deputy Speaker in the Chair]*

### PRAYERS

### ORAL ANSWERS TO QUESTIONS

*Question No.004*

#### COMPENSATION FOR TERRORIST ATTACK VICTIMS

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

- (a) if he could explain why families of those killed in the terrorist bombing at Paradise Hotel in Kilifi have not been compensated for loss of lives;
- (b) if he could give a breakdown of monetary donations given to the affected families both by the Government and charitable organization and how such donations were used; and,
- (c) what action the Government has taken to ensure security at tourist hotels along the coast to avoid such attacks in the future.

**Mr. Deputy Speaker:** Is anyone here from the Office of the President? We will leave that Question until the end. Let us move on to the next Question.

*Question No.018*

#### DISBURSEMENT OF KRB FUNDS TO DISTRICTS

**Mr. Kaindi** asked the Minister for Roads, Public Works and Housing:-

- (a) if he is aware that since the enactment of the Kenya Roads Board Act the Ministry has to-date not disbursed the 24 per cent of the monies to the districts as stipulated by the Act; and,
- (b) if he could explain how much money should have gone to each district to-date and why the Ministry has not fulfilled this important requirement.

**Mr. Deputy Speaker:** Is anyone here from the Ministry of Roads, Public Works and Housing? We will leave that Question until the end. Let us move on to the next Question.

*Question No.071*

#### PAYMENT OF TEACHERS' SALARY ARREARS

**Maj. Madoka** asked the Minister for Education, Science and Technology:-

- (a) whether the Government will pay teachers their salary arrears as promised last year; and,
- (b) what the lowest salary for a teacher are, including house allowance.

**Mr. Deputy Speaker:** Is anyone here from the Ministry of Education, Science and Technology? We will leave that Question until the end. Let us move on to the next Question.

*Question No.020*

#### PROVISION OF WATER TO MARIMANTI

**Mr. Kagwima** asked the Minister for Water Resources Management and Development:-

- (a) if he is aware that Marimanti Town, the District Headquarters of Tharaka is not supplied with water; and,  
 (b) what steps he is taking to ensure that the town and its environs are supplied with clean water.

**Mr. Deputy Speaker:** Is anyone here from the Ministry of Water Resources Management and Development? We will leave that Question until the end. Let us proceed to the next Question.

*Question No.016*

FUNDING OF RURAL ELECTRIFICATION PROJECTS

**Mr. Sungu** asked the Minister for Energy:-

- (a) whether he could outline the funds allocated *vis-a-vis* expenditure incurred on all rural electrification projects within the country from the 1990/1991 financial year to date; and,  
 (b) what action he is taking to ensure the funds are reasonably and equitably distributed according to demand in the entire country.

**Mr. Deputy Speaker:** Is anyone here from the Ministry of Energy? We will leave that Question until the end. Let us move on to the next Question.

*Question No.015*

LANDS OFFICE FOR KOITABEK DISTRICT

**Mr. Korir** asked the Minister for Lands and Settlement what plans he has put in place to ensure that a land office is opened in Koibatek District to issue title deeds, among other services.

**Mr. Deputy Speaker:** Is anyone here from the Ministry of Lands and Settlement? We will leave that Question until the end. Let us move to the next Question.

*Question No.019*

MEASURES TO CONTAIN WILDLIFE IN GAME RESERVE

**Mr. Bahari** asked the Minister for Environment, Natural Resources and Wildlife:-

- (a) what steps he is taking to ensure that animals within Meru-Bisanadi Game Reserve are contained within the boundaries of the reserve; and,  
 (b) since the conflict between wildlife and the local community in Kinna Division is on the increase and the Kenya Wildlife Service personnel are harassing wananchi, what disciplinary measures he has taken against the officers.

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

(a) The following steps are being undertaken to ensure that animals within Meru-Bisanadi Game Reserve are contained within the boundaries of the reserve:-

(i) KWS has erected a 27 kilometre elephant proof fence around the Kinna community and another 9 kilometre fence around the Rapusu community.

(ii) KWS is currently in the process of erecting 55 kilometres of fence along its western and northern boundaries. (iii) Over the past three years, KWS has erected and rehabilitated more than 100 kilometres of fence in and around Meru National Park to keep the wildlife within the park.

(iv) KWS security personnel are vigilantly patrolling in the areas where wildlife is present to provide security for the local communities.

(b) I am not aware that conflicts between people and animals are on the increase, and neither I am aware that personnel from KWS have harassed wananchi in Kinna Division. I am, however, aware of an incident that took place on 15th January, 2003. On this material day, KWS personnel came across a freshly killed elephant which had gun shot wounds and its tusks were missing. My officers pursued three armed suspects to a *manyatta* where they recovered the ivory and a G3 Rifle during a search. The suspects were handed over to the chief and the G3 Rifle was taken to the DC, Isiolo.

**Mr. Bahari:** Mr. Deputy Speaker, Sir, I would like to thank the Minister for his answer. However, my Question is about wildlife. It is not only about elephants. The Minister has said they have erected an

elephant-proof fence. That fence is erected along the main road to keep animals within the park. In all other areas, animals can penetrate and attack people. In February, two people were killed in Rapusu area as they were working in their shambas. The Minister said he is not aware of the increase conflict between animals and people.

Two weeks ago, five cows were killed by lions. There is no harvest taking place in Kinna and Rapusu because rogue monkeys have been brought from other areas---

**Mr. Deputy Speaker:** Order! Mr. Bahari, please, ask your supplementary question.

**Mr. Bahari:** Mr. Deputy Speaker, Sir, since the answer given by the Minister was not satisfactory, could he tell the House where this 27 kilometres fence was erected?

**Dr. Kulundu:** Mr. Deputy Speaker, Sir, in my reply to part (a) of the Question, I said that the 27 kilometre elephant-proof fence is around Kinna, and that the nine kilometre fence is around Rapusu. It is true that the Kenya Wildlife Service (KWS) has only managed to erect an elephant-proof wire in those places due to financial constraints. Elephant-proof wire costs Kshs1 million per kilometre. If we were to go for a comprehensive cover wire, which is what the hon. Member wants us to do, it would cost us about Kshs4.1 million, which currently the KWS cannot afford. I am, however, happy to say that erection of that kind of fence will be undertaken when donor funds become available. There are some donors who have expressed interest in assisting the KWS install fences that would ward off all types of animals, and not just elephants.

**Mr. J.M. Mutiso:** Mr. Deputy Speaker, Sir, the menace of wildlife destruction of crops and other property countrywide has caused a lot of concern to Kenyans. The Ministry has a wildlife compensation fund. What is the Ministry doing to ensure that those people who lose their lives and crops are compensated? Secondly, what measures is the Minister taking to ensure that wild animals from privately-owned ranches, such as the one owned by M/s Stanley and Sons Limited, are kept away from the people?

**Dr. Kulundu:** Mr. Deputy Speaker, Sir, the Ministry established the Wildlife Development Fund way back in 1994, but it lapsed in 1998 because of the reluctance of donors to fund any project in Kenya as a result of the rampant corruption that was being experienced in this country. In the current Wildlife Conservation and Management Act, there is no provision for the KWS to undertake any development projects, if I understand the question put to me by the hon. Member. I did not quite get the second part of his question. If he could repeat it, I will provide an answer.

**Mr. Deputy Speaker:** In any case, Mr. J.M. Mutiso, you should have asked only one question. However, could you repeat the second part of your question?

**Mr. J.M. Mutiso:** Mr. Deputy Speaker, Sir, some private ranches in this country have wild animals, which have been causing havoc in the adjoining areas. For instance, in Kilome Constituency, there is a private ranch called "Stanley and Sons Limited" By the way, Stanley and Sons Limited---

**Mr. Deputy Speaker:** Order! Order! Mr. J.M. Mutiso, I have given you a chance to repeat the second part of the question you had asked the Minister. Please, do not ask another question.

**Mr. J.M. Mutiso:** Mr. Deputy Speaker, Sir, what measures is the Minister putting in place to ensure that wild animals in private ranches do not cause havoc in the adjoining areas?

**Dr. Kulundu:** Mr. Deputy Speaker, Sir, that is a very important question. It is true that over the years, the KWS allowed private ranches to flourish. However, as a Ministry, we are not satisfied with the arrangements between the KWS and private ranches. Although the money accruing from tourism in those private ranches is strictly used by the owners of those ranches, KWS security personnel are used in patrolling those ranches. We are in the process of reviewing our policy on private ranches. One of the provisions will be to ensure that private ranches actually take care of the security of the people around them. As it is now, we are dissatisfied with the security arrangement that was put in place at the time when these ranches were allowed to develop.

**Mr. Sirma:** Mr. Deputy Speaker, Sir, the Questioner asked about human-wildlife conflict in Kinna Division. The Minister now says that the KWS does not have funds with which to erect a fence around the nearby game reserve, so as to protect the community living around there. Given that compensation to the victims of wildlife menace is not forthcoming, or is minimal, could he consider arming communities living around that game reserve, so that they can protect themselves against wildlife? Human life is more important than that of wildlife.

**Dr. Kulundu:** Mr. Deputy Speaker, Sir, human life has always been more important than that of wildlife, even in the days when the Kenya National African Union (KANU) was in power.

**Mr. Sirma:** On a point of order, Mr. Deputy Speaker, Sir. Human-wildlife conflict did not come about because KANU was in power; it has always been there, and the Minister should correct himself by saying---

**Mr. Deputy Speaker:** Order! Order! Mr. Sirma, you rose on a point of order. If you want to ask the Minister another question, try to catch my eye so that I can give you a chance to do so.

You may proceed, Mr. Minister.

**Dr. Kulundu:** Mr. Deputy Speaker, Sir, it is true that the compensation rates used in compensating victims of wildlife menace are ridiculously low. These rates were fixed by the former KANU regime. This House will recall that in the year 2001, Mr. Kiunjuri, who is now an Assistant Minister in the National Rainbow Coalition (NARC) Government, introduced a Motion here, and sought to enhance compensation to victims of the wildlife menace. My Ministry is in the process of incorporating the thrust of Mr. Kiunjuri into the Kenya Wildlife Management (Amendment) Bill, which will, hopefully, be brought here sometime next year.

**Maj. Madoka:** Mr. Deputy Speaker, Sir, it is true that the Motion that was brought here by Mr. Kiunjuri was passed. In fact, this House resolved that compensation paid to victims of wildlife attacks should be increased to Kshs1 million. I understand that following the passage of that Motion, the Ministry of Finance made provision for such payments to be made. Could the Minister tell us what has happened since then?

**Dr. Kulundu:** Mr. Deputy Speaker, Sir, the understanding by the former Minister of State must have been misplaced, because I am not aware of any funds that have been set aside for that purpose.

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

**Mr. Deputy Speaker:** Order! Order! Mr. Angwenyi, our Standing Orders do not provide for hon. Members to give information to Ministers as they reply to questions.

Mr. Bahari, could you ask the last question on this matter?

**Mr. Bahari:** Mr. Deputy Speaker, Sir, in view of the fact that the conflict has been heightened by re-location to this area, of rogue elephants and monkeys from other game parks and national reserves, could the Minister consider relocating the wildlife that has been introduced to Meru-Bisanadi Game Reserve to other safe zones? Could he also ensure that rogue elephants, monkeys and lions are no longer relocated to Meru-Bisanadi Game Reserve?

**Dr. Kulundu:** Mr. Deputy Speaker, Sir, if the hon. Member listened carefully, I said that there was no evidence of increased human-wildlife conflict in that area. In fact, according to the statistics that I have for the last five years, there was no casualty in 1997 and 1998. In 1999, there was one casualty. In the year 2000, there was no casualty. In the years 2001, 2002 and so far this year, there has been one casualty each year.

**Mr. Sasura:** On a point of order, Mr. Deputy Speaker, Sir. Dr. Kulundu is known to be a very intelligent man and I appreciate that. But is he in order to concentrate on elephants when the Question explicitly asked about human-wildlife conflict? We know that wild dogs, baboons and other animals are a menace to the people of this country. Is he in order to concentrate on elephants only, in terms of wildlife?

**Dr. Kulundu:** Mr. Deputy Speaker, Sir, Mr. Sasura did not even listen to the supplementary question by the hon. Member. He talked about rogue elephants. He specifically zeroed in on rogue elephants. One of the side-effects of fencing in animals, like most hon. Members would want us to do, would be to make them rogue. Elephants tend to have migratory routes in the national parks and reserves. The moment you fence them in, like the way it happened in Shimba Hills, they tend to be rogue. Therefore, we must balance the need for reducing human-wildlife conflict and the need for fencing in all animals because they tend to become rogue, especially if their normal migratory routes are shut off!

**Mr. Deputy Speaker:** Very well, Mr. Minister! Let us have Question No.004 for the second time.

*Question No.004*

COMPENSATION OF TERRORIST ATTACK VICTIMS

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

- (a) whether he could explain why the families of those killed in the terrorist bombings at Paradise Hotel in Kilifi have not been compensated for loss of lives;
- (b) whether he could give a breakdown of monetary donations given to the affected families both by the Government and charitable organisations and how such donations were used; and,
- (c) what action the Government has taken to ensure security within tourist hotels along the Coast to avoid such attacks in future.

**The Assistant Minister, Office of the President** (Mr. Tarus): Mr. Deputy Speaker, Sir, I am sorry for the delay, but I would like to seek---

**Mr. Deputy Speaker:** Order, Mr. Tarus! It is not a delay! You were late and I recall that you were late last Wednesday! Could you apologise properly to the House and then proceed?

**The Assistant Minister, Office of the President** (Mr. Tarus): Mr. Deputy Speaker, Sir, I apologise to the House for coming late. I wish to seek the indulgence of the House with regard to this Question, because the

answer we have received is not comprehensive enough. We beg to be allowed to come with the answer on Tuesday, next week.

**Mr. Deputy Speaker:** Is that okay with you, Mr. Khamisi?

**Mr. Khamisi:** Mr. Deputy Speaker, Sir, this Question has been lying in the Ministry for the last two weeks. I do not think that it is fair for those people who have actually suffered to be kept waiting for too long. I would appreciate if the Assistant Minister could assure this House that he would bring the answer tomorrow!

**Mr. Deputy Speaker:** I suppose there is nothing the Chair can do, since the Assistant Minister has asked to be given until Tuesday! He has said that he does not have the right answer. I am sure you want the right answer. Mr. Khamisi, is it okay to defer this Question until next Tuesday, so that you can get the right answer?

**Mr. Khamisi:** Mr. Deputy Speaker, Sir, I will accept since I have no choice!

**Mr. Deputy Speaker:** The Chair has no choice either! Let us move on to the next Question.

*Question No.018*

DISBURSEMENT OF KRB FUNDS TO DISTRICTS

**Mr. Kaindi** asked the Minister for Roads, Public Works and Housing:-

(a) whether he is aware that since the enactment of the Kenya Roads Board Act, the Ministry has, to date, not disbursed the 24 per cent of the monies to the districts as stipulated in the Act; and,

(b) whether he could explain how much money should have gone to each district to date and why the Ministry has not fulfilled that important requirement.

**The Assistant Minister for Roads, Public Works and Housing** (Eng. Toro): Mr. Deputy Speaker, Sir, I apologise for coming late. However, I beg to answer Question No.018.

(a) I am aware that since the establishment of the Kenya Roads Board Act, the Ministry has been disbursing 24 per cent of the Roads Maintenance Levy to the districts to fund the on-going gravelling and resealing projects until completion.

(b) The money which should have equitably gone to the districts since the establishment of the Kenya Roads Board Act is Kshs2,383,602,716. However, the Ministry has not fulfilled that important requirement of having equitable distribution of 24 per cent because it is currently being used to wide up the on-going resealing and gravelling projects under Roads D, E and others.

