

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 9th October, 1996

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No.534

INTERDICTION OF CHIEF DAGANE KARUR

Mr. Speaker: Mr. Farah is not here? We will leave the Question until the end.

Mr. Obure's Question!

Mr. Obure: I have not received a written answer. However, I will go ahead and ask my Question.

Question No.968

DEATH OF LATE MR. NAFTALI OINDE

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

(a) whether he is aware that the late Mr. Naftali Oinde was attacked together with his family and was shot dead in his residence in Mathare North on the night of Friday 14th June, 1996; and,

(b) if he could inform the House how far he has gone with the investigation, and whether the culprits have been arrested and brought to book.

The Assistant Minister, Office of the President (Mr. Awori): Mr. Speaker, Sir, first of all, I am sorry that the hon. Member has not received the written answer. It was sent to the National Assembly well in time.

I beg to reply.

(a) Yes, I am, indeed, aware.

(b) Investigations are still in progress, but so far, no arrest has been made.

Mr. Obure: Mr. Speaker, Sir, it is sad to hear such kind of an answer from an elder, a parent and a senior Minister of our country. It is sad that crime rate in Kenya today has gone out of proportion. We are losing lives at a very high rate. Today, neither the Members of Parliament nor you are safe---

Mr. Speaker: Order! Order! Order, Mr. Obure! I gave you a chance to ask questions, but apparently you are making a speech, and making it even worse by reading it out. Will you, please, put your question to the Assistant Minister?

Mr. Obure: Mr. Speaker, Sir, what I wanted to say is that nobody is safe in this country today. The Question is---

Mr. Speaker: Order, hon. Obure! You were given a chance to put your question. You can actually put the question to the Assistant Minister on whether he agrees with you that nobody is safe. You will be within your right to do so.

Mr. Obure: Mr. Speaker, Sir, where were the patrol police officers when 30 gangsters, fully armed, attacked people and terrorised them for three or four hours?

Mr. Awori: Mr. Speaker, Sir, I am not aware that there were 30 armed robbers and neither am I aware of those many hours. The incident was reported to Muthaiga Police Station and the policemen went to the scene of the crime almost immediately only to find that this particular man had been shot several times. They took him to the hospital, but he died on arrival.

Mr. Obure: Mr. Speaker, Sir, I do not think the Assistant Minister is being honest. How long does it take for an investigation to be completed? A lot of cases have gone unresolved. Given that the rate of crime has gone high

in Nairobi, would the Assistant Minister consider deploying the Army personnel to curb crime?

Mr. Awori: Mr. Speaker, Sir, taking the last question first, the answer is no. We normally use the Army against external forces. Going back to the very first question, investigations sometimes take long because of the circumstances. In this particular case, a lot of money had been found stolen from this particular house. In the surrounding areas, to find well over Kshs180,000, it gives us a bit of worry. I would like to seek your indulgence, I am not sure, but it looks to us that there was a possibility that the victim could have been a part of a gang that had stolen money and that, perhaps, the man may have welshed on his colleagues. It is possible and because of this, we are finding it very difficult to conclude the investigations.

Mr. Wamalwa: Mr. Speaker, Sir, I am sure the hon. Assistant Minister is as concerned about the deteriorating spate of security in Nairobi as we are. I agree with him that it would not do any good to deploy the Army for such works, but what measures does the Assistant Minister propose to take to suppress the increasing spate of crime in the City and the failure by the police to apprehend any of the culprits involved in so many incidents that occur in this City?

Mr. Awori: Mr. Speaker, Sir, the Government is in the process of procuring more vehicles to make more security officers not only mobile, but faster because the gangsters of today tend to use very expensive and fast vehicles.

Mr. Speaker, Sir--

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

Mr. Speaker: Order! Order, hon. Obure! Is your point of order related to what he is saying? The Chair can also detect when there is a valid point of order. What was it, hon. Obure?

Mr. Obure: Is the Assistant Minister in order to mislead this House that the police are acquiring faster equipment when he knows that the Government has acquired Mahindras which cannot even travel 10 kilometres per hour? They are tractors, in fact.

Mr. Awori: Mr. Speaker, Sir, this is, really, a question of language. I said that, "the Government is in the process of acquiring". Mahindras have already been acquired. These are two different tenses here.

We are in the process of acquiring better vehicles than what we had acquired before, that is, the Mahindras or tractors, as you have mentioned.

Mr. Speaker: Very well. Next Question!

Dr. Lwali-Oyondi: Mr. Speaker, Sir, I wish to ask that Question, but we have talked with the Minister concerned, and he thinks that the answer which has been given is not good enough.

Mr. Speaker: So, are you asking me to defer it?

Dr. Lwali-Oyondi: Yes, Mr. Speaker, Sir. You can defer it until Tuesday, next week.

Mr. Speaker: Very well. But you cannot set the dates. We will defer the Question to next week.

Question No. 107

DELAY IN PAYING TEACHERS SALARIES

Dr. Lwali-Oyondi asked the Minister for Education:-

- (a) whether he is aware that teachers at Afraha Secondary School are not paid their salaries on time; their National Social Security Fund deductions are not remitted to the Fund and their National Hospital Insurance Fund deductions are not also remitted to the Fund; and,
- (b) what steps he is taking to rectify these anomalies.

(Question deferred)

Mr. Busolo: On a point of order, Mr. Speaker, Sir. There are so many Questions that are being deferred, and that is causing a lot of problems for those of us who also have Questions. They cause a backlog and they also get precedence over other Questions.

It seems that the Ministers are not looking at the answers before they come to the House. It is during the time when Parliament is in Session that they look at the answers and notice that the answers are not satisfactory.

Mr. Speaker, Sir, could you issue a directive to the Ministers that they should do their homework?

Mr. Speaker: I think I have done that many times.

Next Question!

Question No. 549

TARMACKING OF KWALE-KINANGO ROAD

Mr. Rai asked the Minister for Public Works and Housing:-

- (a) how much money has been allocated to Kwale-Kinango Road; and,
- (b) when this road will be tarmacked in view of the Kwale District Development Committee (DDC) recommendations.

The Assistant Minister for Public Works and Housing (Mr. Mwamzandi): Mr. Speaker, Sir, I beg the indulgence of the House and the hon. Member. The reply is not ready but in case my colleague comes after the other Questions, then we can reply it. If that is not the case, then I request him to give me until Tuesday next week.

Mr. Speaker: What is your suggestion, Mr. Rai?

Mr. Rai: Mr. Speaker, Sir, I am okay. I am really confused, but in view of the fact that if his colleague does come, he will be in a position to answer me, I would not mind waiting.

Mr. Speaker: What is the position, hon. Mwamzandi? Is the Question not ready or you do not have it?

The Assistant Minister for Public Works and Housing (Mr. Mwamzandi): Mr. Speaker, Sir, by the time we left the office, the reply was not ready. So, my colleague was still hanging on to get it.

Mr. Speaker: Anyway, I will, maybe, wait, but I also suspect that since hon. Mwamzandi comes from the same general area with the Questioner, in most likely circumstances, he should be able to know the state of the road in question. But that notwithstanding, we will wait. So, we will leave this Question until the end.

Mr. Ndicho: On a point of order, Mr. Speaker, Sir. You heard the Assistant Minister saying that when he was in the office, the answer was not ready. This is not a Question by Private Notice. It is a Question that was asked three months ago. Was it ready from the secretary, or from the field?

Mr. Speaker: I think what I have said, and I would like to repeat it again, is that hon. Members must take the business of this House very seriously. I think that is my sincere hope, that hon. Members must take the business of this House very seriously.

Next Question!

Question No. 965

RECONSTRUCTION OF NDUNDA BRIDGE

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

Question No. 987

TARMACKING OF ISIOLO-MOYALE HIGHWAY

Mr. Falana asked the Minister for Public Works and Housing:-

- (a) the immediate plans the Government has to tarmac the Isiolo-Moyale Highway; and,
- (b) to assure the House that the road, would be properly maintained and made passable pending future tarmacking.

The Assistant Minister for Public Works and Housing (Mr. Mwamzandi): Mr. Speaker, Sir, I beg to reply.

(a) A feasibility study for the construction of Isiolo-Moyale Road to bitumen standards and detailed designs for the Isiolo-Meril River Section which is 130 kilometres, was completed in December, 1994. These activities cost the Government Kshs33,634,826. Further, the Government completed re-gravelling a 30-kilometre section between Marsabit and Kalale in December, 1995 at a cost of Kshs120 million.

To tarmac the Isiolo-Moyale Road, which is 520 kilometres long, would require approximately Kshs9.6 billion. Lack of funds has, therefore, hindered the implementation of the project, although it has been in the Government plans for sometime.

(b) I wish to assure this House that the road will be properly maintained and made passable pending future tarmacking.

Mr. Falana: Mr. Speaker, Sir, this is an international road. It is supposed to be the Trans-African Highway. Even if the Government took the pain and trouble since Independence, 33 years ago, to tarmac what the funds would have permitted, they would have tarmacked 15 kilometres per one year for the last 33 years of Independence.

Mr. Speaker, Sir, when we play around with money and we talk about funds not being available, I would like

the Assistant Minister to tell the House whether he is satisfied that public funds to the tune of Kshs33 million have just been given to some company in the name of conducting feasibility study? What was in this study for it to cost Kshs33 million? Si hiyo ni kucheza na pesa za umma?

Mr. Mwamzandi: Mr. Speaker, Sir, feasibility studies are not always very cheap. They cost the Government a lot of money. I think that Kshs33 million for this road is really reasonable.