**Mr. Kaindi:** Mr. Deputy Speaker, Sir, this Question touches on law. The Ministry, under that Act, was supposed to disburse the 24 per cent directly to the districts. It was not supposed to retain the money in the Headquarters and use it the way they want against the law. Could the Assistant Minister explain to the House what immunity the Ministry enjoys that allows it to contravene an Act of Parliament and, therefore, continue using the money as they wish?

**Eng. Toro:** Mr. Deputy Speaker, Sir, I think this is a very sensitive issue to hon. Members and it was severally brought up even during the last Parliament. The then Minister made a decision to use the 24 per cent allocated to the districts to finalise and complete the on-going projects. I beg your indulgence to read out the names of districts that benefitted from the 24 per cent and how much money has been used.

**Mr. Kaindi:** On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister has continued to mislead the House! I am talking about the law. The Minister cannot make a decision against the law! The Ministry contravened the Act that stipulated that the 24 per cent would be directly sent to the districts. Why did the Minister make a decision which contravened the law? That is what we are asking!

**Eng. Toro:** Mr. Deputy Speaker, Sir, I agree that the law was contravened because the 24 per cent was not taken to the districts as required. That is why I am saying that, in view of what happened and the rationale used by the then Minister to disburse the 24 per cent to the on-going projects in the districts, I wanted your indulgence to read out the amounts that went to certain districts. In some districts, some money was used in excess of the 24 per cent. There are also some districts which did not benefit from the 24 per cent.

**Mr. Deputy Speaker:** Go ahead and read! Is it a long list?

**Eng. Toro:** It is important that I read the---

**Mr. Deputy Speaker:** If it is a long list, you better lay it on the Table!

**Eng. Toro:** The list of the districts that benefitted is not long, but there are districts that never benefitted. I would like to lay the list on the Table, but it would be better if I read out the districts that benefitted

plus the amounts that they were given.

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

**Mr. Deputy Speaker:** Order, Mr. Wanjala! There must be order in the House! The Assistant Minister is talking and you are also talking! The Chair has given the Assistant Minister permission to proceed! So, could you hold your peace?

**Mr. Wanjala:** On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister has accepted that the former Minister for Roads, Public Works and Housing broke the law. This House is one of the supreme organs of the Government. Would I be in order to ask the Assistant Minister to take the former Minister to court for having abused his office?

**Eng. Toro:** Mr. Deputy Speaker, Sir, the Attorney-General will note the remarks made by [Eng. Toro] hon. Wanjala, and, maybe, take the former Minister to court.

The districts that benefitted from the 24 per cent in the years 2000/2001, 2001/2002 and 2002/2003 are as follows:-

DISTRICT	KSHS
Meru North -	70,265,767
Meru Central -	130,000
Meru South -	33,545,516
Nakuru -	396,809,702
Nandi -	312,940,389
Bomet -	15,656,160
Kakamega -	20,255,138
Keiyo -	150,964,865
Kericho -	45,000,000
Kiambu -	1,000,000
Kilifi -	46,306,812
Kirinyaga -	1,000,000
Koibatek -	137,998,677
Laikipia -	101,408,957
Machakos -	9,266,099
Malindi -	26,000,000
Mandera -	121,761,425
Maragwa -	1,500,000
Mt. Elgon -	10,399,018
Nyando -	5,000,000
Rachuonyo -	173,145,671
Siaya -	94,736,587
Thika -	21,000,000
Uasin Gishu -	140,601,805
Vihiga -	500,000
Nyeri -	2,000,000
Mbeere -	4,180,000
Nairobi -	7,000,000
Kitui -	22,568,376
Trans Nzoia -	70,975,567
West Pokot -	10,000,000
Marakwet -	20,257,129
Tana River -	198,006,729
<b>TOTAL-</b>	<b>2,383,602,000</b>

Mr. Deputy Speaker, Sir, all the other districts did not receive any money. I have a list showing all the districts that received the money and the districts that did not receive any money. I will lay the list on the Table of the House.

*(Eng. Toro laid the document on the Table)*

**Mr. Shitanda:** Mr. Speaker, Sir, you have heard how the 24 per cent of road levy money has been disbursed. We have always complained in this House that certain areas of this country have been favoured. You can see from the outset that the wider Meru region received the highest amount of money because the then Permanent Secretary (PS), Ministry of Roads, Public Works and Housing, was Eng. Mwangera, who is a Meru. Could we be told what criteria were used to allocate this money? Was it that the Minister and his PS sat down and decided to allocate money to their regions, or were there some special considerations for some areas to receive more money than others?

**Eng. Toro:** Mr. Deputy Speaker, Sir, it is not true that the wider Meru region received the highest amount of money. There are other districts which received much more money than the wider Meru region. After the Roads Department undertook to repair road classes A, B and C, road classes D and E and all other unclassified roads were left to the District Road Committees (DRCs) to deal with.

However, there were certain projects which were on-going under road classes D and E, which the DRCs could not handle. That is why the Ministry decided to complete the on-going projects on the categories of roads which were under the DRCs instead of terminating them and throwing the burden to the DRCs.

**Mr. Billow:** Mr. Deputy Speaker, Sir, my district has been mentioned as having received Kshs121 million. That is Mandera District. No gravelling of any road has taken place in Mandera District since 1978. Not a single kilometre of road has been gravelled since 1978, and the Kshs121 million must have been embezzled by people in Nairobi. The money must have been taken from the Ministry by some individuals. I am aware that about two years ago, there was a report on corruption. The report alleged that about Kshs100 million was spent to repair a road.

**Mr. Deputy Speaker:** Mr. Billow, ask your question!

**Mr. Billow:** Mr. Deputy Speaker, Sir, on road B9 between Kutulo Town and Elwak Town in Mandera District, Kshs121 million was reported to have been used in the year 2000. Up to now, there is no sign of gravel on it at all. We can invite the entire House to go and see for itself.

**Mr. Deputy Speaker:** Mr. Billow, ask your question!

**Mr. Billow:** Mr. Deputy Speaker, Sir, what happened to the Kshs121 million that was said to have been spent on gravelling roads in Mandera?

**Eng. Toro:** Mr. Deputy Speaker, Sir, it is very clear to the House that the former KANU Government policy on road maintenance and repair was completely flawed. That is why we had discrepancies in the distribution of the money.

**Mr. Angwenyi:** Mr. Deputy Speaker, Sir, there is clear evidence in that answer that the former Minister in the Ministry abused his office. Therefore, could the Government undertake to have him answer for abuse of office? Could the Assistant Minister also undertake to distribute the remaining amount of money among the districts which did not receive any money?

**Eng. Toro:** Mr. Deputy Speaker, Sir, this was not the only Minister in the former KANU Government who abused his office. There were many others who abused their offices. The Ministry will undertake to ensure that the districts that did not receive any amount of money will get some money.

**Prof. Olweny:** Thank you, Mr. Deputy Speaker, Sir, for giving me a chance at last. Having read out that information about the funds to us, what amount of money is available now to be given out to the districts? What criteria will the Assistant Minister use this time round to give out the money to the districts?

**Eng. Toro:** Mr. Deputy Speaker, Sir, the Ministry is now revising the criteria to be used to disburse this money among the districts. At the moment, the Ministry is ensuring that Kshs2 million is disbursed to the constituencies.

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

**Mr. Deputy Speaker:** Order! Hon. Members, let the Assistant Minister answer the question!

**Eng. Toro:** Mr. Deputy Speaker, Sir, what happened last year and the previous years is very clear. The Ministry is trying to rectify those anomalies that arose as a result of what the Ministry did under the KANU Government.

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

**Mr. Deputy Speaker:** Order! Hon. Members, the Assistant Minister must be heard!

**Eng. Toro:** Mr. Deputy Speaker, Sir, the hon. Members are in uproar because of what happened. It is up to the Ministry now to rectify what went wrong. At the moment, it is up to the Attorney-General to institute any criminal charges against the former Minister.

**Archbishop Ondiek:** Mr. Deputy Speaker, Sir, could the Assistant Minister bring a detailed report to

this House on how the money was spent?

*(Applause)*

**Mr. Deputy Speaker:** Order! I think the Assistant Minister has already laid on the Table of the House a list indicating how the money was spent. So, Archbishop Ondiek's question would appear to have been answered by that list.

**Mr. Mwandawiro:** Ahsante sana, Bw. Naibu wa Spika. Jambo hili linatuonyesha wazi makosa ambayo yalikuwa yakifanyika katika utawala ambao ulitangulia. Jambo hili pia, linatuonyesha vile raslimali za kitaifa zilikuwa zinagawanywa kwa njia ya kikabila na upendeleo. Ninatoka katika Wilaya ya Taita Taveta ambayo haikupata chochote. Vile vile, Wataita wakiwa Wakenya kama Wakenya wengine---

**Mr. Deputy Speaker:** Ask your question, Mr. Mwandawiro!

**Mr. Mwandawiro:** Bw. Naibu wa Spika, je, Waziri Msaidizi anayehusika atatuhakikishia kwamba ule utamaduni wa kikabila ambao ulikuwa unatumika kwa kugawanya raslimali za taifa utakomeshwa?

**Eng. Toro:** Mr. Deputy Speaker, Sir, the House is aware that the Ministry established the Pending Bills Committee which is supposed to look into how this money was used. Some of the money was not used and the hon. Member is right in saying that he cannot see a single project which was initiated with this money. That is the reason why the Ministry established the verification and validation committee on pending bills. Once this committee finalises its investigations, those who misappropriated funds will be prosecuted.

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

**Mr. Deputy Speaker:** Order, hon. Members! Mr. Kaindi, ask the last question!

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

**Mr. Deputy Speaker:** Order, Mr. Wanjala! Mr. Kaindi, ask the last question.

**Mr. Kaindi:** Mr. Deputy Speaker, Sir, two things bother me. The first one is that the Assistant Minister does concede that there was illegality and that they flouted the law with impunity. But if you look at the last part of his answer, you will find that he continues to say that the money is still being used against that illegality. The Assistant Minister has continued to condemn the Ministers who served under the former regime. He has said that his Ministry, to-date, is still using the 24 per cent to complete the projects under Roads Classes "D", "E" and other categories. So, the Ministry has continued with the same illegality. Secondly---

**Mr. Deputy Speaker:** Mr. Kaindi do not go to the second point! Ask your question.

**Mr. Kaindi:** Mr. Deputy Speaker, Sir, in view of the illegality that the Assistant Minister has conceded, what measures will he put in place to ensure that the illegal practice stops forthwith now?

**Eng. Toro:** Mr. Deputy Speaker, Sir, as I have said, investigations by the pending bills committee, which is supposed to verify and validate what happened before, are on-going. The report will be tabled in the House for hon. Members to see after the committee has finalised its investigations.

**Mr. Kaindi:** On a point of order, Mr. Deputy Speaker, Sir. I am still talking about the illegality and the Assistant Minister is still talking about procedure in the Ministry. Eng. Mwongera is still the Permanent Secretary in that Ministry, and yet he is the same man who committed the Government to that embarrassment.

*(Applause)*

Could the Assistant Minister ensure that Eng. Mwongera is removed from the Ministry, as the first measure?

**Eng. Toro:** Mr. Deputy Speaker, Sir, the problem is not the Permanent Secretary, Eng. Mwongera. Eng. Mwongera was appointed the Permanent Secretary to the Ministry this year. There was another Permanent Secretary who was responsible for what has happened. So, it would be unfair to lay the blame solely on Eng. Mwongera.

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

*(Mr. Munya stood up in his place)*

**Mr. Deputy Speaker:** Order! Order, Mr. Munya! The Chair really appreciates the importance of this Question, but you do appreciate that the Assistant Minister has done his best to reply and, therefore, we cannot dwell on one Question throughout!

So, let us move on to the next Question by Maj. Madoka!

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

**Mr. Deputy Speaker:** Order, hon. Members!



*(Mr. Munya stood up in his place)*

Order, Mr. Munya! You are disorderly and next time you do that, I will show you the door! Especially, new Members, must understand that when the Speaker is on his feet, they sit down, but Mr. Munya thinks that he can stand there and argue with the Chair! We do not do that!

**Mr. Angwenyi:** On a point of order, Mr. Deputy Speaker, Sir. As the Assistant Minister has said, Eng. Mwongera was sent away before the Act was implemented. So, let us pursue the right person who committed this offence. If it is a Permanent Secretary, then it was Eng. Wakori, if it is a Minister, then it was Mr. Morogo and if it is a board, then it is the one which is still in place. Let us not malign peoples' names in this House without having facts at hand.

**Mr. Deputy Speaker:** Order! Mr. Angwenyi, you have made a point. Indeed, the Assistant Minister has said that a committee has been appointed to probe this matter and that a report would be laid on the Table of this House. Therefore, we should wait for that report.

**Mr. Sambu:** On a point of order, Mr. Deputy Speaker, Sir. I think the supplementary question by hon. Archbishop Ondiek that specifics should be given has not been fully answered. We want specifics since we want to know which road was done because the Assistant Minister might say that the Nandi community was given the money. We never saw the money. Could we know specifically which roads were done?

**Mr. Deputy Speaker:** That is a fair question. Mr. Assistant Minister, could you specify which roads were done by that time?

**Eng. Toro:** Mr. Deputy Speaker, Sir, as you can see, the list is long and we could not have come with all the details of the roads that were rehabilitated. However, all those details are in the Ministry and we will be able to provide a detailed account of the roads to which this amount has gone to.

**Mr. Deputy Speaker:** How long do you need to do that?

**Eng. Toro:** Mr. Deputy Speaker, Sir, in a week's time.

**Mr. Deputy Speaker:** Order! Hon. Members, the Assistant Minister says that he is going to submit a list showing the roads that were done with the money indicated in a week's time. Mr. Assistant Minister, can you do it on Thursday?

**Eng. Toro:** Mr. Deputy Speaker, Sir, I will do it on Wednesday next week.

**Mr. Kajwang:** On a point of information, Mr. Deputy Speaker, Sir. I believe what is concerning the hon. Members is that there is an Act of Parliament which is very clear on how this money should be used so that if there are any debts which the Government wants to pay, it should not touch this money because that is already provided for in the law. So, if the Assistant Minister breaches the law, then this House must take it very seriously because where do we go when an Assistant Minister breaches the law which has been passed by this House? That is the point! Could you direct the Assistant Minister to follow the law and show us what he did in order to pay pending bills because his answer does not address the question of the law being breached?

**Eng. Toro:** Mr. Deputy Speaker, Sir, it is very clear that the law was breached. There are two choices on this ongoing project because most of these roads as you have noticed were in the former KANU zones. There are two issues here. Either the projects are fully completed or abandoned. Those are the only two alternatives.

**Mr. Deputy Speaker:** As far as that Question is concerned, the Assistant Minister will simply lay the list on the Table as requested next Wednesday.

Next Question for the Second Time, Maj. Madoka!

*Question 071*

PAYMENT OF TEACHERS' SALARY ARREARS

**Maj. Madoka** asked the Minister for Education, Science and Technology:-

- (a) when the Government will pay teachers their salary arrears as promised last year; and,
- (b) what the lowest salary for a teacher, including house allowance is.

**The Assistant Minister for Education, Science and Technology** (Mr. Gumo): Mr. Deputy Speaker, Sir, I apologise for coming late. However, I beg to reply.

(a) As per the National Tripartite Consultative Committee, it was agreed that the teachers salary awards would be phased over a period of ten years with effect from 1st July, 2003.

- (b) The minimum salary for the lowest teaching grade of P4 is Kshs5,120 per month including house

allowance.