Mr. Farah: Mr. Speaker, Sir, the Trans-African Highway is something that was mooted in the 1960s. It has been implemented up to Moyale on the Ethiopian side. Definitely, the Kenya Government had carried out its own feasibility study in those days, when the commitment was entered that Kenya would tarmac its section. Why is it that today, 33 years later, the Assistant Minister is telling us that there is a feasibility study being carried out on the same road? Why is that? What happened to that feasibility study which was done in the 1960s? The land has not changed and Kenya has not shifted from its place and Uganda settled in its place! Nothing has happened to the land. It is the same land.

Mr. Mwamzandi: Mr. Speaker, Sir, immediately after the feasibility study, and on the strength of those papers, we studied the road and what remained is to look for the money either from the Government of Kenya, or from a donor.

Mr. Falana: On a point of order, Mr. Speaker, Sir. The Assistant Minister is not addressing himself to hon. Farah's question. The question that hon. Farah asked was: When the idea of the Trans-African Highway was mooted in 1960, Kenya must have done its feasibility study then, ready for tarmacking its section, if it did not cheat other members and the world at large.

What was the point, to repeat again the same feasibility study which they did in the 1960s, in 1994 for Kshs33 million? This is the money that we need so badly and which they could have used to tarmac, gravel and murrum our roads. Mnachezea hii pesa na sisi tunaumia.

Mr. Speaker: Very well, hon. Falana.

Mr. Mwamzandi: Mr. Speaker, Sir, with the cost of materials and labour at that time, the feasibility study was appropriate. But after that long time, we must do it in line with the cost of today.

Mr. Mcharo: Mr. Speaker, Sir, I want to pursue a point made by hon. Falana that since the road costs almost Kshs9.6 billion and we know there are many important roads in this country which will cost a lot of money to tarmac, why can the Ministry not consider tarmacking this road in portions, say, 15 kilometres this year and so on? By now, this road would have been tarmacked. Why can the Ministry not consider taking that line of action?

Mr. Mwamzandi: Mr. Speaker, Sir, our intention is to tarmac the whole road at once. We are anticipating getting funds very soon. I do not think we will fail to tarmac it, but in case we, fail we might adopt that idea.

Mr. Farah: Mr. Speaker, Sir, in view of the answer given by the Assistant Minister, in view of the fact that Trans-Africa Highway has reached up to the border of Sudan, and in view of the fact that there is no business potential between Sudan and Kenya, and there is a lot of business potential between Ethiopia and Kenya, could the Minister confirm or deny that the people, the Boran and Somalis who live in that place are not considered as "good" human beings as the rest of Kenyans, and that is the reason why the Government does not tarmac that road?

Mr. Mwamzandi: Mr. Speaker, Sir, that has never been the opinion and intention of the Kenya Government. The Somalis and Borans are Kenya citizens and are regarded as Kenyans without any discrimination.

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

Question No.577

ISSUANCE OF TITLE DEEDS TO
GATUA LAND UNIT RESIDENTS

Mr. Mutani asked the Minister for Lands and Settlement:-

- (a) if he is aware that residents of Gatua Land Unit, in Mitheru Location of Muthambi Division, have never been issued with land title;
- (b) if he is further aware that, as a result, the farmers cannot fully and economically exploit their farms since the banks require the title deeds as collateral; and,
- (c) when he will issue the residents with title deeds.

The Assistant Minister for Lands and Settlement (Mr. Kaino): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that the residents of Gatua Adjudication Section, Mitheru location, Muthambi Division, have not been issued with land title deeds.

(b) I am also aware that as a result of "a", farmers cannot economically exploit their farms since banks

require title deeds as collaterals for banks loans.

(c) The residents of Gatua sub-location will be issued with the title deeds before December this year. They should, therefore, be patient and wait for the adjudication process to be finalised.

Mr. Mutani: Mr. Speaker, Sir, what this Government says today will say a different thing tomorrow. The demarcation of this particular place started before Kenya attained *Uhuru*. With your permission very briefly on 16th July, 1993, I asked had the same Question and the Minister told me the adjudication process was in its final stages and the residents of Gatua sub-location would be issued with land title deeds immediately. That year ended and the financial year ended. After waiting for so long, in the following year 1995, I asked the same Question and the Minister told me that the residents of Gatua Land Unit, Mitheru Location would be issued with title deeds at the end of that financial year. Now, he tells me that these people will be issued with the land title deeds before December this year. Now, what is the position because year by year I am given three different things?

Mr. Kaino: Mr. Speaker, Sir, there have been several Ministers in this Ministry, but this Minister is very effective and let the hon. Member of Parliament rest assured that what the Ministry has said now is the final. Let him be patient and tell his people to be patient waiting for the title deeds at the end of the year.

Mr. Nthenge: On a point of order, Mr. Speaker, Sir. After the Ministry has been proved by the hon. Member, do you not think that we deserve an apology for giving three different answers on one and the same Question?

Mr. Speaker: I suppose you are right, Mr. Nthenge. Mr. Kaino, do you not owe an apology to the House?

Mr. Kaino: Mr. Speaker, Sir, I thought the hon. Member is grateful for what the Ministry is doing now, and we are going to finalise this matter at the end of the year, and if we fail, it is when we shall come and apologise here.

Mr. Ndicho: Mr. Speaker, Sir, could the Assistant Minister tell us why the officers in his Ministry, if you do not involve them to get a piece of land and promise them a share of it, thereby your title deed is processed in the morning and in the afternoon you get it, why has it taken so long to process the title deeds for these people? What is your explanation that some people get their title deeds the same day while others get their title deeds after 30 years? In any case, he has told us that there has been different Ministers since 1993, but we have had only one Minister, Gen. (Rtd) Mulinge since 1993?

Mr. Kaino: Mr. Speaker, Sir, what I said is that there has been some different Ministers in this Ministry since 1963. But that is not the issue, the issue is that the Ministry is very committed.

Mr. Ndicho: On a point of order, Mr. Speaker, Sir. The three answers that the hon. Mutani has been given are since he became an MP of this House which are the same. But from 1993 to date, we have had only one Minister for Lands and Settlements, Gen. (Rtd) Mulinge.

Mr. Speaker: Order! I think there are basically two issues here. The Ministry continues all the time irrespective of change of holders of the position. Two, I suppose what the hon. Member had read was an answer for 1993/94, 1994/95 financial years. So, can I give you the last chance?

Mr. Mutani: Mr. Speaker, Sir, if I heard the Assistant Minister clearly, he said the difficult and the problem is that this Ministry has been headed by different Ministers. Is this not misleading this House when he says that they would have been issued with title deeds, but because it was headed by different Ministers, that is why they have delayed. Does it mean that it is the Minister who works on the ground? Do you not have permanent staff in this Ministry, PS and other officers behind him?

Mr. Kaino: Mr. Speaker, Sir, I do not see the quarrel here. We have promised the hon. Member that the residents of Gatua will get the title deeds at the end of the year. Just be patient and tell the residents to be patient, and they will get the title deeds at the end of the year.

Question No 852

EWASO NYIRO NORTH DEVELOPMENT
AUTHORITY PROJECTS IN KIENI

Mr. Speaker: Mr. Kairu not here? Next Question, hon. Tuya.

Question No 959

COMPENSATION TO WILDLIFE VICTIMS

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

(a) if he is aware that over 90 per cent of the people were killed and some injured by wildlife in Narok District between 1991 and 1994;

(b) if he is also aware that these people were supposed to be paid their compensation claims as from 4th September, 1995; and,

(c) if the answers to "a" and "b" above are in the affirmative, what has delayed their payments and if these people will get their compensation claims.

Mr. Achieng-Oneko: On a point of order, Mr. Speaker, Sir. This maybe a very strange point of order, but when you look at the Question itself, you will find that 90 people were killed and some injured, and part "b" of the Question is asking for compensation. Who is to be compensated, is it the dead or the injured people?

Mr. Speaker: Well, I suppose Mr. Kisiero will answer that.

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

(a) I am aware that 97 people were killed and some injured by wildlife in Narok District between 1991 and 1994.

(b) I am also aware that these people are supposed to have been paid their compensation claims as from 4th September, 1995 from the proceeds of my Ministry's cheque No 003266 dated 4th September, 1995 for Kshs1,615,800.00 which was posted to the District Commissioner, Narok, under registered mail parcel No 0200192 of 15th September, 1995.

(c) These payments were, however, delayed because the said cheque was allegedly misplaced in the Narok District Treasury. After we established beyond doubt that the misplaced cheque was not fraudulently encashed, we issued another cheque No 008263 dated 25th July, 1996 for Kshs1,615,800.00 to replace the lost one. This cheque was hand delivered to the Narok District Commissioner himself who should make arrangements to pay the claimants in accordance with the schedule attached to the cheque.

Mr. Tuya: Mr. Speaker, Sir, I appreciate that the money is to be paid. But it is very surprising for a cheque to get lost for one full year, from 4th September, 1995 to September, 1996. I would like to ask the Assistant Minister: What plans does he have then to pay the other claimants their compensation claims from September, 1995 up to the end of this year, because he must have planned to pay this money? These are poor dead people who are suffering there.

Mr. Speaker: Are you suggesting, Mr. Tuya, that the Assistant Minister pays dead people?

Mr. Tuya: Mr. Speaker, Sir, this compensation is compulsory and has to be paid. But I am asking the Assistant Minister what plans he has to pay the affected people at the right time?

Mr. Kisiero: Mr. Speaker, Sir, the delay in payment was occasioned by the fact that we had to ascertain beyond reasonable doubt that somebody had not encashed that cheque. That is why we could not pay earlier than the time that eventually we paid. As to the other question for compensation to the relatives of the deceased between 1994 and 1996, we shall always pay as and when the claims have been made to the KWS and the Ministry.

Mr. Tuya: Mr. Speaker, Sir, I think the Assistant Minister should know that we are getting good foreign exchange from these wildlife, and there should always be plans yearly for paying injured people and the relatives of the dead. Again, I think this august House has sometimes increased the amount of compensation to be paid to the claimants who are injured by wildlife and those who are killed. I do not know whether the Assistant Minister can tell us the time he is going to increase that amount, because it was passed by this House?

Mr. Kisiero: Mr. Speaker, Sir, we are still paying the sum of Kshs30,000.00 that was agreed some years back, although I know that the House agreed that the sum should be increased. Arrangements have not been made to increase that amount because all the time we are informed that there is no sufficient money from the Treasury to pay more. Otherwise, the Ministry is always willing to pay more, if we are given more money.

Dr. Lwali-Oyondi: On a point of order, Mr. Speaker, Sir. Why is it that I am never given a chance to raise points of order?

Mr. Speaker: Order! Order, Dr. Lwali-Oyondi! You cannot from that position manage the business of this House. Would you, please, from now, know that you have no special right to participate in the affairs of this House? Dr. Kituyi.

Dr. Kituyi: Mr. Speaker, Sir, while we appreciate the efforts made by the Ministry when replying to different Questions about compensation for loss of property and lives, it is a crisis, a dilemma, that this Government is encouraging what it is celebrating now as a new version in the game management, community-based conservation, which entails the nurturing of wildlife within the environ of human settlement. After a certain point, there would be a direct competition and conflict between the interest of humanity and wildlife. What is the Government policy in containing the proliferating community-based conservation as a threat to human life outside game parks, because a lot of people killed in the neighbourhood of Maasai Mara, in places like Lelemek Group Ranch, are victims of wildlife

which are kept there as part of community-based conservation?

Mr. Kisiero: Mr. Speaker, Sir, we are constantly in touch with the local communities, and we are always ready to discuss with them what measures should be taken to ensure that conflicts between man and wildlife does not go beyond tolerable points. We are always ready to get rid of some of those wildlife, if we find that they have become too many or too dangerous. That will all depend on the communication between us and the local people. We are always ready to listen and discuss with them.

Mr. Speaker: Next Question, Mr. Joshua Ojode.

Question No 409

NUMBER OF PARLIAMENTARIANS
CHARGED WITH INCITEMENT

Mr. Ojode asked the Attorney-General:-

(a) how many Members of Parliament (MPs) have been charged with holding illegal meetings and incitement from January, 1993 to date; and,

(b) how many of these cases have been heard and how many are pending.

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

(a) Eighteen Members of Parliament have been charged with holding illegal meetings and incitement from January, 1993 to date.

(b) Five cases involving 17 Members of Parliament have been determined, and five cases involving four Members of Parliament are pending before the court.

Mr. Ojode: Mr. Speaker, Sir, you will agree with me that hon. MPs are being treated like street boys. We are law-makers and I would want to inform the Attorney-General that the kind of treatment which we are being given is outrageous. Among those who have been charged and among those who have been arrested, could he categorically detail us how many are from KANU and how many are from the Opposition?

(Applause)

Mr. Wako: Mr. Speaker, Sir, we do not prosecute on the basis of political parties, but we prosecute on the basis of those who have committed offenses.

Hon. Members: No!

Dr. Otieno-Kopiyo: Mr. Speaker, Sir, could the Attorney-General confirm to this House that these cases are politically instigated and are a means of putting some daggers over our head so that we may not probe the corruption that is going on in the Government? It is a means of curtailing our activities.

Mr. Wako: Mr. Speaker, Sir, as I have stated, five cases involving 17 Members of Parliament have been determined. Most of them have been determined, pursuant to the *nolle prosequi* which the Attorney-General entered. The fact of the matter is, if somebody commits an offence, he can be arrested and charged before the court and, as part of that due process, if the matter comes to the attention of the Attorney-General, and the Attorney-General looks at the file and for one reason or another, he is of the opinion that the case should be terminated, he has terminated without any fear or favour. So, most of these cases have been terminated. But, as I said, there are five cases involving four Members of Parliament pending in court.

Dr. Lwali-Oyondi: Mr. Speaker, Sir, we have established that it is only the Opposition MPs that are being arrested. He cannot deny that. Why is it that most of the cases are finally given this *nolle prosequi*?

Mr. Wako: Mr. Speaker, Sir, on a number of these cases, you recall the Attorney-General made a statement, if you cannot recall, then let me refresh your memory. On 31st May, 1994 he stated that he was reviewing all the cases involving sedition, incitement and so on, and as in the interests of public policy, he was terminating all those cases and they were accordingly terminated. But, the Attorney-General went on to state, that in future, cases of incitement and sedition will be interpreted in a strict manner. We had to inform the Commissioner of Police, that whoever commits these offenses should, irrespective of the party or social status, be investigated and prosecuted.

Mr. Ndicho: On a point of order, Mr. Speaker, Sir. I think, the Attorney-General has misled us here. My case which I allegedly committed in March, 1994 is still continuing in court. I was there last week and it is now coming for another hearing on the 17th of next month. Now, he has said that he gave that directive in May 1994. Why did you leave mine out?

Mr. Wako: According to the information I have, hon. Stephen Ndicho Rugendo's case was taken before the

court after 1st of June, 1994. In any case, if he had read the policy statement which I made and which was widely published in all the newspapers and he has such a complaint to make, because sometimes we do not have good records to be able to monitor all the cases throughout the Republic; if he has the complaint, I know hon. Ndicho knows very well, he would have lodged it with me and it would have been dealt with.

Mr. Speaker: I will give the last one to Mr. Orengo.

Mr. Ojode: Mr. Speaker, Sir, but, this is my Question.

Mr. Speaker: Order, Ojode! I will not accept at all, Members who assume the role of the Chair. It is the Chair's discretion as to which Member to call upon to ask a question. There is no property in a question. Once you stand there to ask it, it immediately becomes the property of this House. Mr. Orengo!

Mr. Orengo: Mr. Speaker, Sir, under Section 26 of the Constitution the power and authority to prosecute rests on the Attorney-General. In carrying out his duties, he is not supposed to be under the direction of any authority.

Could the Attorney-General explain why there has been selective arrests and prosecutions of members of the Opposition when we know as a matter of fact, Members opposite including senior Government Ministers have made statements which were clearly meant to incite people? They are very inflammatory statements and even the President had to comment on those statements. Why is he exercising his powers selectively and against the Members of the Opposition when he should be non-partisan, in so far as those powers under the Constitution are concerned?

Mr. Wako: The hon. Member is also a Member of the honourable profession. There may very well have been selective arrests, but as far as prosecutions are concerned, there has been no selective prosecution. Because, as I stated, when the files do ultimately come to me, where appropriate, I have acted and entered a *nolle prosequi*. This is a method within the due process of law for justice. When the file reaches my level, after even the arrests and maybe the police have charged, I have to be satisfied that there is enough evidence. If I am not satisfied, I can enter a *nolle prosequi*. If I find that there is enough evidence, of course, the case can proceed.

Again according to the due process, the court may well agree with me or not. In which case, if they agree with me, they will convict, if they disagree with me, they will acquit. So, this whole process is geared towards ensuring free and fair prosecution of those people who have committed offenses.

Mr. Ojode: Mr. Speaker, Sir, could the Attorney-General confirm to this House who is supposed to arrest? Is it the politically correct, a mere Chief, an AP or a police officer?

Mr. Wako: Mr. Speaker, Sir, according to the Police Act and the Administration of Police, it is the Police, but in some cases, because they are not everywhere in the Republic, they have delegated some of those powers to the Administration Police.

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

Mr. Speaker: Order! Order, Ojode! I am sorry we have taken so much time.

Mr. Speaker: Order! Order! We still have a long way to go on Questions. Mr. Farah Maalim for the second time!

Mr. Farah: Mr. Speaker, Sir, I apologise for coming late.

Question No.534

INTERDICTION OF CHIEF DAGANE KARUR

Mr. Farah asked the Minister of State, Office of the President, why Chief Dagane Karur of Garissa Town was interdicted.

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

The Chief of Garissa Town Mr. Dagane Karur Omar, was not interdicted, but retired in the public interest.

Mr. Farah: Mr. Speaker, Sir, in view of the answer given by the Assistant Minister and knowing very well that Chief Dagane Karur is only 45 years old and that, there is nobody that has ever complained about him, and that he was responsible for making Garissa safe from Bandits and insecurity; can the Assistant Minister confirm that this is a private and personal interest of some "big shot" in Nairobi who has caused Chief Dagane to be retired? I know the person!

Mr. Awori: No, Mr. Speaker, Sir.

Dr. Kituyi: Mr. Speaker, Sir, could the hon. Assistant Minister explain or deny any relationship between the fact that this Chief stopped an illegal rally addressed by a nephew of Gen. Mohammed and hence his premature retirement?

Mr. Awori: I deny that, Mr. Speaker, Sir.

Mr. Nthenge: Mr. Speaker, Sir, can the Minister tell us what public interest made the Chief to be retired?

Mr. Awori: Mr. Speaker, Sir, security is part of public interest.

Mr. Farah: Mr. Speaker, Sir, in view of the negative, inaccurate and misleading answer given by the Assistant Minister and knowing very well that somebody who has served the Kenya Government diligently as a policeman and as a Senior Chief for almost 20 years has had his services prematurely terminated; could the Assistant Minister undertake, in this House because the PC and the DC told me, "We did not touch him and we had nothing to do with his sacking but it came from Nairobi", could he tell us exactly what was that public interest on the basis of which Chief Karur was sacked or retired prematurely?