**Maj. Madoka:** Mr. Deputy Speaker, Sir, this is the answer I would have expected from the former regime.

*(Laughter)*

Mr. Deputy Speaker, Sir, most of the hon. Members on that side got support from the teachers because they made a promise that they would pay all the arrears in January. Now, the teachers are greatly concerned. Why have you let them down? When are you going to pay them? What went wrong? Secondly, we have heard conflicting reports---

**The Minister for Co-operative Development** (Mr. Ndwiga): On a point of order, Mr. Deputy Speaker, Sir. I think this House should not be used for certain propaganda. The hon. Questioner was a senior Government Minister in the last regime. Is he in order to cast aspersions on this Government when he knows very well that they looted the Treasury to such an extent that by January there was no money to pay the teachers?

*(Applause)*

**Maj. Madoka:** Mr. Deputy Speaker, Sir, I am saying that they promised that they were going to pay all the arrears in January. You should have known where you were going to get this money from. I am raising issues which they stated.

Mr. Deputy Speaker, Sir, the other question which I expect the hon. Assistant Minister to answer is: Since they have been giving conflicting information are they going to go by what was agreed by the National Tripartite Consultative Committee or are they going to pay all the arrears in July as they are now saying?

**Mr. Gumo:** Mr. Deputy Speaker, Sir, we are going to go by the National Tripartite Consultative Agreement which was signed by the previous Government. Just to inform my friend, the previous Government and the teachers signed an agreement and all the signatures are here. The NARC Government is going to follow exactly what the other Government did.

*(Applause)*

**Mr. H.M. Mohammed:** On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Assistant Minister to say that they are following the Nyayo Government's policies without changing any of them?

**Mr. Gumo:** Mr. Deputy Speaker, Sir, as you can remember very well, the previous agreement that the former Government signed was never honoured and teachers went on strike for a long time before they accepted the current arrangement. We would have started paying them immediately, but because the previous Government had taken away all the money, we said that we were going to start paying them from 1st July over a period of ten years as it had been agreed upon. However, should the economy improve, then we shall do it even in a shorter period less than ten years.

**Mr. J. Nyagah:** Mr. Deputy Speaker, Sir, is it not true that the NARC Government enjoys very good relations with the teachers? Indeed, they are now holding serious discussions in order to reach at a compromise to ensure that the teachers are happy after being paid as per the agreement?

**Mr. Gumo:** Yes, Mr. Deputy Speaker, Sir.

**Maj. Madoka:** Mr. Deputy Speaker, Sir, it is obvious that the NARC Government hoodwinked the teachers into voting for it. However, having said that, could the Assistant Minister tell us what they are going to do with the teachers, because at the moment a teacher teaches up to 80 or 100 children as opposed to the ratio of 40 children per teacher? Could they consider paying them a special allowance until such time they will be able to get teachers to fill those gaps?

**Mr. Gumo:** Mr. Deputy Speaker, Sir, the NARC Government's policy was to provide free and compulsory primary education which the former KANU Government could not offer and the public is very happy and supportive of the idea. Even teachers are very supportive. We are aware that the teachers are teaching more children than before. We have plans of increasing the number of teachers. In fact, it is not only the question of increasing the number of teachers, because we are also going to build more classrooms.

**Mr. Deputy Speaker:** Mr. Kagwima's Question for the second time.

*Question No.020*

## PROVISION OF WATER TO MARIMANTI

**Mr. Kagwima** asked the Minister for Water Resources Management and Development:-

(a) whether he is aware that Marimanti Town, the District Headquarters of Tharaka, is not supplied with water; and,

(b) what steps he is taking to ensure that the town and its environs is supplied with water.

**The Assistant Minister for Water Resources Management and Development** (Mr. Munyes): Mr. Deputy Speaker, Sir, I apologise for coming late to the House.

However, I beg to reply.

(a) Yes, I am aware that Marimanti Town, the District Headquarters of Tharaka, is not supplied with enough water. The town is served by a borehole equipped with a hand pump. The yielding capacity of the borehole is 200 litres per hour, which is unable to meet the residents' demand for water.

(b) My Ministry has installed and commissioned a new generating set, and an electric pumping unit on Kathita River, at a cost of Kshs1.2 million. Rehabilitation works on the treatment system are going on at the Marimanti Town, and the town will be supplied with treated water, through communal water points by the end of April, 2003.

**Mr. Kagwima**: Mr. Deputy Speaker, Sir, in all cases where there is a set of a generator, we are talking of an emergency; that generator is meant to supply water to the District Commissioner (DC), not to the town residents or *wananchi*! All I am asking is; could the Assistant Minister supply water to the District Headquarters, so that *wananchi* and other investors can invest in the town for the growth of the District Headquarters? This is an emergency project the Assistant Minister is talking about, not the water supply project, which is purposely meant for the supply of water to the DC.

**Mr. Munyes**: Mr. Deputy Speaker, Sir, as I said, we have taken some steps to reduce the problem of water shortage in this Marimanti Town. But I also want to inform the hon. Member that those are issues of priority and we have shortage of funds. But so far, we have actually provided Kshs1.2 million for the generating set. I hope that by providing that set, it will help them.

**Mr. Deputy Speaker**: But Mr. Assistant Minister, you should address yourself to his concern; that is, the water you are talking about is only supplied to the DC, and not to the town residents. Could you address yourself to that concern?

**Mr. Munyes**: Mr. Deputy Speaker, Sir, as we put the generators in place, we know that the town will get more than 200 litres a day. That generator is actually meant to get more supplies of water for the whole town.

**Mr. Sasura**: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to say that the generating set will supply the town with 200 litres per day, which is only one drum of water?

*(Laughter)*

**Mr. Munyes**: Mr. Deputy Speaker, Sir, I did not say that. I said that the set of equipment that we are trying to supply at a cost of Kshs1.2 million will enable the residents of the town to get more water.

**Mr. Kagwima**: Mr. Deputy Speaker, Sir, the Assistant Minister will appreciate that we as a community, and the people living around Marimanti Town, are now raising money on our own. We are looking for Kshs20 million to get water through gravity from the Kathita River; so that people can have enough water. When the Assistant Minister is talking about using---

**Mr. Deputy Speaker**: What is your question, Mr. Kagwima?

**Mr. Kagwima**: Could the Assistant Minister come to our aid and give us Kshs20 million to ensure that this project is successful, so that we can get enough water?

**Mr. Munyes**: Mr. Deputy Speaker, Sir, that is something we will consider. But as we know, this is a question of availability of resources. We know that there is an alternative source of the river the hon. Member has just mentioned. We are trying to look at that also, but currently, we will provide Kshs1.2 million for that generator.

**Mr. Kagwima**: On a point of order, Mr. Deputy Speaker, Sir. The Chair may have noticed that the Assistant Minister is answering my Question casually. I want him to make a commitment that, during the next Budget, there will be a provision of Kshs20 million, and the matter will be settled.

**Mr. Deputy Speaker**: Mr. Assistant Minister, are you able to make that commitment?

**Mr. Munyes**: Mr. Deputy Speaker, Sir, I cannot commit myself now, but we will look into that issue.

**Mr. Deputy Speaker:** Very well. Next Question, Mr. Sungu!

*Question No.016*

FUNDING OF RURAL ELECTRIFICATION PROJECTS

**Mr. Sungu** asked the Minister for Energy:-

- (a) whether he could outline the funds allocated *vis-a-vis* expenditure incurred on all rural electrification projects within the country from the 1990/1991 financial year to-date; and,  
 (b) what action he is taking to ensure that the funds are reasonably and equitably distributed according to demand in the entire country.

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

(a) Between 1990/1991 and 2001/2002 financial years, a total of Kshs9.879 billion had been budgeted for rural electrification in the country, out of which a total of Kshs9.399 billion was spent. Out of this amount, Kshs4.883 billion was utilized to extend power lines, and Kshs4.516 billion utilized in financing operational losses. As hon. Members may wish to know, most of the rural electrification programmes can hardly generate revenue sufficient for the operations and maintenance costs. This Question is of great concern to the Government, as it limits our ability to expand the network at a pace commensurate with the demand. We are currently addressing this problem.

(b) The rural electrification funds will be distributed to the districts on the basis of a formula which will take into account three parameters, namely: population, area and existing electricity network.

**Mr. Sungu:** Mr. Deputy Speaker, Sir, I want to thank the Assistant Minister for a rather comprehensive reply, except that he has declined to give the specifics of the rural electrification project. He has given me amounts of figures and I cannot identify the projects this money was spent on. On that basis, could I ask the Assistant Minister to go back and give us the specifics so that we can tackle this Question afresh?

**Mr. Kiunjuri:** Mr. Deputy Speaker, Sir, I have the specifics here, and I agree with the hon. Member that he is disadvantaged. I know what the hon. Member does not have are the district allocations, which I wish to lay on the Table.

*(Mr. Kiunjuri laid the list on the Table)*

**Mr. Deputy Speaker:** Very well. The list has now been laid on the Table.

**Dr. Galgalo:** Mr. Deputy Speaker, Sir, we know that wind energy is one potential that exists in this country. In North Horr, for example, there is a study which has shown that there is enough wind potential to serve, probably, half of the needs of this country. Could the Assistant Minister consider tapping that high potential to supply power to the rest of the country?

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

**Mr. Deputy Speaker:** Order! Mr. Sungu, you do not want the Assistant Minister to reply to that supplementary question?

**Mr. Sungu:** Mr. Deputy Speaker, Sir, the Question should be deferred so that I can look at that list and do justice to the Question. I did actually ask for a deferment.

**Mr. Deputy Speaker:** Order! Order, hon. Sungu! Why the need to defer Questions? The list is already available and it has been laid on the Table! Surely, why should we defer the Question? Mr. Sungu, you can leave your seat and come and look at the list, so that when we come back to you, you would have looked at it!

**Mr. Sungu:** Please, with your permission, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Order! We are not going to defer the Question. The information you are seeking is available here; come and get it.

**Mr. Kiunjuri:** Mr. Deputy Speaker, Sir, it is true that we have other ways of making sure that energy is made available to every Kenyan. What the Ministry is doing right now is to exhaust all the means available. We shall use all the high grid systems, including biogas, diesel power, wind power and even solar power to ensure that all Kenyans, even those disadvantaged in North Eastern Province, will access power. We are even requesting hon. Members, if they know of the system that fits well in their constituencies or districts, to inform us and we shall do that.

**Mr. Wamwere:** Bw. Naibu Spika, sijui kama Waziri Msaidizi ana habari kwamba, kuna vikundi vingi vya wananchi ambavyo vimechanga mamiloni ya pesa miaka mitano iliyopita? Vikundi hivyo vilichanga pesa

ambazo zilipeanwa kwa Kampuni La Umeme (KPLC), ili waletewe umeme mahali walipo. Sasa, umeme haujawafikia wala hawajarudishiwa pesa zao! Waziri Msaidizi anaweza kulihakikishia Bunge hili kwamba, pesa zilizochangwa si baadhi ya zile ambazo tunasoma katika magazeti zilizoporwa na wakuu wa makapuni? Anaweza kutuhakikishia kwamba pesa hizo ziko salama na walisozichanga watapata umeme haraka iwezekanavyo? Na, kwa nini---

**Mr. Deputy Speaker:** Sawa, Bw. Wamwere. Swali lako limesikika.

**Mr. Kiunjuri:** Mr. Deputy Speaker, Sir, if you look at the way the previous Government was operating, there was no clear criteria of allocating funds for rural electrification projects. At the same time, there was no district expenditure data to show how those funds could have been used. I want to assure the hon. Members that this Government will follow a certain criteria, which we are formulating to ensure that power is supplied to---

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

**Mr. Deputy Speaker:** Order! I want the Assistant Minister to finish and then I will take your point of order.

**Mr. Kiunjuri:** Mr. Deputy Speaker, Sir, I was saying that the previous Government did not have a criteria for allocating funds for rural electrification projects. We know monies were collected from various groups and then submitted to the Ministry, but because there was no criteria, no work was done. I want to assure hon. Members that investigations are underway to establish how many people or groups of people had given out their money and let them know that they will get their share.

**Mr. Manoti:** Mr. Deputy Speaker, Sir, my name is Manoti, the Member of Parliament for Bobasi.

Arising from the good answer which has been given by the Assistant Minister, in most cases, you will find that when there are new customers who are applying for electricity, they are asked to buy new transformers. At the end of it, they do not own those transformers. What is the Assistant Minister going to do to make sure that new customers who are applying for electricity are not charged for transformers?

**Mr. Kiunjuri:** Mr. Deputy Speaker, Sir, before we supply electricity, we shall look at the number of customers who apply for electricity. At the same time, it is very costly for the Ministry to maintain those lines. Two, before we issue any line, we shall make sure that, that line will have maximum use so, that the beneficiaries will have transformers which they can maintain.

**Mr. Mutiso:** On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister has tabled a list showing the specific projects in the various districts with regard to this Question. Under Makueni District, a total of Kshs142.9 million was used with Kshs67.9 million being the Spanish Project. Could the Assistant Minister confirm whether the Kshs67.9 million was spent on the Kasikeu Rural Electrification Programme, contrary to the allegations that, that power project was financed by Mr. John Harun Mwau?

*(Laughter)*

**Mr. Kiunjuri:** Mr. Deputy Speaker, Sir, the list I have just tabled is of the works that had been done by the previous Government. I want to assure the hon. Member that the NARC Government will audit all those projects in the various districts, to establish whether we got value for the money. After establishing that---

**Mr. Deputy Speaker:** Order! Order! Mr. Assistant Minister, just to refresh your memory, Mr. Mutiso wants to know whether, in fact, what Mr. Mwau is alleged to have done on that particular project is true or could it be that it is your Ministry that did the work? Could you address yourself to that question?

**Mr. Kiunjuri:** Mr. Deputy Speaker, Sir, this is a transparent Government. Yesterday, we established a committee to find out whether those projects were done. Also, I want to assure the hon. Member that I am going to find out whether the money that was used came from the Government or Mr. Mwau.

**Mr. Sungu:** Mr. Deputy Speaker, Sir, we know that electricity is supposed to be taken where people are, whether or not there is visible economic activity. We know that the rural electrification projects were used for political purposes and taken to politically-correct areas; even where only animals were staying resulting into the massive losses we are talking about. In view of that, what action will the Assistant Minister take against those people who were responsible for the massive loss of our economic resources which could have developed the country better in areas like Kisumu, which were totally ignored?

**Mr. Kiunjuri:** Mr. Deputy Speaker, Sir, on the first part of the question, I agree that implementation of projects was done on an *ad hoc* basis without any reference. Secondly, I want to assure the hon. Member, and this is evident, that, this is the Ministry which has already taken to court the highest number of people. I want to assure him that we shall catch up with them and they will face the law.

**Mr. Deputy Speaker:** Order! Hon. Members, we have only limited time for Questions. We have

been on Question Time since 9.00 a.m., one and quarter-hours. We ought to have terminated this at 10.00 a.m. I will allow Questions to go on up to 10.30 a.m. only.

Next Question, Mr. Korir!

*Question No.015*

LANDS OFFICE FOR KOIBATEK DISTRICT

**Mr. Korir** asked the Minister for Lands and Settlement, what plans he has put in place to ensure that a Land Office is opened in Koibatek District to issue deeds, among other services.

**The Assistant Minister for Lands and Settlement** (Mr. Ojode): Mr. Deputy Speaker, Sir, I apologise for coming late. However, I beg to reply.

Plans are already in place to open a Land Office in Koibatek District to issue title deeds and provide other services to the local residents within the district. Consultations are at an advanced stage to identify a suitable office for the officers.