Mr. Awori: Mr. Speaker, Sir, the circumstances do not allow me to come back to this House to explain.

Mr. Raila: On a point of order, Mr. Speaker, Sir. I seek your guidance here. Are you satisfied that it is sufficient for an Assistant Minister to come before this House and answer the way he is answering; that because of public interest this chief was retired when he could have given a detailed account as to why this particular chief was retired? Are you satisfied that that answer is sufficient?

Mr. Speaker: The Chair referees the contest between both sides. If a Member is dissatisfied with an answer given by any Minister, provisions are there for that Member to follow. Nevertheless, the question as to whether a Minister has satisfactorily answered a question, is not for the Chair to decide. It is for the House to decide.

Mr. Farah: Mr. Speaker, Sir, on behalf of the House, we are dissatisfied with the hon. Assistant Minister's answer because this issue touches on a man who is taking care of children and who does not have a source of income now. Because of executing his services in accordance with the way the Assistant Minister wants---

Mr. Speaker: May be the Assistant Minister can help here by telling us what is this "public interest".

(Applause)

Mr. Awori: Mr. Speaker, Sir, any issue that touches on the security of this country is a matter of public interest.

Mr. Speaker: Next Question. Mr. Gonzi Rai.

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

Mr. Speaker: What is it Mr. Raila? We still have three Questions unanswered.

Mr. Raila: Mr. Speaker, Sir, you would be creating a very dangerous precedent in this House if you were to allow that kind of answer to go like that because next time, what will stop the Assistant Minister coming before this House and answering a similar Question in a similar manner?

Mr. Speaker: I have already said that if the hon. Farah is not satisfied with the answer, he can follow up the matter under the relevant Standing Orders.

Question No. 549

TARMACKING OF KWALE-KINANGO ROAD

Mr. Rai, asked the Minister for Public Works and Housing:-

(a) how much money has been allocated to Kwale-Kinango Road; and,

(b) when this road will be tarmacked in view of the Kwale District Development Committee (DDC) recommendations.

Mr. Speaker: Have you got the file?

The Minister for Public Works and Housing (Prof. Ng'eno): Not yet, Mr. Speaker, Sir. So, I beg the indulgence of the House---

Mr. Rai: But I am made to understand that Mr. Kiluta is just within the precincts of Parliament! So, I actually wonder whether the hon. Minister is telling the truth. It is better for me to be told that the Question is deferred rather than being told somebody is waiting---

Mr. Speaker: What are you saying Mr. Rai?

Mr. Rai: Mr. Kiluta is just within the precincts of this building but he is not coming inside here!

Mr. Speaker: Order! Order! Order, A-G! I think, it does appear on the face of it that the House is not satisfied with Ministers failing to produce answers to their Questions when they are listed. I think it is a trend that somehow, must come to an end and, when Questions are listed, Ministers must be ready to answer them and hon. Members who have put them down as Questions must be present to ask them. I think, we better all be serious from now on about our Parliamentary work. It is our first duty to this country. Question, nevertheless, deferred.

(Question deferred)

Question No. 965

RECONSTRUCTION OF NDUNDA BRIDGE

Mr. Speaker: Mr. Njeru Ndwiga's Question for the second time. Mr. Ndwiga still not here? Question dropped.

(Question dropped)

QUESTION BY PRIVATE NOTICE

LOSSES INCURRED BY CANE GROWERS

Mr. Anyona: Mr. Speaker, Sir, I beg to ask the Minister for Agriculture, Livestock Development and Marketing the following Question by Private Notice.

(a) Is the Minister aware that sugar cane farmers in the Nyakembene, South Mugirango Chache, Getenga, Chitago and South Mugirango Borabu locations of South Mugirango Constituency, who are members of the Awendo Sugar Outgrowers Association, have not had their sugar cane harvested by SONY Sugar Factory for the last nine months because of corruption and discrimination?

(b) What quantity and value of the sugar cane has been lost to the farmers and the economy because of the failure to harvest the sugar cane?

(c) What urgent measures will be taken to rectify the situation?

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

(a) I am not aware. On the contrary, during the last nine months, a total of 9,910 tonnes of cane was harvested from the areas in question. However, there has been a delay in cane harvesting caused by inadequate processing capacity of SONY Sugar Factory. This has affected not only the area in reference but all the contracted areas of SONY sugar factory.

(b) The cane growers have not lost any sugar cane since harvesting is still in progress although behind schedule.

(c) An interim expansion programme is currently underway and this will alleviate the congested situation. However, a major expansion is envisaged in order to have a permanent solution to the problem.

Mr. Anyona: If you look at that answer carefully, it has three contradictions in it.

In response to (a) where he says that he is not aware and then he says "9,920 tonnes were harvested". He goes further and says that there was a delay and then he says there was no harvest.

Mr. Speaker, Sir, can this Assistant Minister tell us what is happening? I was in Kisii over the weekend and the farmers came to see me and told me that their cane has not been harvested for the last nine months. Could the Assistant Minister tell us how many farmers are involved and what acreage produces 9,000 tonnes of sugar cane?

Mr. Maundu: Mr. Speaker, Sir, I do not have the number of farmers involved but I have the acreage that is involved and that is about 481 hectares that produces about 641 tonnes. What I am saying is that there has been a delay in harvesting within the contracted area which is a 15 kilometre radius. Any person who lies beyond that area is not a contracted farmer and, therefore, the SONY Sugar Factory has no particular responsibility but they help those farmers. They take a slightly more percentage to alleviate the problem of the farmers there, otherwise their sugar on that area is basically for jaggery purposes.

An hon. Member: On a point of information, Mr. Speaker, Sir.

Mr. Speaker: To who?

An hon. Member: To the Assistant Minister.

Mr. Speaker: Assistant Minister, would you like to be informed?

Mr. Maundu: No!

Mr. Speaker: I am sorry he has declined.

Mr. Raila: This is a very serious matter; that the Assistant Minister is talking about contracted farmers within a 16-kilometre radius. It is a fact that these farmers were urged and encouraged by SONY Sugar Company to grow the cane and the sugarcane right now is their only source of livelihood. The factory, instead of harvesting cane

from the farmers, concentrates in only harvesting its own cane. Could the Assistant Minister be honest enough and tell this House that the farmers in South Mugirango Constituency are being neglected by SONY Sugar Company because of some of the big plantations belonging to big sharks somewhere in Kilgoris area, which are being ploughed and planted by the factory, and that is the reason why these farmers have got their cane rotting in South Mugirango?

Mr. Maundu: Mr. Speaker, Sir, I am not aware that, that is the case, as such, but I would like to tell my hon. friend that SONY Sugar Company operates within the area that I have mentioned. But they are so magnanimous that they have an interim programme to assist farmers within that area. They also have a long-term programme that will sort out the problem that is being experienced now.

Mr. Anyona: Mr. Speaker, Sir, I would like to inform the Assistant Minister that there are over 1,000 farmers and each average farm is four acres. He can see the amount of sugarcane involved. What will he do about the fact that because of the congestion some officials of SONY Sugar Company are taking money from some farmers so that they can harvest their sugarcane ahead of the others? Is he aware of that fact? If he is, what is he going to do about it?

Mr. Maundu: Mr. Speaker, Sir, I am not aware of that very serious fact. But if that sort of situation is in existence the Ministry will investigate it and take remedial measures.

Mr. Kapten: On a point of order, Mr. Speaker, Sir. I had a Question by Private Notice yesterday and the Minister promised to give me an answer today.

Mr. Speaker: But it was not put on the Order Paper! Was it?

The Assistant Minister, Office of the President (Mr. Awori): On a point of order, Mr. Speaker, Sir. I was going to give the answer to the hon. Member, but because of--

Mr. Speaker: It has to be on the Order Paper because I deferred it. It will be put on the Order Paper next week on Tuesday. Next Order.

COMMITTEE OF SUPPLY

*(Order for Committee read being 13th
Allotted day)*

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

Vote 30 - Ministry of Energy

The Minister for Energy on 8.10.96

(Resumption of Debate interrupted on 8.10.96)

Mr. Speaker: Mr. Mbui was on the Floor. Is he here? Since he is not here he forfeits his chance to continue contributing. Yes, Mr. Ndicho.

Mr. Ndicho: Thank you very much, Mr. Speaker, Sir, for giving me this opportunity to say something about this Ministry of Energy. When we talk about the Ministry of Energy we more or less talk about the supply of electricity in this country. Today we have a lot of problems in areas where the Kenya Power and Lighting Company (KPLC) supply their product.

Kenya is a fast-growing country and we have a lot of investments from abroad. Many investors are putting up industrial plants in Industrial Areas in Nairobi, Mombasa, Thika and other towns. These investors are being let down by this Ministry. This is because there are many power black-outs and cuts in the industrial areas. My vehicle is in one of the garages in Industrial Area but it cannot be rectified because, I am told, computers do not work because power is on and off every other two hours. There is an outcry from many people in the industrial Area in this City as well as other commercial businesses in the City centre. Can we be told by the Ministry of Energy exactly what is happening? Many people are losing their businesses because of power cuts and black-outs which are occurring quite often.

Mr. Speaker, Sir, in the past we used to see notices in the daily newspapers informing people in advance that at particular time there would be an interruption of electricity supply in a particular area. Today nobody bothers. People in an industry just see power going out! I have specific cases in Thika. We have lost lives in Thika District

Hospital. At one time a patient was undergoing a surgical operation when power went off, the machines stopped working and the doctors had nothing to do except just to watch the dying patient. That patient died because power went off abruptly. If this Ministry had cared to inform Thika area, where the hospital is, that there would be power cut at a particular time the doctors could have arranged to do that operation when there was continuous supply of electricity. Who is going to compensate the family of this poor Kenyan who died because of sheer negligence on the part of the Ministry, which is charged with the duty to supply power in this country? It is high time we demanded that the monopoly that has been enjoyed by the KPLC in the supply of electricity be broken. We should have many investors venturing in the generation and supply of power in the country. The power sector should be privatised. Why is it that every water fall or dam belongs to this Ministry? It is high time that we even privatised some of the existing dams, so that we can have competition in the supply of this all-important product.

Many of my people in Thika, especially those in Makongeni Estate, are suffering. This is because from Monday to Friday there must be power cuts from 7.00 p.m. to 10.00 p.m., and yet this is the time when students do their home study and prepare for examinations. These people no longer watch their television programmes. Power comes back after 10.00 p.m. when prime news and programmes on television are long gone. It is high time we were told exactly what is happening. To make matters worse, power is cut only in areas where Africans live in Thika. There are no power black-outs in areas occupied by Asians. In one case in Thika some investors installed very heavy bread-making equipment. I am told that this machinery makes 100 loaves in five minutes and so it uses a lot of power. The owners of this machinery have colluded with KPLC staff so that power is rationed or put off between 7.00 pm. to 10.00 p.m. in areas occupied by wananchi because this is the time when this bread is baked and made ready for distribution in the following day. Why can this bread not be baked after midnight to allow children do their study and people watch television properly? Why are a few people favoured with the supply of electricity just because they are investors and have a white skin, and we have a black skin? Ruiru Town is the worst hit by the power cuts. Last night I was at Ruiru Town and when we were just chatting and planning a project which we are implementing there, power just went off. When I went to the power sub-station at Ruiru the person I found there informed me that he is under instructions to cut power every day from 7 pm. to 10 pm., so that Indian factories can continue manufacturing irons sheets, nails and other commodities. Why does the Government favour these people? We want investors, but we should not value them more than our people! It is high time this Ministry woke up and gave us some respect. We pay for the supply of electricity but we do not enjoy it. The Minister should come up and liaise with the people who use electricity in large quantities, so that they can use it when the majority of our people do not need it. Why is it that Ruiru Town has to use lantern lamps and the people who supply paraffin there, are foreigners? It is, therefore, the conclusion of the people there that there is a collusion between these people and Kenya Power and Lighting Company so that they can sell their paraffin.

The Assistant Minister for Lands and Settlement (Mr. Sumbeiywo): On a point of order, Mr. Speaker, Sir. Hon. Ndicho has made a very serious allegation because he has persisted to say that power is being supplied to foreigners in Thika and Ruiru Towns. Can he substantiate those claims? We are supposed to be an independent country. If we are supplying foreigners with power today and denying our own people, then, that is a very serious issue.

Mr. Speaker: I did not follow what was going on. What he is suggesting is that there are some foreign lines in Thika upon which power was supplied. Is that what you are saying Mr. Ndicho?

Mr. Ndicho: No. I am saying that Africans in that part of the country are getting a row deal from the suppliers of electricity because Makongeni Estate in Thika Town and Ruiru Town are not getting electricity at the prime time when they need it that is from Six O'clock to about Ten O'clock but when you go to the Asians' quarters, there is electricity. The Assistant Minister wants me to substantiate and I will do that gladly. Let him accompany me to Ruiru Town where I have got a date today and he will see for himself. That is the only way which I can substantiate. Otherwise, I am talking about my constituency - that is what goes on in Thika, Ruiru and Juja every day.

I am the representative of these people. All I am saying is that this thing should be looked into. Power cuts should be programmed so that the majority of people could be utilising it at the prime time. If there is some rationing, let it be from midnight up to morning because a lot of people do not need it at that time. That is all I am asking for.

With those few words, I beg to support.

The Assistant Minister for Labour and Manpower Development (Mr. Ali): Ahsante sana, Bw. Spika, kwa kunipatia nafasi hii ili nami nitoe maoni yangu kwa Mswada huu kuhusu umeme.

Lamu District yafaa kuangaliwa kwa umakini sana. Katika Kenya Nzima, Lamu District ni ya nyuma zaidi kuliko districts nyingine hasa kwa mambo ya umeme. Mitambo ya umeme iliwekwa mwaka wa 1968. Wakati huo, mahitaji ya power yalikuwa ni 380 Kilowatts na kwa wakati huu, Kilowatts ambazo zinahitajika ni 950. Tangu tuwe na mitambo hiyo minne, miwili haifanyi kazi kabisa hasa vile ilivyo; haitimizi mahitaji hiyo mitambo miwili. Kwa hivyo, tumebaki katika giza. Na isitoshe, huo umeme unatosheleza hapo mjini peke yake. Visiwa vingine vya Lamu

District havina umeme. Vijiji vidogo kama Kashmir na Gadeni hakuna chochote. Tumeahidiwa mara kwa mara kwamba umeme utasambazwa hivi karibuni. Miaka 28 ni mingi sana tukihesabu kutoka leo hadi 1968. Kama Serikali ingekuwa na mpango, divisions zote zingekuwa na mwangaza na pia maendeleo kupitia viwanda kwa maana, uvuvi ndiyo maisha ya watu wa huko siku hizi. Kama uvuvi huu hautatiliwa mkazo, kwa kupatiwa vifaa kama storage facilities, ama fridges za kuhifadhi samaki ili wasioze uvuvi wetu hautakuwa na maana. Mpaka sasa mvuvi ambaye anaweza kujigamba ya kwamba yeye anaweza kuhifadhi samaki kadhaa huko ili apeleke Mombasa au kwingineko. Ni mvuvi tu wa kihori anaweza kuleta kwa sokoni, akiuza kidogo, wakibaki, hakuna mahali pa kupeleka. Kwa Kishwahili cha kikwetu, twasema wambiriwa(?) yaani wanatupwa tena kule majini. Hawana kazi tena. Hivyo divyo hali ilivyo katika Lamu District.

Mahitaji ambayo tutaahitaji kutoka leo hadi miaka 10 ijayo, tunahitaji kilowatts 1550 ya umeme katika kisiwa cha Lamu pekeyake, yaani kijiji cha Madondoni, Kashmir na Gadeni. Tunajua kwamba kuna ule mpango wa hewa na umeme nyingine kutoka Kilifi hadi Lamu lakini hatujui itachukua karne ngapi. Pengine Bw. Waziri anaweza kuangalia mambo hayo na atafute mfadhili aje kutusaidia kwa mipango ili iweze kuendelea. Kama vile mhe. Ndicho alivyotaja, vile vile, wanafunzi wanaathirika kule Lamu kwa sababu ya kutokuwa na umeme wa kuwawezesha wao kuendesha masomo yao wakati wa jioni. Hiyo ndiyo imetufanya tuwe wa mwisho katika kila mitihani ya taifa na hii si kwa kupenda kwetu. Walimu wako, vitabu viko, madarasa yako lakini wakifika nyumbani jioni, ile kazi wamepewa na walimu hawawezi kufanya kwa sababu hakuna stima. Hii, imefanya watoto wadogo kuharibika macho kwa sababu ya kutumia vile vibahalulu. Tunaomba Wizara ya Kawi itilie mkazo ili tupewe umeme katika Lamu District. Hivi majuzi, blackouts zimefanya Lamu District kuwa giza. Hiyo giza imefanya kuwe na wizi mwingi sana na hata mtu moja aliuawa kwa sababu ya giza. Kwa hivyo mambo haya yaangaliwe haraka iwezekanavyo kwa sababu wakati huu, mitambo ni miwili na hiyo inatumika kwa kiwango cha chini kabisa. Mara kwa mara, umeme unapotea na wakati unapotea, fridges, TVs zinachomeka. Na hata hali ya watu kutimiza wajibu wa kuabudu imekuwa ni shida kwa sababu ya ukosefu wa taa misikitini. Yaani, hizo bidhaa zinachomeka hii ni hasara kubwa kwa watu wa Lamu. Televesheni zao na friji zao zinachomeka vile vile, na wale samaki ambao walikuwa wamewekwa katika zile friji ndogo ndogo wote wanaharibika. Hii ni hali moja ya kusikitisha sana katika Lamu. Tunawakaribisha investors, lakini nani atakubali kuja? Kabla ya kuja hapa, watakuliza, "Je, kuna umeme kule Mkowe?" Mkowe hakuna umeme na ndiko sehemu ya kupanua viwanda. Kwa hivyo, ninataka Wizara ya Kawi iangalie hasa ule mpango mkubwa wa kuleta wind master plan ya umeme. Hii ikiwekwa, haitaji petroli, diesel wala mtu kuipeleka, inapelekwa na upepo. Hakuna maintenance na hakuna mahitaji yoyote. Gharama yake ni kuiweka tu. Basi, ninataka Waziri wa Kawi akiwa hapa anisikilize vizuri na ayachukue mambo haya kwa umuhimu na aharakishe ule mpango. Lamu vile vile hupewa pesa nyingi wakati wa tunapopitisha pesa hapa Bungeni, lakini sijui hupotelea wapi. Haya mambo yanatusikitisha sana. Kwa hivyo, ninataka Wizara ya Kawi itusaidie, sisi watu wa Lamu tuko wanyonge ili na sisi pia tuone raha, macho yetu yasiharibike kwa sababu ya ukosefu wa taa. Pengine singevaa miwani wakati huu kama kungekuwa na umeme huko Lamu, lakini leo imenibidi nivae miwani na kila mwaka ninabadilisha nambari kwa sababu hakuna mwangaza.