**Mr. Korir:** Mr. Deputy Speaker, Sir, Koibatek District was created 12 years ago and since then, the umbilical cord has not been delinked from Baringo District. Could the Assistant Minister tell us exactly, what concrete plans he has to ensure that the people of Koibatek benefit from the Land Office? For the 12 years that Koibatek District has been in existence, we have not had a land registrar. Could he tell us what concrete plans he has to give us a land registrar immediately?

**Mr. Ojode:** Mr. Deputy Speaker, Sir, I have already posted two officers to open an office in Koibatek, but we do not have office accommodation in Koibatek. So, the two officers, who were posted there last month, have to work from Kabarnet. As we are talking, there is an office which was identified by the local DC, but it is not habitable. I am undertaking to renovate that office in order to transfer those people from Kabarnet to Koibatek. I will do that as soon as possible.

**Mr. Sirma:** Mr. Deputy Speaker, Sir, I think the Assistant Minister is just evading the question. We were given a district because we used to take two days to go to Kabarnet and back. That was why we were delinked from them by being given a district. Secondly, we have two officers who have been posted there. Instead of them residing in Eldama Ravine---

**Mr. Deputy Speaker:** Mr. Sirma, this is Question Time! Would you address the question to the Assistant Minister?

**Mr. Sirma:** Mr. Deputy Speaker, Sir, the Assistant Minister posted two officers to Kabarnet. Instead of them coming to reside in Eldama Ravine even without those offices, they have decided to reside in Kabarnet. Could he consider asking those officers to reside in Eldama Ravine Town, so that they can have their office refurbished because the community is willing to do it although the Ministry has refused to give them money?

**Mr. Ojode:** Mr. Deputy Speaker, Sir, the hon. Member should first of all congratulate me because I have already posted two officers to work in his area. Those officers were operating from Kabarnet because there were no offices in Koibatek District. I have already identified an office which we will renovate and then have those officers right at their door steps. The officers are going to deal with all matters related to land.

**Mr. Korir:** Mr. Deputy Speaker, Sir, the Assistant Minister has said that he will send two officers to the area as soon as possible. How soon is he going to do so? Could he be specific and give us a programme?

**Mr. Ojode:** Mr. Deputy Speaker, Sir, the hon. Member should listen to me when I am replying. I said that the officers have already been posted to the area, though they are operating from Kabarnet. This is because there is no office accommodation in Koibatek District. Once the offices in Koibatek District are renovated the officers will be transferred immediately to work in the area.

**QUESTIONS BY PRIVATE NOTICE**

HARASSMENT OF KENYAN FISHERMEN  
BY UGANDAN OFFICERS

(**Dr. Oburu**) to ask the Minister of State, Office of the President the following Question by Private Notice.

(a) Is the Minister aware that security officers from Uganda seized boats and confiscated fish of high value on 18th December 2002 on the shores of Usenge Beach in Lake Victoria?

(b) Is he further aware that Kenya security officers who recovered the fish from Uganda and brought back to Kenya sold the said fish and pocketed the money and the matter was reported to Usenge Police Station and no action was taken?

(c) What measures is he taking to secure Kenyan waters and fishermen against attacks and harassment by Uganda security personnel?

**Mr. Deputy Speaker:** Dr. Oburu is not there? The Question is dropped!

*(Question dropped)*

#### OWNERSHIP OF KCC

**(Mr. Sambu)** to ask the Minister for Co-operative Development the following Question by Private Notice.

(a) Could the Minister inform the House who owns the Kenya Co-operative Creameries (KCC)?

(b) Could he table the list of all the shareholders and how much the KCC 2000 Limited shareholders paid in order to acquire the whole of KCC?

(c) What steps is he taking to urgently re-open all KCC factories and to ensure that the original shareholders are not disposed of the rightful ownership of KCC?

**Mr. Deputy Speaker:** I understand there was an agreement that this Question should be put on the Order Paper of 29th March, 2003.

**Mr. Sambu:** Mr. Deputy Speaker, Sir, the Minister undertook to answer the Question within 14 days.

**Mr. Deputy Speaker:** Very well! So, it will be answered next week.

*(Question deferred)*

#### MISAPPROPRIATION OF FUNDS IN OL'KALOU

**Eng. Muriuki:** Mr. Deputy Speaker, Sir, I beg to ask the Minister for Co-operative Development the following Question by Private Notice.

(a) Is the Minister aware that over Kshs30 million of savings by poor farmers in Ol Kalou Farmers Sacco Society has been misappropriated?

(b) What steps is he taking to bring the culprits to book?

(c) What is the Minister doing to revive Ol Kalou Farmers Sacco Society?

**The Minister for Co-operative Development (Mr. Ndwiga):** Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware. However, I am aware that the Society Management Committee utilised a similar amount of money in putting up an office complex at the Society's offices in Ol'Kalou Town.

(b) I sent an inquiry team to the Society, which came up with a thorough report on the situation regarding the Society. Based on the report, the Management Committee was voted out and will be prosecuted as soon as possible. Those who took the Society's funds in excess of their entitlement have been ordered to pay back the money immediately.

(c) As part of my effort to revive the Society, I held a public meeting at offices of the Society on 7th March, 2003, where we agreed to have an interim committee to run the Society and review the Society's by-laws. After the Committee has completed its work, members will be given an opportunity to elect new officials to manage their affairs. The review of the by-laws will include amending by-law No.20, so that the delegate system can be removed from the Society by-laws. I have also detailed the Commissioner for Co-operative Development to foresee the opening and operation of the Sacco and give the new committee the necessary training, education and support so that they can be effective.

**Eng. Muriuki:** Mr. Deputy Speaker, Sir, it is true the Minister came to Ol Kalou on Friday. It is also true that he set up an inquiry which produced a very large report which I am holding. The Minister's answer to part "a" of the Question is not sincere, because this document details the total amount of funds which had been looted. The Committee only looted Kshs50 million from the total sum, and then they went ahead and awarded themselves false overdrafts amounting to Kshs4 million. They also went ahead and gave themselves imprests totalling Kshs6.2 million.

In his answer to part "a", the Minister is saying that he is not aware and yet this book which emanates from his office details over Kshs30 million of poor farmers funds looted by the same committee. As a matter of

fact, the Minister must explain why he is saying in part "b" of his answer that he will prosecute the committee if he is not aware that they looted any money?

**Mr. Ndwiga:** Mr. Deputy Speaker, Sir, I am not aware that the committee members looted Kshs30 million. What has been looted is in the inquiry report which we are verifying. In part "b" of my answer, I said that the culprits are going to be prosecuted.

**Mr. Waithaka:** Mr. Deputy Speaker, Sir, the Minister has said that soon, he is going to prosecute certain people, and the report is already out. In that report, it is clearly shown that those officers were purchasing items like a coat hanger for Kshs5,000. What is the Minister still waiting for and yet the report is out?

**Mr. Ndwiga:** Mr. Deputy Speaker, Sir, I would like to inform the House that the Co-operative Society's Act was amended in this House in 1997 and, after that amendment, the Ministry became virtually impotent in terms of prosecution. After an inquiry of this nature, what the Ministry does is to pass over the results of the inquiry to the relevant Government organ. I wish to confirm that the Anti-Corruption Police Unit is already on the ground to arrest and prosecute the culprits.

I wish to inform the House that we are in the process of amending the Co-operative Societies Act, and I will seek the support of the House, to give the Minister strength to prosecute as soon as inquiries are complete.

**Eng. Muriuki:** Mr. Deputy Speaker, Sir, in answer to part "b", the Minister is saying that those who took the society's funds in excess of their entitlement have been ordered to repay the money immediately. How can you tell thieves to surrender the stolen money immediately? Some of them have used the money to "purchase" *shambas*, wives *et cetera*, and they cannot refund that money very easily. What steps is the Minister taking to make sure that they return the money, apart from just casually saying that he has asked them to return the money?

**Mr. Shitanda:** On a point of order, Mr. Deputy Speaker, Sir. You heard the hon. Member say that there are some people who have bought wives. Could he tell us where wives are bought?

**Eng. Muriuki:** Mr. Deputy Speaker, Sir, they did not buy them; they just acquired extra wives, who cannot be auctioned to recover the funds.

**Mr. Ndwiga:** Mr. Deputy Speaker, Sir, in that report there is misappropriation and misallocation. What I have said is that those who have been identified in the inquiry report as having misappropriated the funds have been asked to repay the money. What we need is to return the funds which belong to the society back to it. Whether they refund the money or not, I have said that the relevant Government organs are on the ground and they will be prosecuted.

**Mr. Deputy Speaker:** Very well! That marks the end of Question Time!

## POINTS OF ORDER

### CLOSURE OF KENYATTA UNIVERSITY

**Mr. Arunga:** On a point of order, Mr. Deputy Speaker, Sir. I rise to request the Ministry of Education, Science and Technology to give a Ministerial Statement on the circumstances leading to the closure of Kenyatta University.

I say this because allegations of impropriety have been made both in this House and outside the House, and yet I happen to know that the Vice-Chancellor of Kenyatta University happens to be one of the most effective Vice-Chancellors this country has had. I know for a fact, for example, that Kenyatta University is the only university in the country which has completed all the projects for which money has been allocated. I also happen to know that it is the only university that has paid all its statutory contributions to the Government. I happen to know that it is the only university in this country that has a bank balance. The general feeling is that these disturbances are---

**Mr. Deputy Speaker:** Order, Mr. Arunga! You were doing very well, but what Ministerial Statement are you seeking? It is not debate time.

**Mr. Arunga:** Mr. Deputy Speaker, Sir, I would like to request that a Ministerial Statement be made so that we can allay the fears of what we suspect to be malice, witchhunt and jealousy.

**Mr. Deputy Speaker:** Is there anybody from the Ministry of Education, Science and Technology? I see the Minister is not here.

### SHOOTING OF SENIOR SERGEANT OYUGI

**Mr. Sungu:** On a point of order, Mr. Deputy Speaker, Sir. I rise to seek a Ministerial Statement from the



Office of the President with regard to the shooting to death of the late Senior Sergeant Zacharia Oyugi of Embakasi Barracks.

The late Senior Sergeant Oyugi was shot dead after police arrested him at his doorstep.

**Mr. Deputy Speaker:** Order, Mr. Sungu! There is already a Question by Private Notice to that effect from Mr. Manoti. So, would you rather wait until that Question is answered?

**Mr. Sungu:** Thank you, Mr. Deputy Speaker, Sir. I was not aware of that

#### KILLING OF MASTER STEPHEN KIRAGU

**Mr. Waithaka:** On a point of order, Mr. Deputy Speaker, Sir. Last week on Thursday, I rose to seek a Ministerial Statement from the Ministry of Environment, Natural Resources and Wildlife on the shooting and killing of a boy by the name of Stephen Kiragu on 3rd March, this year, along Ndunyu Njeru-Queensgate Road by a game warden. The said Stephen was grazing his fathers cows along that road when the game warden shot him. Today, when I consulted the Minister, he said he was not aware of that request. He asked me to repeat my request. I am now rising to seek a Ministerial Statement regarding the circumstances that led to the killing of that boy.

**Mr. Deputy Speaker:** You did seek a Ministerial Statement last time.

**Mr. Waithaka:** Yes, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** I suppose there was probably no communication to the Minister. Could the Minister now take note of that and bring the Statement next time?

**The Minister for Environment, Natural Resources and Wildlife (Dr. Kulundu):** Mr. Deputy Speaker, Sir, I wish to apologise very profusely to the hon. Member for Kinangop. I do wish to assure him that a Ministerial Statement will be forthcoming on Tuesday, next week.

**Mr. Kagwima:** On a point of order, Mr. Deputy Speaker, Sir. I rise on a point of order to raise a concern regarding the remarks made yesterday, by the Member for Budalangi and Mr. Shitanda about civil servants from the Mt. Kenya region, specifically in Meru. Today another civil servant by the name of Eng. Mwangera was mentioned in Parliament. Yesterday Prof. Meme was mentioned---

**Mr. Deputy Speaker:** Order, Mr. Kagwima. You did not inform the Chair that you would seek a statement. If you wanted to raise that issue, you could have raised it when it was mentioned. You cannot just stand any time you want on a point of order. Mr. Kagwima, I believe you are a former MP and you know that is out of order. You will seek an appropriate time to raise your concern and certainly not now.

**Mr. Kagwima:** Mr. Deputy Speaker, Sir, what you have said is correct and I tried to raise this issue five times when Mr. Shitanda was talking about it, but you were unable to see me.

**Mr. Deputy Speaker:** Order, Mr. Kagwima! The fact that you did not catch the Speaker's eye does not mean you break the rules of the House.

**Mr. Wamwere:** Mr. Deputy Speaker, Sir, yesterday I rose on a point of order to ask that the Vice-Chancellor of Kenyatta University be suspended from duty while investigations against him are being carried out. An hon. Member has risen to insinuate that the Vice-Chancellor is more or less innocent. I have documents here that I would like to lay on the table just to illustrate that there is need for the Vice-Chancellor to be---

**Mr. Deputy Speaker:** You are out of order, Mr. Wamwere. That is disorderly conduct. You have been standing for two minutes while I am on my feet. That is completely uncalled for. Mr. Wamwere is trying to reply to a matter that has been raised here. That is out of order. You cannot start producing documents because you are not the Minister. Mr. Arunga asked for a Ministerial Statement from the Minister for Education, Science and Technology and now, you are standing there to try and pre-empt what is expected of the Ministry. It is not in order!

**Mr. Wamwere:** I was the one who raised this matter first yesterday. So, I am just pursuing it. I am not rising in reply. I was the first one to raise this question yesterday and it was more or less general that if someone is under investigation---

**Mr. Deputy Speaker:** Order! Mr. Wamwere, did you ask for a Ministerial Statement?

**Mr. Wamwere:** In fact, I was told by the Speaker to raise this matter this morning. So, I am only doing what I was asked to do by the Speaker.

**Mr. Deputy Speaker:** Order, Mr. Wamwere! I asked you a question: Did you ask for a Ministerial Statement?

**Mr. Wamwere:** I asked for one yesterday. In fact, the Speaker himself asked that the Minister respond to my point of order today. So, I am not trying to reply to the hon. Member. I am just---

**Mr. Deputy Speaker:** Order! In view of that confusion as to whether you asked for a Ministerial Statement or not, we will check the records and confirm the position. In the meantime, the matter should be laid to rest.

**Mr. Wamwere:** On a point of order, Mr. Deputy Speaker, Sir. May I seek direction from the Chair, whether it is possible to lay these documents on the Table or not?

**Mr. Deputy Speaker:** No, You have not raised any issue. So, you cannot lay any documents on the Table.

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

**Mr. Deputy Speaker:** Order, Mr. Munya!. There is no issue before the House, so I do not need your information.

**Mr. Munya:** On a point of order, Mr. Deputy Speaker, Sir. I asked for a Ministerial Statement on the same issue, on the 6th of March and it is recorded in the HANSARD, but nothing has been forthcoming. We have been waiting for a week now and the students are suffering. In fact, the university has been closed and the crisis is escalating.

**Mr. Deputy Speaker:** We have got your point. If that is the case, we have to ask the Minister for Education, Science and Technology to ensure that a Statement on that matter is brought to this House, latest on Tuesday. I think that has been noted and the Clerk will inform the Minister.

**Mr. Wanjala:** On a point of order, Mr. Deputy Speaker, Sir. On the same, I can confirm to you that the policy of this NARC Government is that when one is being investigated, he does not leave the institution. He continues staying there. We want the same to be applied to Prof. Eshiwani, the Vice-Chancellor of Kenyatta University. He should also stay in that institution while investigations are going on. He should not be removed.