Bw. Spika, kwa hayo machache, ninatumaini Waziri amesikia hayo yote. Nimekomea hapo, nikiunga Hoja hii. Ahsante.

Mr. Busolo: Thank you, Mr. Speaker, Sir, for allowing me to contribute to this Motion.

The first thing I want to raise has to do with planning. In this Ministry of Energy, there are a number of plans that were not (*inaudible*) with the Development plans of the various districts. But to date, they have not been implemented. I have in mind Bungoma District where sometimes in the 1980s, the Lake Basin Development Authority carried out some fiscal planning and studies of generating and supplying electricity within the area and they came up with a plan to dam power from Teremi Falls. To date, nothing has been heard of that project. It is also understood that some funds were allocated to that project. The whereabouts of the funds which were allocated to that project still remain questionable. Secondly, there was also some study carried out at the Webuye Falls. Webuye Falls could also generate a lot of power and supply within Bungoma District and the rest of Western Kenya. To-date, we have no idea what is going on with those plans. In the same vein, in this year's Economic Survey of 1996, the Report on the Ministry of Energy touches on something to do with a master plan for electricity in this country which is supposed to be carried out by the Belgium Government. My question is; if the earlier plans have not been fulfilled, what guarantee do we have that when the Belgians carry out a master study of electricity supply in this country, something will come out of it? I even want to raise a question of why the Ministry has to hire Belgians to come and carry out a master plan for electricity in this country. The question of donor assistance in this country needs to be looked into. Donors raise a lot of questions regarding the use of their funds. But some donors are themselves very corrupt. The donors that were involved in Turkwell programme, particularly the French, were corrupt. We understand that the donor funds were meant to be a conduit for the campaign funds in France and they got some characters in this country in the Ministry of Energy, who agreed to that plan so that they would share the campaign

money in France and some monies in this country so that the French Government could approve the loan money to this country. In a way, I am simply saying, the involvement of foreigners in some of these projects usually stinks. If you dig deeper, you will find out that there are some certain corrupt deals going on, not only between the donors and some internal people in this country, but in my view, it is something that needs to be stopped. There is no need, as an hon. Member said yesterday, for us to leave certain trained personnel in this country who are well qualified to carry out certain studies and go and engage foreigners who are paid a lot of money. There was also the question that was raised by the hon. Mover of this Motion that monies that are passed by Parliament are not released by the Treasury for projects.

I have also had occasions to talk to one or two Ministers regarding one or two projects in my constituency. The Ministers confided to me that although we pass these monies in this House, the Treasury does not release the money. I would like to use this occasion to urge the Treasury that when we discuss this Vote, we mean business and they should release these monies so that the Ministries can use the monies necessary for their projects.

I think there is also some shortfall of thinking within the Ministry of Energy. Now I think it is conclusive that sugar cane can supply electricity. I happen to come from sugar cane growing area. I do not know why the Ministry of Energy has not engaged itself in studies to find out how Western Kenya and Nyanza, for instance, could be electrified through utilising the power from the sugar mills. That is something I would like this Ministry to look into.

There is also the question of electricity, health and environment. There is a claim that where the electric pylons pass, those people living below them suffer from certain diseases. I would like a programme between the Ministries of Energy and Health, to study the kind of sicknesses that arise from the neighbourhoods of the electric pylon lines. There is also the environmental factor whereby, in places where power is generated from, people suffer from a diseases called kitomotosis(?) or something of that sort. I think a health unit within that Ministry could assist us in reducing some of these ailments that affect our people.

Mr. Speaker, Sir, I want to end with the question of agriculture. This Ministry has to do with the development of this country. It has to do with supplying energy, power and embarking on other areas of development like agriculture. First, you find that this energy is useful in agriculture where we use tractors and all sorts of implements that assist farmers. If diesel is expensive, it means that the farming community is suffering. If kerosene is expensive, it means that domestic household is suffering and it also means that the people in the rural areas, who are already impoverished, are going to be impoverished more since they cannot afford the price of kerosene. I would like this Ministry in conjunction with Treasury to think about this project so that domestic households do not suffer on the account of high prices.

I do hope that this Ministry will not allow itself to be used by other Government departments, for example, where Petroleum Levy is concerned, 50 per cent is taken of from them and yet they keep quiet. This 50 per cent of the Petroleum Levy does not go to the intended use, but to construct Eldoret Airport. As a Ministry, they should be concerned about the integrity and dignity of their names. If they leave it to other people then we will have them to blame in the end.

Finally, I think the Ministry should ask for more money than what they have asked because any country's development has to do with the development of heavy industries. They should ask for more allocation. Unless power is supplied everywhere, the Jua Kali industry, that this Government is very fond of speaking about, will suffer. There will be no progress in terms of investments because when an investor comes to invest here and there are so many power blackouts, there is nothing he can get in return.

With those few remarks, I beg to support.

The Assistant Minister, Office of the President (Mr. Awori): Thank you, Mr. Speaker, Sir.

Infrastructure that should create enabling environment should always have a master plan. It should be planned nationally. The infrastructure such as road network, waterwells, communication and so on should be planned on a national basis, but above all, energy is so important that it should be planned nationally. Any country that requires to develop and continues to develop, requires a lot of energy. We need energy for industry. We need energy for transit systems.

A lot has been stated about the poor conditions of our roads. If we have adequate electricity in this country, we should electrify our railway system. We know that the railway system is much cheaper in the conveyance of goods and passengers. In order to use electricity for transits, we must be absolutely sure that we have adequate electricity because if we have blackouts, as we have at the moment, just imagine a train in the middle of nowhere and there is a blackout, there will be a great deal of worry among the people.

We need electricity in this country to be decentralized. We need to take a leaf from the knowledge of the Chinese who have small projects all over the country. There is no reason at all why we should not do the same. In Nairobi, right now, the rationing of electricity is creating a great deal of havoc. I know that any industrial areas where many industries have to depend on electricity, they are now working at about 50 per cent capacity. We know that if

we have to survive in the industry, we do not need just to produce for the domestic consumption. We want to produce goods that we can export. We cannot export any goods unless we are in a position to compete with others out there. Today, whether people are producing building materials, textiles or anything of the sort, working at 50 per cent capacity, they are losing money. It is not possible for such industries to compete with the goods from areas where electricity is in full supply. We needed to extend many projects such as the much maligned Turkwel Project. I feel sometimes very ashamed when I hear my colleagues maligning a project that has been proved not to be a white elephant, but a well thought-out project. I am surprised to hear this afternoon that this project was financed by electioneering campaign funds from France. I know my colleague and friend, a lecturer with his flowery words can try and convince himself that this is so, but that is not the case at all. In fact, what is required now is for us to try and find another donor, possibly go back to the same donor, to give us more money so that, that project can be extended.

We do need electricity a great deal. We do not need electricity just for industries alone. We need electricity for the domestic use. In townships we want people to be safe. We want our streets to be well lit. At the moment, because of rationing of electricity, there are many streets which have not got street lights working.

We have had the Rural Electrification Project in this country for many years. It was an excellent project. I know that this project has had donors. Some of the donors did withdraw because of listening to hysterical Members of the Opposition. We want--

Dr. Lwali-Oyondi: On a point of order, Mr. Speaker, Sir. The Assistant Minister has just stated that some of the donors have withdrawn money meant for certain projects in the country because of the hysterical comments from this side of the House. Can he substantiate that allegation?

Mr. Speaker: But why do you not wait until he is through with his contribution? I think that is his opinion.

The Assistant Minister, Office of the President (Mr. Awori): Mr. Speaker, Sir, it is so obvious. I am sure they read newspapers all the time. We know when they are travelling outside and when they have been given free tickets to go there. They must justify those tickets by saying all sorts of things against this country.

Mr. Mulusya: On a point of order, Mr. Speaker, Sir. In as much as you are trying to save the hon. Assistant Minister--

Mr. Speaker: Order, hon. Mulusya! I save nobody! Proceed!

Mr. Mulusya: Mr. Speaker, Sir, the Assistant Minister knows that he it is not right to say that Members of the Opposition are the ones who have made those donors withdraw funding. He knows correctly that they withdraw aid in their own right once they realise that their money is being mismanaged. Is he now in order to insinuate that Members of the Opposition are being given tickets to go to the donor countries? Can he give the name of one Member who has bene given a free ticket? The other day he was out there, who had paid for his air ticket?

The Assistant Minister, Office of the President (Mr. Awori): Mr. Speaker, Sir, the rural electrification project is an extremely important project and we would like it to be reviewed. The Jua Kali requires electricity in the rural areas a great deal. If we have enough of this, there will be a number of our youth that will be self-reliant.

Becoming parochial and going nearer home, I have got a project at Luanda in my constituency. It is a ginnery that gives employment to people. At the moment, it is using a diesel generator which makes it rather uneconomical. I am appealing to the generating company, through the Ministry, to be kind enough and extend a branch line from the main line to supply Luanda Cotton Ginnery, so that it can be more economical and gin cotton in a cheaper way.

Similarly, we have a lot of water supply projects in Busia, in Samia Constituency to be exact, which are using generators. This becomes rather expensive. Sometimes, the operators tend to find the diesel disappearing. It is difficult for them to have electricity disappearing. I would appeal to the Ministry to help. I, therefore, request that more money should be given to this Ministry.

With those few remarks, I support.

Mr. Nthenge: Thank you very much, Mr. Speaker, Sir.

I will start by saying that I represent a poor area. Many of my constituents do not have their own electricity. They depend on public electricity on the streets. When Kamukunji is dark, it is very dangerous. So, I am appealing to the Ministry to remember that even if they are rationing, there are some areas which should be exempted. This is because we have many criminals who tend to come to my constituency and terrorise people once it is dark. I am, therefore, appealing to the Ministry to develop a mechanism where all the street lights remain permanently on, particularly, at night. This is because most of these people depend on public lights. Why are they poor? One of the reasons is that they have no employment and a lot of them are not thinkers who can create something for themselves. However, they do their bit by selling tomatoes, old clothes and such things. But all the same, they do not have enough income to pay for electricity.

Mr. Speaker, Sir, to help them out, I suggest that since 1961, we have had a lot of water in Kenya. But we let

it go to the ocean and get wasted. The bulk of our water goes to the Mediterranean Sea. Instead of us using this water and producing cheap electricity, we dally dally around. I have suggested that---

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Ligale): It is not 'dally-dally' but dilly-dally!

Mr. Nthenge: Is it dilly-dally? All right, thank you very much. You know that I went to school before most of the hon. Members here were born anyway. My English cannot be as good as of those who went to school during Independence where things were free and even an African could go to the university. During our time, for one to go to the university, it was "black market".

Anyway, the point I am making is: Let us block our water. Athi and Tana rivers have a lot of water. After very many years of my complaining, Tana River has been blocked and it is producing electricity. But it is not enough.

Why should we not block Tana and Athi rivers further and get a lot of electricity? That will solve our problem. The people who find electricity to be expensive will find it affordable.

Mr. Speaker, Sir, as I said, you must remember that if there is a lot of power around, people will even use power for cooking. That will save our environment. Instead of people going to cut wood and turning the country into a desert and destroying our environment, the people will use electricity. We will have a lot of trees and this country will be another paradise.

Therefore, since we have enough water and a lot of human beings ready to work, we should not wonder how we will do these things. When you go to every corner of our country, people are asking for work. As a matter of fact, we can use natural power to create all sorts of things, like they did in the olden days. If you go to Cairo in Egypt, you will find pyramids which were built by human beings. So, we can also block these rivers by using our hands and a little technology and we will finally get electricity. That means electricity will become very cheap. Once the electricity is cheap, everybody will use it.

Mr. Speaker, Sir, the hon. Member for Lamu was complaining that school children in his area do not have electricity at night. If we do what I have said, that will end. This is because we will have plenty of electricity.

The idea of a woman cooking in the evening and, all of a sudden, electricity goes off, thus embarrassing her, will be gone. So, it will solve a lot of problems. When it comes to---

Mr. Mulusya: Even men cook!

Mr. Nthenge: Well, actually, we are interfering a lot with nature. Actually, cooking was a privilege of women. We are soon going to ask men to go to the maternity. However, that is the time they are going to realise that God was not a fool to create two different genders. Modern people are trying to change everything and saying that we are equal. We are not equal, nor are we the same. The creator made two different people for two different functions.

Mr. Mulusya: On a point of order, Mr. Speaker, Sir. What connection is there between gender equality and electricity?

Mr. Nthenge: Mr. Speaker, Sir, cooking. They have introduced something new where men also cook. In fact, there are some women who are complaining that their husbands are not giving them the chance to prove that they can cook. So, anyway, you cannot be told some of these things. But because of my age, they talk to me freely.

Mr. Speaker, Sir, the interruption of electricity is very disturbing, even if it is a man cooking. I agree that there maybe newly employed young people who have just finished school and they have to cook for themselves. They also get embarrassed when electricity goes off. They have bought small jikos feeling that they have acquired some kind of promotion, only to be told that they are not promoted fully. The richer young people are alright because they use gas. But the poor boy or girl who comes straight from school does not have many alternatives. So, they remain hungry or wait for electricity without knowing when it will come again. So, as a city Member of Parliament who represents city people, I know that cooking with electricity is very common. When it is being rationed, it is really a problem. It has even affected members of staff in this House. They have even approached me and asked what is happening. Every day at seven o'clock in the evening, electricity goes off where they live around Jogoo Road. So, it is really a bother. When you go backwards, you find that the bother is just because we do not have enough.

With regards to training, I am disturbed when I find that we are not using properly the brains we have in this country. Electricity is a science that can be taught and there are very many children who are old enough to be trained, but they are idle. Why does the Ministry not establish a school where it will train these young men and women to handle electricity so that we become advanced by having lights all over and using other facilities? I am, therefore, urging the Ministry to consider a special training for our youths so that when you want to install electricity in your house or somewhere else, you do not have to look for somebody with a licence. If you go to an old town like Machakos there is only one person who has a licence to install electricity. This shows people are not trained on this technology. Therefore, I am suggesting that we should have many people trained in handling electricity so that we do not have to beg, suffer or have people who do not know how to do it well because it is risky. At the moment, many of them install electricity because they have worked with qualified people and then they call the one with a licence so that

they could use it to pretend that he is the one who has installed the electricity. But it has been installed by a person who is not well qualified or even if he is well qualified, he has no licence. Why does he not have a licence? It is because he was not properly trained, tested and passed his examination and got a licence. Some of these things are here to stay and there is no need of waiting. Let us train them. I am beyond training to do anything. Even what I knew, I am quickly forgetting. But what about my grand children? They should be trained in all fields; some in electrical, medical and so on.

I would like to see that---

Mr. Speaker: Order! Your time is up! Yes, Mr. Maundu.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Mr. Maundu): Thank you, Mr. Speaker, Sir, for giving me an opportunity to make a short intervention in this very important Motion.

Energy is a very important factor, if our economy is to grow. The agricultural sector, industries and other sectors of our economy, will rely quite heavily on energy. That is why I would like to ask the Ministry concerned to consider other than the traditional supplies that we have of energy, to explore and find out other alternative sources of energy. I think this country basically relied on one or two areas of energy and we have not explored other areas like solar energy, geothermal energy and even looked into some other cheap alternative sources of energy. It is not denied that Kenya has one of the medium high rates of tariffs. These tariffs tend, particularly within the industrial sector, to inhibit investors. If we are not competitive within a region like East Africa, then investors will consider going to areas where there are cheaper sources of energy. I think it is important to consider a way in which investors will invest in this country and be assisted by a suitable measure of tariffs to enable them to operate profitably and then gain confidence that there is sufficient source of energy.

Mr. Speaker, Sir, in recent times, our supply of electricity particularly to industries or even for domestic consumption, has not been constant. We are appealing to the Minister for Energy to consider this particular issue with the seriousness it deserves. Those who travel a bit out of the country will always get the usual complaint that electricity in this country is very expensive and inhibits investment in this country. This also tallies with the ordinary domestic consumers. There have been a lot of complaints by consumers that the billing system seems to have a gap which is unexplainable. There are times when an ordinary domestic consumer gets a billing in excess of Kshs10,000 or Kshs15,000. And to follow up the machinery of complaint is so cumbersome that somebody will give up somewhere in the middle and that means, of course, your electricity will be disconnected, to cause very great embarrassment. If the Ministry concerned should put into place a system which is not cumbersome, a system which operates without creating problems for ordinary domestic consumers, I think Kenyans would be very happy. At the same time, the tariffs that are applicable to domestic consumers should also be considered without having to be very high to inhibit ordinary people who are not earning so much from enjoying electricity in their homes. Most ordinary Kenyans use electricity for very minor things. Even the middle class people use it for either lighting, television or radio. I think there are very few Kenyans who can afford to use electricity for purposes of cooking. That is why I appeal to the Ministry to consider, particularly the poor people who use electricity as a source of lighting and for other minor domestic appliances.

Mr. Speaker, Sir, one area that hon. Members have raised and I think it is an area which we have come into is the area of liberalising or even privatising the energy sector. I think it is important that the Minister concerned and all the other persons within the private sector should look into these issues with a lot of more seriousness. There is fear even among the investors that the energy will be liberalised or privatised in a manner that creates a monopoly of others than the KPLC.

I think the Minister should give Kenyans and investors a serious assurance that in the course of privatisation, certain areas of his operations that these areas will be given due consideration and will be done in a transparent and honesty of purposes. If these areas are not considered in that fashion then they will affect the energy sector as a whole.

We have situations where we have one Ministry in charge of KPLC, Tana and Athi Rivers Development Authority, with even the Water Corporation tied together with it. There is need, perhaps, to give some of these particular Corporations and parastatals their own autonomy in terms of operations. The inter-linkage between Tana and Athi Rivers Development Authority and KPLC is all together confusing to the extent that Tana and Athi Rivers Development Authority cannot be operational and bring the benefits that were envisaged during its inception.

Mr. Speaker, Sir, this is the situation. It is not altogether clear as to who runs the dams and who enjoys the benefit of running those dams. We have seen in areas where many of us come from, like Masinga, where we have a number of dams around that area, it is very difficult to have those people supplied with electricity, yet many people were displaced from there to create room for big dams. If a certain percentage that should be applied for use by the local people has not been applied to improve those areas, we would like to ask the Minister and those who were involved in this sector to consider those areas where people were displaced and lost their land, so that they may be

compensated by way of providing cheap amenities to this particular area. An area like Masinga and all those other areas have a high potential for agricultural production, and yet nothing has been done. In the masterplan during the construction and inception of this particular dam, it was agreed that the local community would benefit from this particular dam. Up to date, nothing so far has been done and we are requesting the Minister to consider that these areas be put into the masterplan.

Mr. Speaker, Sir, one particular area that, perhaps, I may go to is the area of supply to areas that are outside the precincts of the big towns. We have new districts that have been created and I happen to come from a new district of Makueni. It is a pity that up-to-date that we have talked about the supply of electricity to Makueni, yet so far, other than a preliminary survey that has been done, not much else has been done. Electricity to Makueni District is only about 24 kilometres away, and it is a District with a District Commissioner, with all the Departmental Heads, and with all the necessary establishment and up-to-date, it has not been supplied with electricity. The people in Makueni District are more concerned and they are getting more anxious about this sort of situation, because the supply of electricity to Makueni District will help to reduce the problem of water in the District. We are asking the Minister to give priority to this particular supply.