**Mr. Deputy Speaker:** Order! Mr. Wanjala, you are speaking for the NARC Government in what capacity?

*(Laughter)*

Order! I have given a ruling on that matter, that the Minister will bring a statement on Kenyatta University on Tuesday next week and he will be informed.

#### INSECURITY IN TURKANA DISTRICT

**Mr. Ethuro:** On a point of order, Mr. Deputy Speaker, Sir. Last week, I stood on a point of order to seek a Ministerial Statement concerning the state of insecurity in Turkana District and the Minister promised to bring a Statement to this House yesterday.

**Mr. Deputy Speaker:** Which Minister now?

**Mr. Ethuro:** The Minister was ready with that Statement yesterday, but the Chair ruled that it should be made this morning. I think the Chair owes us consistency.

**Mr. Deputy Speaker:** Which Ministry is this?

**Mr. Ethuro:** The Office of the President.

**The Assistant Minister, Office of the President (Mr. Tarus):** Mr. Deputy Speaker, Sir, the statement was supposed to have been read yesterday by the Minister. However, I wish to seek the indulgence of this House to provide the statement later because I do not have it here with me.

**Mr. Deputy Speaker:** When?

**The Assistant Minister, Office of the President (Mr. Tarus):** Mr. Deputy Speaker, Sir, tomorrow afternoon!

**Mr. Deputy Speaker:** Very well!

**Mr. Ethuro:** On a point of order, Mr. Deputy Speaker, Sir. If a Minister makes a commitment to read a statement to this House on Tuesday and the Chair rules that, that statement be made on Wednesday, it is unfair to this House for the Assistant Minister to say he did not come with it and yet he had it yesterday. It is not the prerogative of the Ministers to decide. This should be the responsibility of the House. As the concerned Member, I should also be informed when the Minister will come to make that statement because I may not be available.

**Mr. Deputy Speaker:** Mr. Ethuro, I agree with you, but the Assistant Minister does not have the statement here with him. We can only go by what he has requested. So, let us wait until tomorrow.

Next Order!

**MOTION**INTRODUCTION OF PARLIAMENTARY  
BUDGET OFFICE BILL

THAT, this House do grant leave to introduce a Bill for an Act of Parliament entitled the Parliamentary Budget Office Bill to establish a Budget Office in the National Assembly to provide members of the Assembly with information to facilitate their participation in the making of the budget and in the monitoring, evaluation and implementation of public expenditure and programmes so as to strengthen the role of Parliament in the budgetary process, and for matters connected therewith and incidental thereto.

*(Mr. Oloo-Aringo on 5.3.2003)*

*(Resumption of Debate interrupted on 5.3.2003)*

**The Minister for Finance** (Mr. Mwiraria): Thank you, Mr. Deputy Speaker, Sir. I have given the matter before the House a lot of thought, but I am afraid, I will oppose the Motion for two reasons. The first point I want to make is that this House is preparing itself to become effective in every aspect of its work. One of the first jobs the Speaker and his Committee are engaged in is how to get adequate support staff in all areas of operation such as legal, budget, economics, agriculture, health, education, among other areas. I believe that we will do this in order to make it possible for Members of Parliament to get necessary information for them to contribute effectively to debates and to be effective in their work as Parliamentarians.

Here, we are being asked to set up a Parliamentary Budget Office. Is this office really necessary? Is it not a hangover from what was happening because the previous KANU Government used to hold everything to itself? We are opening up. The NARC Government believes that we have to be transparent. Whatever it is that I want to do, for instance, in the Ministry of Finance, I must come here and discuss it openly with hon. Members. For instance, I have had the opportunity to discuss resumption of aid by various donors. I want to take the first opportunity to come and tell the House what conditionalities we are being given and what our position is. This is because we have to move together as a nation. It is not a question of a Minister doing something in seclusion.

The second point in this connection is that we want to open up discussion on the Budget. We want to invite even members of the public to a public hearing so that anybody who feels that a certain taxation measure is affecting him adversely or who thinks that certain changes are necessary will have an opportunity of expressing his or her views before we decide eventually on what the Budget will be.

Mr. Deputy Speaker, Sir, we are really open. We will allow hon. Members to participate. The only area where I know hon. Members have not been able to contribute effectively is in the Budget preparation. However, this year, hon. Members may be invited to come and offer their views, either through the Departmental Committee on Finance, Planning and Trade, or individually if they so choose to do.

Mr. Deputy Speaker, Sir, if we establish an office and call it a Budget Office, we have to staff it with people. I suspect there will be temptation by the appointees to try and look for something to do. If they are just people who will provide information to hon. Members, they should be part and parcel of the bigger and broader team that will be established to service hon. Members in this House. For instance, I do not see the difference between creating this office and employing people to help hon. Members with their legal work. In fact, if there is one area where this House requires assistance, it is in the legal field. This is because we pass Motions and the only thing we can do is to go back to the Attorney-General to provide us with legal draftsmen and so on. But even then, are we going to say we want to establish a legal draftsman's office? I agree that you can even have individuals---

**Mr. Oloo-Aringo:** On a point of information, Mr. Deputy Speaker, Sir. The Minister is asking whether or not the Parliamentary Service Commission (PSC) will establish a department of legal services. Of course, we have even budgeted for it and we have interviewed a chief legal officer to head the Department of Legal Services. It does not contradict what is going on in the Office of the Attorney-General because that office will help the hon. Members.

**The Minister for Finance** (Mr. Mwiraria): Mr. Deputy Speaker, Sir, I am very glad that the Mover of the Motion has answered the question the way I wanted it answered. He has not brought to this House a Motion requiring the establishment of a legal draftsmen office. They can do it without going through the rigmarole of

establishing a Parliamentary Budget Office.

**Mr. Angwenyi:** On a point of order, Mr. Deputy Speaker, Sir. Is the Minister in order to ask the Mover of this Motion to bring other Motions affecting other areas of operation of Parliament when, in fact, the Government has brought in this Parliament a Motion to establish an anti-corruption authority to prosecute corruption and economic crimes. The Minister has not brought a Motion to establish the Kenya Bureau Standards (KBS) as an independent entity.

**Mr. Deputy Speaker:** Mr. Angwenyi, you stood on a point of order. Could you, please, raise it.

**Mr. Angwenyi:** Mr. Deputy Speaker, Sir, is the Minister in order to say that everything that we want to do can be done without the approval of this House?

**The Minister for Finance** (Mr. Mwiraria): Mr. Deputy Speaker, Sir, I have a lot of respect for hon. Angwenyi. In my statement, I did not imply that I wanted everything to go through law. I was only saying that if it can be done without legislating, then let us not legislate. There is no need to legislate in every area. There is a big difference between that and saying you must legislate in every area. I did not say that.

Mr. Deputy Speaker, Sir, this Motion says: "---to establish a Budget Office in the National Assembly to provide members of the Assembly with information to facilitate their participation in the making of the budget and in the monitoring, evaluation and implementation of public expenditure and programmes so as to strengthen the role of Parliament in the budgetary process---"What I am saying is that Parliament can be provided with budgeting experts to provide hon. Members with all the information they may need to contribute effectively to debate on the Budget. So, we need not establish a Parliamentary Budget Office through a law.

Mr. Deputy Speaker, Sir, the Constitution and the Act governing financial institutions give the Minister for Finance exclusive residual powers. Specifically, the Minister is charged with the responsibility of providing a Budget. A "Budget" is the expression of any Government's intention to implement its mandate. I believe that it is only fair and democratic that a Government is left to do that after comprehensive and thorough consultations. I have said that the National Rainbow Coalition (NARC) Government intends to consult widely. We will, in fact, have public hearings, so that the people can tell us what they want.

We have already started consultations with players in the private sector. We are currently consulting with the Association of Manufacturers and the East African Association, among other bodies. We will shortly be consulting with Members of Parliament. We believe that we need their input since they are the representatives of the people. It is the Kenyan people whom we tax through the Budget. So, I would like to make it clear that we are not at all objecting to consultation. We will provide the Parliamentary Service Commission (PSC) with experts to advise them on the Budget. The only objection that I have is to the proposal to create a law to establish a Parliamentary Budget Office. Creating such an office would be duplicating what we do at the Treasury. So, I would like to plead with my colleagues to support this view.

In fact, only a few months ago, I was sitting on the Opposition side of this House. I know what it means not to have adequate support to enable hon. Members to do their work effectively. So, I am not objecting to the appointment of Budget experts, economists or anybody else whom the PSC considers necessary for the efficient operation of this House. I am just saying that I do not see the need of establishing, through an Act of Parliament, a Parliamentary Budget Office.

Mr. Deputy Speaker, Sir, once again, I would like to reiterate that we have a democratic Government which espouses the principle of separation of power. We talk about the need for Parliament to be independent. I am sure that, that is not the independence we are trying to achieve. Likewise, we talk about the need for the Executive and the Judiciary to be independent of each other. My concern here is that unless we are careful, we will be crossing the line which separates the powers of the Legislature from those of the Executive. As I said earlier, the business of managing the little money that the Kenyan taxpayers pay and prioritising its expenditure belongs to the Government, in consultation with whoever else the Government may want to consult.

In this case, I am saying that we are ready to consult with the Departmental Committee on Finance, Planning and Trade, and whoever else may be interested, so that we can produce the best Budget for the country. In the final analysis, I have no doubt in my mind that the Government of the day has a right to implement the mandate it has been given by the people. Much as we may want to consult widely, we cannot share that mandate with another arm of the Government. Today, the NARC is in power; we want to protect the position of the Government. It is for that reason that I agree with the appointment of budget experts to advise hon. Members on matters of budgeting. I agree to the appointment of experts in the legal field and all other areas of concern to hon. Members of this House. However, I do not agree that we should give hon. Members executive power. After all, the legislators are in this House. It is Parliament which decides what legislations should be passed. So, I plead with hon. Members that we do not legislate to establish a Parliamentary Budget Office. If we need such an office, let us establish it without the necessity of a legal provision.

**Hon. Members: Why?**

**The Minister for Finance** (Mr. Mwiraria): Mr. Deputy Speaker, Sir, legislating for such an office would be establishing another institution equivalent to the legal budget office at the Treasury, to actually do the same job. We cannot have both of them.

Mr. Deputy Speaker, Sir, I would, therefore, like to make a passionate appeal to my colleagues to reject this Motion.

**Mr. Omingo:** Mr. Deputy Speaker, Sir, I thank you for giving me this opportunity to contribute to this very important Motion.

Mr. Deputy Speaker, Sir, I have tremendous regard for the Minister for Finance. However, I am mesmerised by some of the proposals he has brought to the House. It appears that if NARC was the ruling party in the previous Parliament, we would never have had a PSC. The NARC Government that we now have is not the kind of Government that we thought we would have. The importance of the process of budgeting cannot be under-estimated. So, Members of Parliament need to participate fully in the making of the national Budget. Let the Budget not be used as a secret weapon. We do not want to hear the Budget for the first time when the Minister presents it to the House from the Dispatch Box. I am terribly disappointed by the Minister's utterances that there is supposed to be a Government machinery to organise the budget. If we talk about public hearings, everything in the Treasury is private. When and where are we going to have public hearings? We need to open up a Budget Office, so that the public can be heard. Mr. Mwiraria, who is the Minister for Finance now, was the Shadow Minister for Finance last year. He supported the establishment of a Parliamentary Budget Office! Is he saying that, upon change of the Government, he is a different person altogether? Last week, we agreed in principle to discuss this Motion, so that the Minister could come this week and give his input today. But the input is negative.

That is because the officers in the Ministry of Finance do not want to let go of that particular function. We know why that is happening. The President said that Parliament should be empowered. The means which should empower Parliament are being taken away from us. That cannot be accepted.

Mr. Deputy Speaker, Sir, when we talk about the Parliament having to create the Budget office, it is not unique to Kenya's situation. Indeed, we conducted wonderful elections which should be emulated by countries worldwide. Why can we not borrow a leaf from governments like the United States of America (USA), which has a powerful Parliamentary Budget Office? We have it in the United Kingdom (UK), South Africa and even Uganda, which is our neighbour. What is this business of withdrawal syndrome that is making the NARC Government develop cold feet? We must change. The Minister should take courage. The will is there, but I think the Minister is being pulled back by the technocrats who have refused to help the Minister for Finance.

Mr. Deputy Speaker, Sir, we are saying that this Government has got to be consistent in terms of delivering its mandate. When Members of the current Government were in the Opposition last year, there were several pronouncements that we really fought for. That is why I am really disturbed that we are now changing, upon crossing over. A case in point is the National Aids Control Council (NACC). The feeling of the House last year was that it should move to the Ministry of Health. But, today, there is no such a thing and the KANU withdrawal syndrome is creeping in the Government. It is a shame!

Mr. Deputy Speaker, Sir, we are saying that we must be honest with ourselves. Two months down the line does not necessarily make somebody have a complete change of heart. We are saying that the Parliamentary Budget Office is a good idea for Kenyans and Members. Let Members be given a chance to contribute to the Budget.

Another issue is that you find a rural access road from one area to another that has got no benefit and added value--- It is in that forum that we want to enable Members of Parliament to discuss the Budget and reallocate the resources in a prudent manner for the purpose of improving the welfare of Kenyans. The Budget that we intend to bring up should be a budget that adds value on the social wellbeing of Kenyans.

We are saying that people should be empowered. How do we do it? Are we going to lock ourselves in the Treasury? Is the Minister talking about inviting us to the Treasury? I am sure he will invite us selectively. If you are a vocal loud-mouthed person, you may never get an invitation to the Treasury. We are saying: Let us introduce a Parliamentary Budget Office, to enable Members of Parliament discuss the Budget and invite members of the public to listen, digest and study it before it is brought to the House. We are saying that we do not have to distance ourselves from the public. They are the ones who elected this Government. The public have elected a Government for the first time, contrary to other years when we had routine elections, routine rigging and other evils. This time, the NARC Government has been given the mandate by the people. It has got to deliver services to the people. They have got no choice!

Mr. Deputy Speaker, Sir, as we move towards an agreement - and I believe we are going to agree - let us stand up to be counted. Kenyans are watching the NARC Government today, and it is drifting backwards in

terms of double-standards in the application of the law; double-standards in terms of policy guidelines. It is a disappointment! The goodwill that Kenyans gave it is almost running out! It is too soon for this Government to renege on its commitment. It is too soon for this Government not to honour what it promised Kenyans. Two months are already gone and you have got 58 months to go. Be warned that we are watching and we will never sleep until that is done!

**Mr. Deputy Speaker:** Order, Mr. Omingo! Are you not being irrelevant to the Motion? Could you stick to the debate?

**Mr. Omingo:** Mr. Deputy Speaker, Sir, I am not irrelevant! What I am saying is that it is the conduct of the Government in place that is worrying. Even when we agreed in principle that we are going to work as a team, the Minister--- I have to repeat that! It is a question of double-standards and lack of commitment to issues. Last week, the Minister for Finance actually stretched the discussion to this week for purposes of giving a reasonable response. The reasonable response is negative!

**Mr. Deputy Speaker:** Order, Mr. Omingo! I do not want to interrupt you, but, indeed, the Minister has kept his word. He has responded. As to whether you like it or not, that is not the issue. So, could you proceed?

**Mr. Omingo:** Mr. Deputy Speaker, Sir, his change of heart worries me and Kenyans. It is his change of heart that is going to put this Government conduct into question. When all is said and done, the Parliamentary Budget Office is a very vital instrument that is going to turn the Budget round, apply the resources of this nation equitably and into productive ventures. It is at the preliminary stage that we can be able to adjust and put things into focus. It is at that stage that we can be more focused and more candid with each other. After all, when it comes here, it is almost like a routine thing. We do not have sufficient time to discuss the Budget. When you have 27 days to discuss the Budget and each Member is given five minutes, it is not sufficient. We are saying: Let us digest it, internalise it and present it here in a way that it will flow and nobody will oppose it because we own it. After all, the success of Japan today is because they govern and rule by consensus. Why do we need to draw each other in a tug of war? There is no point. We should support the NARC Government on issues that are positive. But when they are not, we should all oppose. That is what we are saying; that it is easy for them and us to be able to agree. The only central point that we would be able to agree and discuss issues on, should be the Parliamentary Budget Office, for the purposes of having a focused nation and a more committed Government with proper commitment of resources for the purpose of the wellbeing of all Kenyans.

With those few remarks, I beg to support.

**Mr. Shitanda:** Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. First and foremost, I am standing here to support this Motion. The importance of a Parliamentary Budget Office cannot be under-estimated, especially in this era where we, in the NARC Government, are claiming to be doing everything in a transparent manner.

Mr. Deputy Speaker, Sir, just this morning, there was a Question in this House which brought to the fore, the need to have a Parliamentary Budget Office in this country.

Mr. Deputy Speaker, Sir, it is a shame that some people in the former Government took advantage of the absence of a Parliamentary Budget Office to abuse the budgetary process. We had allocations which were meant to go to every district in this country, but because a Parliamentary Budget Office was not in place to ensure that whatever was allocated to each district went to it, officials who were involved in the disbursement of those funds reallocated them to their districts. We even believe that some of this money did not get to the districts.

We are told that about Kshs300 million went to Nandi District. This is not true. I pass through Nandi District every Friday when going to Kakamega, and I know that there are no roads there. We must be told where this money went to. The only way we can find out how the money was spent is through the establishment of a Parliamentary Budget Office, which will enable hon. Members to scrutinise the budgeted funds. This office will enable hon. Members to question how money budgeted for various projects is spent.

Mr. Deputy Speaker, Sir, I am shocked that the Minister for Finance is opposed to the establishment of a Parliamentary Budget Office. In the last Parliament, the Minister for Finance and I were hon. Members of the Departmental Committee on Finance, Planning and Trade. We were in the forefront in urging the former Government to establish a Parliamentary Budget Office. It is interesting that today, because he is the Minister for Finance, he stands here to oppose the establishment of a Parliamentary Budgetary Office. I do not understand why the change of heart has occurred.

There are so many things which have gone wrong because of the budgetary process we have in this country. When we talk about transparency in the National Rainbow Coalition (NARC), we must talk about it and then practise it. If we were as transparent as we are trying to portray ourselves to be, the need for a Parliamentary

Budget Office, as the Minister has put it, would not have arisen. Let us look at ourselves. We have been in power for the last two and a half months. What level of transparency have we demonstrated? How have we shared the slots in the Government? Have we done it in a transparent manner? We say that we do a lot of consultation, yet when you look at the Government appointments, you will find that they appear to be tilted towards one region. Was there consultation done and a consensus reached that all these slots should be filled by people from one region? Worst of all, some of these slots have been given to people whom the previous Government rejected as being inefficient and of dubious character.

We are not opposed to the present Government. We hail it for the little success it has achieved in trying to stamp out corruption in this country and trying to put the economy of this country back on its track. But we must talk about transparency and practise it. We must deliver on the promises we made to Kenyans during the campaign period.

With those few remarks, I beg to support.

**The Deputy Speaker:** Mr. Shitanda, time is up. I will now have to call upon the Mover to reply.

**Mr. Oloo-Aringo:** Mr. Deputy Speaker, Sir, because of the importance of this Motion, I am happy to donate four minutes to Mr. Wamwere, and four Minutes to Mr. Gitau, the hon. Member for Juja. Then I will have the last two minutes to make my submission.

**Mr. Wamwere:** Bw. Naibu Spika ninasimama kuunga mkono Hoja hii ambayo tunajadili.

Kwanza ningetaka kusema kwamba kama tuna shida katika nchi hii, na tuna shida chungu nzima, shida zetu zimesababishwa na Bajeti ya Rais na wafanyikazi wa Serikali. Hoja tunayojadili sasa ni ya kubadilisha mambo ili, badala ya kuwa na Bajeti ya Rais na wafanyikazi wa serikali, tuwe na Bajeti ya wananchi wanaopiga kura na kulipa kodi. Nchi hii imejaa ufukara ambao umesababishwa na Bajeti zilizotengenezwa bila kuhusisha Wabunge. Nchi hii imejaa kila aina ya maovu ambayo yamesababishwa na Bajeti zilizotengenezwa bila kuhusisha Wabunge. Tumeambiwa kwamba kuna mvutano kati ya Bunge na Serikali. Tunajua kwamba Serikali ingetaka kuwa na Bunge ambalo ni pofu. Inataka kuwa na Bunge ambalo halina makende au ambalo limehasiwa. Tunataka kurudisha uwezo wa Bunge hili.

**Mr. Wetangula:** On a point of order, Mr. Deputy Speaker, Sir. You have just heard the words the hon. Member has used. Do you condone the use of obscenities in this House? He has used obscene language.

**Mr. Deputy Speaker:** Mr. Wamwere, could you be more decent?

**Mr. Wamwere:** Bw. Naibu Spika, nilikuwa nikisema kwamba Serikali imekuwa na haja ya kuona kuwa Bunge hili limehasiwa. Kama hiyo lugha ni mbaya---

**Mr. Deputy Speaker:** Mr. Wamwere, you know I am not referring to the word "maziwa". You know the word I am referring to.

**Mr. Wamwere:** Bw. Naibu Spika, kuhasiwa kwa Bunge ni kuinyima uume au uwezo wake.

**Mr. Deputy Speaker:** Mr. Wamwere, you must withdraw the other word you had used.

**Mr. Wamwere:** Bw. Naibu Spika, nimeondoa hilo neno.

Tunajua kwamba kazi kubwa ya Bunge hili ni kugawa kodi. Kazi kubwa ya Bunge hili ni kuchunga kodi inayolipwa na wananchi. Bunge haliwezi kufanya hivyo likiwa limehasiwa kama vile lilivyohasiwa na taratibu za Serikali zilivyo leo. Ningetumai kwamba Waziri angesema kuwa Bunge ndilo linalofaa kuwa na uwezo kushinda Serikali. Nchi hii ina Wabunge waliochaguliwa kuitawala, na haiwezi kutawaliwa na wafanyikazi wa Serikali. Hawa ni watu ambao hukaa katika maofisi na kuamua kila kitu ingawa hawana uwezo wa kufanya hivyo.

Kwa hivyo, ni lazima tuiptishe Hoja hii. Sisi kama Wabunge, tunataka tuwe na uwezo wa kujibu maswali kutoka kwa wananchi. Tunataka tukiulizwa kwa nini barabara hazijatengenezwa, kwa nini hakuna umeme na kwa nini mambo yanaharibika tuweze kujibu. Kwa hivyo, ni aibu kwa Waziri kusimama hapa kupinga Hoja ambayo imekusudiwa kuleta mabadiliko ambayo Serikali ya National Rainbow Coalition (NARC) imechaguliwa kuleta katika nchi hii. Hatuwezi kuwa na mabadiliko kama Bunge halina uwezo.

Kwa hayo machache, ninaomba kuunga mkono.

**The Member for Juja (Mr. Gitau):** Mr. Deputy Speaker, Sir, my names are Mr. William Kabogo Gitau, the Member for Juja, Thika District.

I want to thank Mr. Oloo-Aringo, for giving me four of his time to support this Motion. One does not need to have an economics degree to understand this Motion. A Budget is an estimate of income and expenses.

*(Loud consultations)*

**Mr. Deputy Speaker:** Order, hon. Members! We want to hear what hon. Gitau is saying.

**The Member for Gitau (Mr. Gitau):** Mr. Deputy Speaker, Sir, the income shown in a Budget belongs to

the people of Kenya and expenditure is incurred on their behalf. This House is a representative of Kenyans. We are saying that Kenyans should be involved in the budgetary process. We are saying that this House should be involved in the budgetary process.

In previous years, Budgets were read out before the House and people went to the Press and said that they were not the people's Budgets. Those Budgets did not express the wishes of the people. If we establish a Parliamentary Budget Office, we will ensure that the people are represented in the budgetary process. It is illogical that the Minister for Finance can rise in this House and talk about separation of powers. We have been talking about separation of powers in as far as the office of the Attorney-General, the office of the Minister for Justice and Constitutional Affairs and the office of the Executive are concerned. Why is there such a change of heart? I know that the Minister is worried that we might be taking away his job. We are not taking away his job, but we are only giving him teeth, or empowering him to do as per the wishes of the people of Kenya.

Mr. Deputy Speaker, Sir, you will realise that we are creating a statutory office to control the estimates of income and expenditure of this country. As we do that, it is evident that we want to be involved, not only by rubber-stamping the Budget, but also in the creation and control of the finances of our people. In the past, money was spent to buy the official presidential jet and tarmac the roads in Githunguri Constituency. Money was also used in the past to tarmac the roads in Gatundu South Constituency and the entire Keiyo Valley. All this can be avoided by the creation of this office. I hope that at one point this year, we shall also tarmac the roads in Othaya Constituency.

*(Laughter)*

As I support this Motion, it is important to note that the people of Kenya look upon this House to ensure that the changes that this Government promised to bring to this country are implemented. It is only through the creation of a budget office that the finances of this country can be controlled.

Mr. Deputy Speaker, Sir, with those few words, I beg to support. Thank you, Mr. Oloo-Arango.

**Mr. Oloo-Arango:** Mr. Deputy Speaker, Sir, I was coming to consult with you, but let me put it this way.

I would like to inform the House that this is the first time in our history when we are repossessing our powers, as Parliament.

*(Applause)*

Many Parliaments have already established a budget office, and we are saying that it will give us the capacity to "interrogate" the Budget. Why should we not "interrogate" the Budget? We are elected to be a supreme legislative organ of this nation. We are the ones who pass the Finance Bill, the Supplementary Estimates and the Appropriations Bill. Therefore, we must know the contents of these Bills. To do so, we need to create a body of experts within Parliament. These experts will not take over the role of the Minister or the mandarins in the Treasury because the problem here is not the Minister, but the problem here lies with the civil servants in the Treasury.

*(Applause)*

This House is liberating not just hon. Members, but also the Minister from control by the civil servants.

*(Laughter)*

**The Minister for Finance** (Mr. Mwiraria): On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member in order to insinuate that I am under the control of civil servants?

**Mr. Oloo-Arango:** Mr. Deputy Speaker, Sir, I have a lot of respect for Mr. Mwiraria. Mr. Mwiraria and I have worked together in the past. When I was the Minister for Education, Science and Technology, Mr. Mwiraria was the Permanent Secretary. So, we know each other very well and I have great respect for him.

I do not want to prolong my contribution. I want the House to vote with one voice in support of liberation of Parliament.

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

*(Question put and agreed to)*



**Mr. Deputy Speaker:** Let us move on to the next Order!

CONSTRUCTION OF DAMS AND  
BOREHOLES IN ASAL AREAS

**Mr. Rotino:** Mr. Deputy Speaker, Sir, I beg to Move the following Motion:-  
THAT, in view of the changing patterns of rainfall in the country; and being aware of the famine which affects Kenyans from time to time; this House urges the Government to construct at least ten dams and ten boreholes in each constituency in the arid and semi-arid (ASAL) areas.

*(Several Hon. Members left the Chamber)*

**Mr. Deputy Speaker:** Order, hon. Members! Those who want to leave the Chamber may do so quietly so that we can continue with the business of the House.

Mr. Rotino, proceed!

**Mr. Rotino:** Mr. Deputy Speaker, Sir, I move this Motion with a lot of concern because, 75 per cent of this country falls under ASAL areas. That is where most of the MPs come from. Water is life, and we do not need to emphasize that because all of us know that without clean water there is nothing that we can do.

*[Mr. Deputy Speaker left the Chair]*

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

In the ASAL areas, water is really a problem, and yet we are talking of development in 75 per cent of our country. These areas are dry and there is no water there. There is no development in those areas because development can only be realised where there is water. If you visit those areas, you will realise that there are no schools in sub-locations because of lack of water. This is because water is a "magnate" in any form of development.

Mr. Temporary Deputy Speaker, Sir, the rainfall pattern in this country has changed. For the last ten or 20 years, the pattern of rainfall has changed. For example, we experienced a lot of rainfall during the *El Nino* season. We also experienced *La Nina* which led to dry spells. The areas this Motion has covered always suffer as result of those problems. The people who live in these areas depend on livestock for their livelihood. These people keep on wandering from place to place, and that is why you find cattle rustling being rampant in those areas. For example, the people from West Pokot move up to Uganda looking for pasture and water. They also move to Marakwet in search of pasture and water for their livestock. The Turkanas also move from one place to another in search of water and pasture for their animals. For example, they move to Sudan and Ethiopia in search of pasture because there is no water in those areas.

Mr. Temporary Deputy Speaker Sir, this Motion seeks that the government makes a deliberate move to include this aspect in the Budget in order to drill boreholes and construct dams in these areas. These dams will enhance irrigation in those areas. This will encourage people to settle down in specific areas and plant crops or rear their livestock. If you travel from Kitale to Lodwar, you will find that there is a borehole where people have settled. This borehole was drilled 50 years ago by the colonial government. People stay in those areas because water is available.

Mr. Temporary Deputy Speaker, Sir, a previous speaker mentioned that it is the policy of the NARC Government to move youths into these pastoral areas like North Eastern Province for example, to develop such them. However, there is nothing that the Government can do before first availing water in those areas. The Government cannot avail water in those areas if the only way of getting water is through wells and dams. This is because when it rains there is a lot of run-off water and to tap this water, one must dig wells. The Government must buy those big heavy tractors to be able to dig those wells and maintain them in order to prevent siltation. In most of those areas I am talking about, there are dams which were dug by the colonial Government 50 or 60 years ago. However, over the years there has been a lot of siltation and nobody has ever gone there to look at those dams and protect the catchment area by planting trees during the rainy season to be able to conserve those areas.

Mr. Temporary Deputy Speaker, Sir, we are now talking about Turkwel Gorge getting silted. In the next 30 or 50 years it will be silted. Why? This is because the catchment area of Turkwel Gorge is not being taken care of. A lot of money has been donated by the World Bank to desilt the upper catchment area of Turkwel Gorge. However, there is a lot of siltation in that area because nobody is taking care of the siltation. The Government

should be able to vote in some money to desilt the catchment areas where those dams are built.

Mr. Temporary Deputy Speaker, Sir, we are talking about a lot of youths in those areas. The youth are idle in those areas because they have nothing to do. The only activity they can engage in is pastoralism to be able to take care of animals. However, we want to change their lifestyles. How can you change their lifestyles? We can only change their lifestyles by availing water in those areas so that they can concentrate in specific water points, thereby, increasing their entrepreneurability. Therefore, they can practise artisanship and build polytechnics and boarding schools in those areas. However, we cannot do that if there is no water around.

Mr. Temporary Deputy Speaker Sir, lack of water also affects the growth of markets. For example, if you go to West Pokot District, there are two locations that have no trading centres and schools and we have struggled to build schools there, but you cannot sustain the schools because there is no water. During the dry spell, all these people move and there is nobody in that area. We have always appealed to the Government, even through District Development Committees (DDCs) and other resolutions to dig boreholes and big dams and maintain them. It is one thing to build them and another to maintain them. The Government has not done that hence people do not stay in that area. We keep blaming the Pokots, Turkanas and North Eastern people for engaging in activities that are not very conducive for their welfare like cattle rustling and yet we do not provide them with an alternative activity for them to engage in.

Mr. Temporary Deputy Speaker, Sir, I appeal to the NARC Government to rectify the situation. When the KANU Government was in power we used to see all these. We hope there will be a change now that the NARC Government is in power. The Minister should be able to allocate some money for these areas. Thank God, the Assistant Minister who is going to respond to this Motion comes from that area. I know he understands what I am talking about. I have had to undergo a lot of pains trying to emphasise to him the need for the Government to be able to set aside a specific amount of money to be able to dig, at least, a minimum of ten bore holes and ten dams in West Pokot District, specifically in Sigor Constituency. This is because that is where there is a crisis. If we have water, we can be able to fight the cattle rustling menace that everyone is talking about. The Government must create alternative means of living for the Pokot. If they have nothing to live on, they have to disturb their neighbours and steal their cattle. Mr. Temporary Deputy Speaker, Sir, provision of water will help these unemployed young men to be able to join polytechnics. We have many of them who have been trained in our institutions; they have gone to village and Government polytechnics, and they have acquired artisan skills, but where do they go to practise them? When they go to their own areas, there are no activities for them to engage in. So, the knowledge and money that we have invested in them go to waste. So, it is important, as I have said, that water is life and life abounds where there is water. Centres grow where there is water. Facilities such as polytechnics come up where there is water. Development occurs where there is water. So, if you are talking about developing those areas there is nothing we are going to do if we cannot build good roads. There must be highways on which to travel from one point to another. If you want to develop those areas specifically, you should be able to, first of all, vote a lot of money for those areas in order to get the roads passable and the dams working.

Mr. Temporary Deputy Speaker Sir, we should be able to deploy the National Youth Service (NYS) personnel in those areas in order to develop them. They have a lot of machines. If you go to Ruaraka today, you will notice that there are big machines that are lying idle. I do not know why these people are being trained. Are they only used when there are big functions like Jamhuri Day or during the State Opening of Parliament when they are used as scouts? We need the NYS personnel to go to the rural areas like the Bura Irrigation Scheme for development purposes. Those are good jobs which they are doing. We need the NYS to go to Turkana District. A dam can be built by the NYS personnel in North Eastern Province.

**Mr. Salat:** And in Bomet!

**Mr. Rotino:** Not Bomet because that is a very fertile area. At least, we should build them in those areas where we require them and the NYS personnel should go there with those machines. When I used to sit on the PAC, we found that many dilapidated machines are being stored in Ruaraka. Can they be deployed in those areas and help in digging and maintaining those boreholes? Secondly, they should go and assist those farmers there who are struggling to live on subsistence farming. Can they go there and assist them in those small agricultural activities?

Mr. Temporary Deputy Speaker, Sir, as I speak now, we have one of the biggest irrigation projects in this country in my constituency sponsored by the Italians called Weiwei Irrigation Project. We were able to settle more than 600 farmers on 2.5 hectares using irrigation water. We only used one inch of the water and the rest of the river water flows without being used. We are saying that many of the irrigation projects use river water. We have River Murunju, Embobut and Aror flowing. These are big rivers which one can be used for irrigation. This is because every now and then, these districts suffer because of famine. Right now we need a lot of food. We appeal to donor agencies like World Vision, including the Government to kindly give us food. Year in, year out, we are

crying for food. Up to what time shall we continue doing so and yet we have the water? I had an opportunity of studying in Israel where they use water from Lake Galilee. That is the only source of water they rely on and yet Israel is the biggest exporter of oranges in this world. Why? They have got water and they are able to bring that water right from Galilee up to the southern part of Israel. They use it very well and yet we have plenty of water in Lake Victoria which we do not use.

Mr. Temporary Deputy Speaker, Sir, our water flows into Lake Victoria, and yet we get a lot of support from Egypt, a country that survives because of our water. The Government should be able to look for a donor to be able to pump the water from Lake Victoria to Timboroa. From Timboroa, we can distribute the water to other parts of the country. If we do that, this country will be a Heaven on earth. We shall reclaim 75 per cent of arid areas which we are talking about in this Motion. If we could do that, the lifeline which they have taken--- A meteorological department which they fund, is stationed in Lake Victoria to monitor what the East African Communities are doing with the Lake Victoria water.

Mr. Temporary Deputy Speaker, Sir, much of the water that flows into Lake Victoria comes from one catchment areas, like the Cherangani Hills catchment area, and all the other catchment areas that we have in the western side of this country, yet we are not able to benefit from that water. What a shame that we are getting food from Egypt to feed our own country.

Mr. Temporary Deputy Speaker, Sir, last year, the Ministry got a lot of money to dig boreholes in West Pokot which they never did. What a shame, yet we have water that we can use in that area to improve our agriculture.

Mr. Temporary Deputy Speaker, Sir, thank God; I am now a Member of the Departmental Committee on Agriculture, Lands and Natural Resources. I will request that Committee to travel to Israel to see what they do there, and then come back to do the same in our own area. Those of us who are in that Committee should have a pilot project in our own communities, assisted by the Ministry of Water Resources Management and Development, together with the Ministry of Agriculture and Livestock Development.

Mr. Temporary Deputy, Sir, since Independence our army has not gone to war, but instead they are doing nothing. The engineering battalion is being misused in the construction of private roads. I am pleading with the NARC Government, to make use of what they call transparency in their administration. They should use the army engineering battalion to dig boreholes in those remote areas. Sometimes they go there for their routine exercises. When they go there, with their more than ten or 20 lorries, they take their own water there.

I think in this country the engineering battalion of the army has one of the biggest drilling rigs for digging boreholes. Why are they not engaged in digging boreholes in those areas? If this Government is serious, bearing in mind what the President said; the Ministry of Water Resources Management and Development should be given enough money. That is why with the Motion which was passed, just a few minutes ago, at least, we will be able to monitor what amount of money the Ministry of Water Resources Management and Development is being given, so that we can ensure that there is enough money voted for it and that will go a long way in assisting people in the ASAL areas to get water.

Mr. Temporary Deputy Speaker, Sir, I want the Minister to note this point very well and discuss it with the relevant authorities. The rigs in the army should be taken to West Pokot very soon. When the army personnel are told that they need to go and do an operation in West Pokot, they go very fast. They get the fuel and money to mobilize themselves for an operation. But when they are told that there is a good service that needs to be provided to the local people, they do not do it. I want the army to be involved in the tapping of the unutilized underground water in this country.

Mr. Temporary Deputy Speaker, Sir, whereas I have talked about the improvement of ASAL areas, we need to realise that the marketing system of our crops needs improvement. It is good if the Government went into such areas to dig boreholes and ensured that water is available and irrigation is done, in order to alleviate poverty. It is one thing producing crops and another thing getting the market for them.

Mr. Temporary Deputy Speaker, Sir, in the Kerio Valley specifically, we have a lot of crops that are grown through irrigation. Farmers are demoralised because they cannot get their crops to the market in spite of their tireless work on those traditional furrows. I want to say that Elgeyo Marakwet has the oldest traditional irrigation furrows in this country. The Elgeyo Marakwet people work tirelessly on their mango and cassava crops, but when it comes to the marketing of the farm produce--- The Ministry should look at the marketing of these crops because they can produce a surplus, and yet there is no market for that surplus. They cannot get their farm produce to the market because there are no roads, and means of transport is not available to them and the market system is not organised. The horticultural system is not organised, Kerio Valley Development Authority (KVDA) is in shambles.

Mr. Temporary Deputy Speaker, Sir, when I used to work with the KVDA, the farmers were not being

assisted at all.

With those few remarks, I beg to move, and I would like Mr. Sasura to second the Motion.

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

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

**Mr. Sasura:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity.

I stand to second this Motion which addresses the ASAL areas. In most cases, the Arid and Semi-Arid Lands (ASAL) are not properly defined. The existence of ASAL areas was brought to the attention of the world in the 1980s, mainly through the European Union Programme.

There are two types of ASAL areas in this country. There are those areas which are geographically ASAL, and there are those which are politically ASAL. Areas that are geographically ASAL are the unfortunate areas that nature has created. But areas that are politically ASAL have been created by the politicians and the Government of the day.

Mr. Temporary Deputy Speaker, Sir, during and after Independence, the people of ASAL areas, mainly in the northern part of this country were divided into two: Those who wanted to secede to Somalia, under the northern people's political party, and those who wanted to be with the Kenyatta Government. These people were divided into two groups in a bid to keep them on their toes, to the extent that they have kept on fighting from the time of Independence to make them forget the development agenda of the day.

Mr. Temporary Deputy Speaker, Sir, in 1986, when I was working in the North Eastern Province (NEP), the province was defined by the people of north eastern to mean, "Nothing Except Problems". That definition fitted that area best.

The saviours of the people who come from the ASAL areas were the missionaries. The missionaries definitely came with the agenda of religion, but they pushed in the development agenda. Courtesy of the missionaries, most schools were put up and a few water sources, like water ponds were also put up.

But, Mr. Temporary Deputy Speaker, Sir, water is not the only resource that we are asking for in these ASAL areas. There are other unexploited resources in these areas. We have heard of oil exploration; we have heard of very good prospects of oil in northern Kenya and samples have been brought up and displayed, but everything has been covered. We have heard of mineral exploitation in northern Kenya, part of Turkana, but nothing has come up as yet. But we are not asking for all these. We are just asking for water. Water has got various implications. The unavailability of water has got its own effects on education. In the arid areas, education is only possible through boarding facilities. But boarding facilities are not possible without water. That means you opt to school as a day-scholar. If the distance is too far, you opt out. If you can make it to the school, then you opt to carry some pieces of firewood and three litres of water to the school so that you will be able to have some cooking in the school. So, it directly has its effects on the levels of education in the ASAL areas.

Mr. Temporary Deputy Speaker, Sir, the unavailability is the major contributory factor to the insecurity in ASAL areas. The people in ASAL areas do not fight over any other reason. They fight over resources. People in other parts of this country think that the people in ASAL areas are war prone and they love to fight. But these people merely fight over resources. We have told the Government, time and again, that they cannot give us pasture, but they can give us water. Pastoralists move from Wajir District to Moyale District just to look for water. They leave grass in their areas, but because there is no water; they have to go and look for water in Moyale. When they reach there, they end up fighting at the end of the day because water is not sufficient. So, the unavailability of water has its own implications on security. Successive Governments have succeeded in giving food to people in ASAL areas, and food is normally given during the dry spell. This has created a dependency syndrome on the part of these people, who can do without white maize and survive with a little milk per day. But our question is about the discriminatory distribution of resources. Forty years down the line after Independence, the people in ASAL areas are discriminated against by successive Governments in the distribution of resources. We, as I said one time in this House, are not asking the Government to sympathise with us. We are asking the Government to give us our rights. It is our rights and they are entrenched in the Constitution. Section 82 spells out very clearly that nobody will be discriminated against in terms of distribution of resources because of his race, tribe, or place of origin. It is very sad.

Mr. Temporary Deputy Speaker, Sir, we have seen about three governments in this country now, where development revolves around created institutions called "mafia". We have heard of the Rift Valley mafia in the

last regime and now, we are hearing of the Mt. Kenya mafia. In ASAL areas, are we also expected to create the ASAL mafia so as to get development? This Government should tell us. The only way we shall create the ASAL mafia is to form an ASAL party and get a majority number in this House so that we can get development. A very good example is the Rural Electrification Programme which was discussed here this morning. The NARC Government has said very clearly that they are going to be different from the KANU Government and they have set criteria of distributing funds for rural electrification through, one, area, and two, population. That means, if you are few, you do not get electricity. If you are many, you will get electricity. But in everybody's electricity bill, there is 5 per cent levy for rural electrification. That is now the height of discrimination. If the Government is going to give us electricity based on our population, when we are all paying this levy, it is very unfortunate. I wanted to believe that the NARC Government was a bit different after the Speech of President Kibaki. I want them to make me believe that they are different, but they are not convincing me that they are different. I want them to follow the *nyayo* of President Kibaki. For the first time, the President said and described us as marginalised districts. At least, we are lucky because the President knows we are marginalised. But do these Ministers know that? I am asking them to follow the footsteps of President Kibaki. We accept that we are marginalised and the President has acknowledged this. The Ministers should give us development in terms of our marginalisation. What are we asking from this Motion? We are just asking the Government to give us water.

Mr. Temporary Deputy Speaker, Sir, the army in this country is the most well-equipped not only with guns and ammunition; it is well-equipped with drilling rigs. There is a whole battalion called the Engineering Battalion. It is true our army has never gone to war. The only time we have seen the army in Marsabit is when there is a small problem. They have broken the record of beating up our men and women in search of one gun. Because they have not gone to war and they get free rations, these people are very strong! We want the NARC Government to now handle the army differently. The Government should ask them to give us those rigs which are lying idle and they are cost-effective. I am an expert in water and to drill a borehole, it costs about Kshs2.5 million if you contract it to a company. But if the Government gives us the army rig, we shall need about Kshs700,000 to Kshs800,000 only to drill one borehole. We know the army rig has been used selectively and discriminatively in the last 20 years to drill a borehole, for example, for Mr. N. Nyagah in Kamkunji, if he is a good man. But this should not be repeated. There are people who need this rig more than others; the people in the ASAL areas.

I want to tell the NARC Government that if they are not going to do that, they are just doing us a favour because they are pushing us away from this Government. They are pushing us away to be on our own and they are pushing us away to form another party called the "Oppressed People's Party". In the ASAL areas, we can bring out about 70 Members of Parliament and we shall negotiate for a government. We shall beat the former Democratic Party (DP). That time, we will not discriminate you, but we are sure we shall form the ASAL mafia, which will fight for the ASAL development.

With these few remarks, I beg to second.

*(Question proposed)*

**Mr. Wetangula:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute to this Motion. First, I congratulate Mr. Rotino for bringing such a good Motion and I hope the respondent Ministry will not be standing up to oppose it.

Mr. Temporary Deputy Speaker, Sir, water, as they say, is life. It is the principal provider and sustainer of life. When we talk of ASAL areas, it should not be limited to any few areas. There are very many areas that qualify to be called ASAL. If you go to the lake region, you will come face to face with problems of water. A kilometre away from Lake Victoria, you will find women and children struggling to share dirty water in pools by the roadside to go and use in their homes. We need a

very clear programme from the Government on what it wishes to do with provision of clean water.

Mr. Temporary Deputy Speaker, Sir, we have the second largest fresh water lake in the world in our midst. Everybody knows that 75 per cent of the waters flowing into Lake Victoria come from Kenya. Everybody knows that more than 60 per cent of Kenyans have no access to good, clean, hygienic water. We need to do something about this because it is immoral in my view, for us to sustain a lake that goes to sustain lives 4,000 kilometres away when our own people are dying because they do not have clean water.

Mr. Temporary Deputy Speaker, Sir, if the previous Government had focused planning, one would question why they wasted money building an oil pipeline from Mombasa to Eldoret when that money could have pumped water from Lake Victoria to the ASAL areas. I would like to urge this Government to revamp the Railway line and abandon the programme we are hearing of extending the pipeline from Eldoret to Kampala and divert

that money to provide water to those who need it.

In this country like elsewhere, this is the time when conflicts on water are intensifying. We are, in fact, told that while in the last century conflicts emanated from oil, this century, conflicts will emanate from water. Whether it is animals against human beings or human beings against human beings.

These are avertable conflicts. Mr. Rotino has articulated very well that we need to focus on how to provide water. One of the ways of ensuring that water will be supplied to all areas of need, is to implement the Motion that Mr. Oloo-Aringo has just passed in this House. When we budget, we must make sure that we do not have answers coming here that say that Kshs300 million has been used to make roads in Nandi when those of us who pass through Nandi know there are no roads. We want to make sure that Parliament passes money to spend and that money is actually spent.

Mr. Temporary Deputy Speaker, Sir, perhaps Mr. Rotino was being overly generous in asking for ten dams and ten boreholes in every constituency, because this cannot apply uniformly. I think what we need to say is: Construct dams and drill boreholes as and where there is need instead of limiting it to ten. There may be some constituencies which may need more dams. I have in mind my own constituency of Sirisia. In Sirisia and Malakisi divisions, there is no water. The area is so dry and people are now walking for up to ten kilometres to look for water. This rings all around Busia, Siaya, Kisumu, Nyando and many other areas.

It is a big shame for many of us and the country at large, after 40 years of Independence to be still coming to this Parliament to talk and cry about water. Woe unto the last Government for having failed to provide basics for its people. Mr. Sasura says that they want to form a party of the oppressed people of Kenya. I would like to inform him that they do not need to do that; being in KANU is sufficient oppression. They do not need to form another party.

Mr. Temporary Deputy Speaker, Sir, while talking about water, those of us who pass around Lake Naivasha have noticed that - you do not need to be a hydrologist - Lake Naivasha is being over exploited. It is being choked by flower farmers. I have gone out of my way to inquire whether there is any body that is regulating the amount of water that is being drained from Lake Naivasha, and I have learnt that there is none. I would like to urge the Ministry of Water Resources Management and Development, that while we want them to provide water to everybody, they must also formulate policies that regulate the use of the available water in areas with fragile ecosystems like Naivasha.

Mr. Temporary Deputy Speaker, Sir, we have the River Athi and Tana River flowing into the Indian Ocean. The way we have behaved is as if we have a contract with the Indian Ocean to pump water into it and yet we have none. We should tap the waters of those rivers, irrigate the lands along the valleys of those rivers and produce food. We should tap waters from those rivers and pump to areas that our colleagues across have been talking about so that it can be supplied to their animals and for food production. Kenya has got only one third of its territory under what we can call vegetation cover in terms of forest. The rest is ASAL or semi-arid. The manner in which we have been destroying forests in this country and the environment as a whole is as if we were at war against ourselves.

Mr. Temporary Deputy Speaker, Sir, one of the problems that is creating more and more ASAL areas in the country is because of our reckless management of our environment. I would like to urge the Minister for Environment Natural Resources and Wildlife and the Kenya Wildlife to do less running up and down the country and bring a policy paper here for debate, in order to find ways and means of resuscitating forests by replanting trees and managing land in marginal areas. I do not think we are going to improve our environment by flying from Western to Nyanza and the Coast. We need to be defined and focused in what we are doing. Hand in hand, when we are dealing with issues of water, the Ministry of Lands and Settlement also comes in play.

Part of our problems with environment that have undermined the availability of water is reckless land use. We do not have any legislation in this country that determines, regulates and helps *wananchi* who own land on how to use their land in terms of conservation of the environment. We had the Njonjo Commission that was supposed to harmonise the endless statutes we have regarding land; about 20 of them. The new Minister should bring a Bill here to harmonise land laws and regulate land use so that it goes hand in hand with the protection of the environment.

Mr. Temporary Deputy Speaker, Sir, when we talk of protecting our environment, one thinks of the gift of water that we give to Egypt from this country. It is my humble view that the Government of Kenya and other East African Governments must get Egypt down to discuss and find ways and means of their contributing towards the protection of our water catchment areas that supply water to them. We have been told that there is a Treaty which was signed between the colonial regime which was illegal and Egypt, which is still in force up to today, which bars the Kenyan Government from utilising the waters of Lake Victoria. They even have a hydrologist at the exit of the Nile measuring the level of water everyday and relaying the information to Egypt, but doing nothing

about getting the water into the lake.

With those few remarks, I beg to support.

**The Minister of State, Office of the Vice-President and Ministry of National Reconstruction** (Mrs. Kilimo): Thank you, Mr. Temporary Deputy Speaker, Sir. I rise in support of this Motion. I would like to sincerely thank Mr. Rotino who mentioned about mango farming. He does not grow them himself, but I grow them in my farm.

First of all, we know that lack of water has caused a lot of insecurity in the ASAL areas. This is because we fight over water.

**The Temporary Deputy Speaker** (Mr. Poghiso): Mrs. Kilimo, if this is your maiden speech, you may need to introduce yourself.

*(Mrs. Kilimo introduced herself)*

**The Minister of State, Office of the Vice-President and Ministry of National Reconstruction** (Mrs. Kilimo): As I said, I rise in support of that Motion. This is because there is a lot of insecurity also along Kerio Valley between the Pokot and the Marakwet. This is caused by disputes over grazing land. The animals keep on criss-crossing our border because they do not have water on the other side. I am sure if we build dams and boreholes for them on the other side they can irrigate their soil and naturally, grass will grow there. Then they do not have to come and eat our grass on the other side.

Mr. Temporary Deputy Speaker, Sir, you must all have heard that the Government is committed to providing water. Also, as a Government we are committed to alleviating the poverty of people in these marginal areas. This is because we would like to bring change which was never there in the previous regime. Although the previous regime intended to build dams and boreholes in these areas, they never did that. As a result, they did not have the goodwill of the people. People from the ASAL regions do not need to form a party of oppressed people now because the NARC Government is there to serve them whether they voted for it or not.

I do not agree with the number of dams stipulated in this Motion because different regions in these ASAL areas have different needs. In my constituency we do not need 10 dams because of the number of rivers that we have. The number of dams will vary as per the needs of each district. However, if these dams were built they will have a positive impact on the environment. They will save the Minister of Environment, Natural Resources and Wildlife the trouble of telling people not to cut the existing trees because naturally we shall plant trees around these dams. The effect will be the falling of conventional rain. Eventually, we might not even need to irrigate our crops because the rain will fall when we plant more trees.

Mr. Temporary Deputy Speaker, Sir, for a long time the people in the ASAL areas have relied on animals for their livelihood. If we dig boreholes these animals will be able to get water. The herders will not need to travel for a long distance, like they do now to get water. This will improve the quality of their animals which will be an added advantage to the communities from these ASAL regions and the beef from these animals will definitely be sweet.

With that, I beg to support.

**Mr. Mwandawiro**: Asante sana, Bw. Naibu Spika wa Muda. Ninaomba nichukue nafasi hii kuunga mkono Hoja hii. Swala la maji na hasa katika sehemu kame ni swala nyeti sana. Linahusiana na umaskini, na kama tutapambana na kuondoa umaskini ni muhimu tulizingatie swala hili. Nikitoe mfano wa Wilaya ya Taita Taveta, milima ya Taita ni sehemu nzuri zaidi kwa mahandari katika nchi hii. Ningewaomba Wabunge waizuru sehemu hiyo ili waone uzuri wake na umuhimu wa kuhifadhi milima ya taifa kama vile ilivyokua kabla ya ukoloni na sera zilizokua za kulaza na kubinafsisha mashamba bila kuzingatia utumizi wake wa kijadi ambao ulikua unazingatia uhifadhi wa misitu, maji na mazingira kwa ujumla.

Ninapozungumza sasa, ukosefu wa maji umekua tatizo kubwa katika milima ya Taita Taveta. Chemichemi za maji zilipatiwa watu kulima na hizo sera za utumizi wa mashamba wa kikoloni. Watu walilima mpaka sehemu ya juu kabisa. Misitu imekatwa na katika sehemu zilizobaki kuna maji machache sana. Matuamaini ya watu ni kwamba ikiwa tutahifadhi mazingira, basi sera ya uhifadhi wa mazingira lazima ihusiane na kupatia watu maji. Ikiwa watu watapewa maji katika milima ya Taita, wataona umuhimu wa kuhifadhi mazingira na yataendelea kuhifadhiwa zaidi. Wilaya ya Taita Taveta ni sehemu kame iliyo na milima na mabonde. Tunahitaji teknolojia kidogo ili kutengeneza visima katika mabonde hayo. Mvua inaponyesha maji yanayotiririka katika milima yanaweza kuhifadhika katika mabonde hayo, na mabawa yakatengenezwa kwa urahisi sana. Itasaidia sana kwa maji ya kunywa ya binadamu, wanyama wa kufuga na vile vile kuendeleza kilimo kwa sababu kuna rotuba sana.

Tatizo la ardhi katika Wilaya ya Taita Taveta ni nyeti sana. Ingawa tunatilia mkazo sana hati za

umilikaji mashamba, katika wilaya ya Taita Taveta, hati za umilikaji mashamba zimetumiwa kuwapora wananchi wa Taita Taveta ardhi yao kubwa. Watu wengi binafsi kama jamaa ya Kenyatta, Bw. Basil Criticos, Hilton Hotel na wengine wengi wamewapora wananchi wa Taita Taveta ardhi kwa kutumia hati za umilikaji mashamba mpaka zaidi ya asilimia 70 ya watu wa Taita Taveta ni maskwota. Hata hiyo ardhi kidogo ambayo imebaki inagombewa na wananchi wa Taita Taveta na wanyama. Hata hayo maji machache ambayo yanatiririka kutoka milima ya Taita Taveta ndio inaleta ugomvi mkubwa sana kati ya wanyama na wananchi wa Taveta.

Ninapozungumza, ukitembea leo sehemu za Kibushe, Taranga, Taveta na Mwatate na kuwauliza wananchi wa Taita Taveta tatizo gani kubwa linaowakabili, watakuieleza kwamba wameporwa mashamba yao. Pili, yale mashamba madogo ambayo yamebaki hayana maji. Jambo la tatu ni ndovu ambao wanauwa watu na kuhaharibu mimea. Inaonekana kwamba Serikali inajali wanyama zaidi kuliko binadamu. Kwa hivyo, nikiunga mkono Hoja hii ningependa kusema kwamba hatuwezi kuwa na maendeleo katika taifa bila ya kuwa na shabaha. Kwa mfano, mwaka huu, shabaha ya Wizara ya Maji ingekuwa ni kuhakikisha kuwa maji yanapatikana katika kila sehemu ya nchi. Kupitia Bajeti Bunge hili linaweza kuhakikisha kwamba shabaha hiyo inafikiwa. Bila kuwa na shabaha au lengo, watu hawawezi kuwa na maendeleo. Kume kuwa na Wizara ya Maji tangu tupate Uhuru. Ukiuliza wananchi wa Taita Taveta na wale wa sehemu kame: "Je tumefaidi nini katika Wizara ya Maji?", utashangaa. Wilaya ya Taita Taveta haina visima vya maji. Kuna mto wa Tsavo ambao una maji mengi sana kutoka chemichemi za Kilimanjaro, Chyulu Hills na milima ya Taita Taveta. Mto huo humwaga maji yake mengi katika bahari ya Hindi. Lakini maji hayo yote hayawafaidi wananchi wa Wilaya ya Taita Taveta. Suluhisho la kudumu la shida za wananchi wetu ni kuchimba visima. Kwa mfano, Serikali ya Namibia hutumia maji yake vizuri sana. Ingawa nchi hiyo ilitapata Uhuru miaka michache iliyopita, imechimba mabwawa na visima. Sehemu nyingi hasa karibu na mpaka wa Botswana ni kame zaidi kuliko sehemu za Ukambani na Wilaya ya Taita Taveta. Lakini Serikali ya Namibia imechimba mabwawa na visima vingi sana kwa ajili ya mifugo ya wananchi wake. Kwa njia hiyo, Serikali ya Namibia inapambana kikamilifu na umaskini.

Bw. Naibu Spika wa Muda, yangu ni kusisitiza mambo yote yaliyosemwa na waheshimiwa Wabunge wenzangu kwamba swala la maji na uhusiano wake na ardhi na binadamu ni muhimu sana. Ni maoni yangu tuiptishe Hoja hii na tuitekeleze haraka iwezekanavyo.

Bw. Naibu Spika Wa Muda, kwa hayo machache ninaunga mkono Hoja hii.

**The Member for Nyando** (Eng. Nyamunga): Mr. Temporary Deputy Speaker, Sir, thank you forgiving me this opportunity to contribute to this Motion. This Motion recognizes the fact that we need water for both human consumption and food production. In my constituency--

**The Temporary Deputy Speaker** (Mr. Poghishio): Eng. Nyamunga, are you making your maiden speech?

**The Member for Nyando** (Eng. Nyamunga): Yes, Mr. Temporary Deputy Speaker, Sir.

**The Temporary Deputy Speaker** (Mr. Poghishio): Our tradition demands that you introduce yourself so that other hon. Members know who you are and where you come from.

**The Member for Nyando** (Eng. Nyamunga): Mr. Temporary Deputy Speaker, Sir, my names are Eng. Eric Opony Nyamunga, Member for Nyando in Nyando District.

In my constituency, as much as it does not fall within ASAL, the problem of water for both human consumption and food production is great. During the dry season as now, my people trek more than ten kilometres in search of water for drinking. I remember that at Independence it was the declared Government policy to make water for drinking available in every home by the year 2000. However, we are in the 21st Century, and in some of these areas, including my constituency, people still trek more than ten kilometres to fetch water. I would have preferred the Government to come up with a comprehensive policy on how to manage water such that in a reasonable length of time we make a policy that, nowhere in this country will people need to walk for a distance of one kilometre in search of water for both animal and human consumption.

Mr. Temporary Deputy Speaker, Sir, there is shortage of food in this country because of uneven or unpredictable weather patterns. If the Government had a policy on the management of water resources, the severe water shortage that we are currently experiencing would be a thing of the past. The lake region has abundant water. Lake Victoria itself has a lot of water. However, instead of that water being utilised by the people living within the lake region, it ends up being utilised by other people living some 4,000 kilometres away. Therefore, I urge the Government to develop a policy that will turn the lake region into a granary for this country.

Mr. Temporary Deputy Speaker, Sir, while I support this Motion, I would have liked it amended in the last sentence to accommodate districts and constituencies with similar problems to those in arid and semi-arid lands (ASAL). That way, when we talk of constructing at least ten dams and sinking boreholes in constituencies within ASAL areas, districts and constituencies experiencing problems similar to those which afflict ASAL areas will also be taken care of. Now that we are in the 21st Century, I would like the water policy that was adopted by



the Government at Independence to be implemented, so that every home can have piped water and we ensure that nobody travels a distance of five kilometres in search of drinking water. Had the previous regime planned properly to manage our water resources, this country would not have had any problem producing enough food for her people. I am talking about water for irrigation although that is an expensive approach. We could use the water of most rivers in western Kenya for irrigation using gravity. We have large rivers which have water throughout the year.

However, that water is left to drain into Lake Victoria, and cause floods during the heavy rains. With good management, we can irrigate our farms by gravity and in the process tame the waters from those rivers. If we use the water in the lake region to irrigate our farms, we will reduce flooding and help the country to produce adequate food for her people.

While talking about constructing dams, we should not forget to put in place a system to check siltation.

Mr. Deputy Speaker, Sir, we have heard the Mover of this Motion say that during the colonial times, there used to be dams in ASAL areas, but those dams have since silted heavily and they are no more. I request that when we start a programme of digging dams, we put in place a system to check siltation, so that the lifespan of the dams can be prolonged. As you know, we have interfered with our forests, and siltation of dams is now more rapid than it was previously. Therefore, as we dig dams, we should put in place a de-siltation system. Once the dams have been dug, in order to reduce the cost of their maintenance, the communities using those dams should be involved to ensure that the dams are not silted.

With those remarks, I beg to support the Motion.

#### ADJOURNMENT

**The Temporary Deputy Speaker** (Mr. Poghiso): Hon. Members, it is now time to interrupt our business. Therefore, the House stands adjourned until this afternoon, at 2.30 p.m.

The House rose at 12.30 p.m.