The District hospital in Makueni District is not supplied with any form of energy. There is not even a generator. The one that was there is now out of use and for the last two years, we have had people ferrying their dead all the way to Machakos District Hospital or even to a hospital like Kathiani, which is about 160 kilometres away from Makueni. In that event, what has happened is that most people now bury their dead like Muslims, within a day or so and most of them are buried with the use of sand! This is a very sad situation and I believe that the Minister would consider giving priority to this particular project in Makueni District.

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

The other aspect and we have raised this matter before in Ukambani, is that there is an important dam called Munyu Dam. I am told that the preliminary surveys have been done, in fact, to the extent I am informed that a donor is being sought for the purpose of funding the Munyu Dam. This is an important dam that traverses the whole of all the Kamba Districts. For the last 10 to 15 years, we have talked about the Munyu Dam which is along the Athi River.

This Dam will pass through Machakos, Kitui and parts of Makueni District. It is envisaged at the end of the day to irrigate an area of more than 23,000 hectares. This particular dam would help the people of Ukambani by supplying not only water for irrigation, but also generate energy when they put their dams in phases. We are asking the Minister concerned and all the other parastatals that are involved here to consider this particular aspect.

With those few remarks, I beg to support.

Mr. Akumu: Thank you very much, Mr. Deputy Speaker, Sir. I want to support the Motion and I want to thank the Minister for having made a very detailed statement, reasonable and very truthful. I am saying this is important because we can see there is less tension in this House today. In the past, we have had a lot of tension when discussing the Vote for the Ministry of Energy, because of the way the Minister used to act and present his Vote. I am saying its truthful, because, for example, he said yesterday that they are still going on with exploration for oil and they are hoping that they will strike oil, but they have not done it as yet.

Some years ago, there was a "Mr. Total Man", the then Minister for Energy. He held a Press conference and said that we had found the oil. I celebrated in West Africa and I said we have got oil, we are going to do better than others. I did not know that that was just a public relations show. I am happy that this Minister has told us that we are hoping, but we have not found it as yet.

There are areas that we have been disappointed, but we cannot blame the present Minister, whether it is 50 per cent oil levy or other issues, he is a new man. I think all of us would like to give him a chance. I am, however, a little concerned that I thought Uganda and us are now friends.

The President of Uganda visited Kenya, particularly the Kenya Ports Authority, Nairobi Stock Exchange and so on. But I am surprised that it had to be an outburst by the President of Uganda, before the Minister agreed that they were going to have discussions. I am one of the people who believe in economic co-operation, and, therefore, I think if we are not paying Uganda correctly, we should negotiate with Uganda and we should pay them. I stayed in Accra, where Akosombo Dam was supplying a number of West African States with electricity. I think that is unfortunate that we had to take this late stage before we stepped in. After all, there are areas where we are benefiting more from Uganda.

Mr. Deputy Speaker, Sir, you know it than I do, in the economic levels, pipeline, the Kenya Ports Authority, and other areas. Therefore, we do not want to antagonise a good neighbour where I think trade is more in our favour

than the other way. I think that is important. This was unfortunate. I hope this is corrected in time.

I am interested in one thing, that is the Sondu-Miriu River hydro-electric power development. It is now scaled-down to 60 megawatts and the Minister has told us that it will be called Phase I and that Phase II, will include Magwagwa. Our people around Western Kenya, not only Nyakach, but also South Nyanza, Kisii, Kericho and other areas, have been waiting for this project since 1979, and last year we had the same thing in the budget. It was said, I think by the late Minister, and the residents asked when he will actually begin to work there and when we shall begin the construction. The land that was supposed to be compensated and the schools which were supposed to be allocated had been done. When shall we really begin the work on Sondu-Miriu? I think that is important. The second question which has also been mentioned here, which I think is important to determine is whether it will be part of the Lake Basin Development Authority or not. There is need to decentralise. I think it is important to consider decentralisation. The best example is a country like China for those who have visited it. There are many small-scale hydro-electric power projects. Those who read the story of the baby boom in the USA, know that if you have one hydro-electric power project, if it can blow off, it can assist in increasing the population because people would engage in illicit sexual activities. It is important to have small-scale electrification programmes.

When it comes to Rural Electrification Programme, I am very disappointed this has been very selective and, I do agree with previous speakers that it is in a way political. If you are talking of industrialization, talk of following the "great tigers" and others, there is a real need for rural electrification.

The only thing that pleased me yesterday, is that the Secretary-General of KANU said that transformers are expensive and things are difficult. It is good to hear that he comes from safe areas and he is complaining. It is very comforting to hear KANU stalwarts complaining. Because, I thought, it was only our areas that were being discriminated. I want to plead that it is important that if we are going to have rural electrification and industrialization, let it be throughout the country. I also want to appeal to the Ministry - as they see, there is no tension here, everybody wants to give them a chance - to seriously begin to look for alternative sources of energy. Whether it is solar energy, biogas and so on, there is real need of this in the tropics. I know that other people are doing more than what we are doing in Kenya.

Also, there is need for a master plan if we are going to have anything in the form of industrialization. I was trying to support hon. Moody Awori, but, I do not agree with him that we in the Opposition are responsible for donors not investing money in the energy sector. They have said it very clearly and the experts here know, that, it is because of corruption. They have said it in public that they are reluctant to invest in the energy sector because of corruption. They said so and now they are now coming back. But, let me also say this to some of our civil servants. We get worried when a civil servant whose salary we know, and, I have students at Kenyatta University who have done a research, and we have a civil servant who donates money only to one side, and within one year, he has donated Kshs1.8 million. Where does he get the money? He says, "friends". If he says, "friends" what is he doing for those "friends"? What is he giving them from electricity? Is it not why probably our electricity is expensive? One person within a year has donated Kshs1,860,050 according to these students and he is a civil servant whose salary we know. He donates it to only selected areas. I have never heard that he went to Busia, Nyakach or other areas.

Mr. Ojode: What about Ndhwa?

Mr. Akumu: Not even Ndhwa. But, let me say this, that civil servant is exposing himself and he is likely to be attacked by people like ourselves yet he cannot reply here. He cannot defend himself against corruption. We have a research being done, we have asked where he got the money. If he has his friends who are so powerful, what is he doing for them from our electricity? Is he really collecting the revenue correctly? That is the sort of question we want to ask. So, we are telling all civil servants in the Ministry to come out clean and help the Minister to try and clean the Ministry. We will expose those that we think are corrupt and, as we have said, you should support this, to try to eliminate corruption, reduce the charges and if you say you are splitting the Company into two or three, make it efficient, we will watch this very closely and we will give the Minister all the support that we can. But we trust that the civil servant will try to remain civil, live within his means and not be more corrupt. We thought that we had only one politician in the Ministry; the Minister. We did not know that other civil servants in the Ministry are also politicians.

Mr. Deputy Speaker, Sir, I beg to support the Vote. Thank you.

The Minister for Public Works and Housing (Prof. Ng'eno): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this very important Motion. First of all, let me take this opportunity to congratulate the Minister and his team of Permanent Secretary Mr. Mutitu, Mr. Gichuru of Kenya Power and Lighting Company and many others such as Wambutura that I have come to know by way of asking them to supply electricity to wananchi in the countryside. I believe they are doing a good job. This is a Ministry which is very important, everybody needs energy almost just as much as they need roads and water.

I would like to find out from the Minister, and I do not know whether I have the correct information. But, I

do not know whether we have an overall policy on the development of energy, on the identification of the sources of energy and how that energy should be distributed throughout the country. Because, we need energy. When we talk of industrialization, we look at the countries that have been industrialised, we talk of the newly industrialised countries of South East Asia and all other places. We have been saying that we in Kenya, may become a newly industrialised country by the year 2010. But, to reach there like those countries which have reached there we must develop a very viable energy source. We need to develop energy in order also to stimulate the development of agriculture. Because, when you have enough electricity, then you can now talk about setting up agro-based industries; industries like the ones that process pineapples and things of that kind, even potatoes. When you are able to create market in that respect, wananchi will engage more in agricultural productivity.

We also need energy for rural electrification. In Africa, and in Kenya in particular, most of our people still live in the rural areas, a figure close to 70 per cent and possibly 80 per cent, and they therefore, need energy. When you look at the countries which have developed such as the former Soviet Union or the present Russia together with the other countries that have broken away from the old Soviet Union like Karzakistan and others, at the turn of the century, they had nothing other than the feudal system. They were countries run by feudalism which means, there was the rule of man-eat-man and dog-eat-dog. It was the rule of the jungle where you know, if you do not eat, you will be eaten. Yet in the small space of 70 years, the Soviet Union became a Superpower. When you read the Russian history you will see that the first thing people like Lenin did was to lay out electric lines throughout the Soviet Union. This is also the case in India. India today is a fast developing country, and it is so, because of the fact that they have developed their energy sources to the highest level possible.

Mr. Deputy Speaker, Sir, I am informed that in Kenya today, we have close to 800 megawatts supply of energy, and in the next few years, by the year 2000 maybe we will need additional 300 or so megawatts. It means now that we must seriously look at potential sources of energy.

Right now they are trying to develop a diesel source of energy at the Coast at Kipevu and we are trying to develop Sondu-Miriu hydro-electric power project. But this is not going to be enough. We need to look seriously at other areas where we might have a great potential and, I have been informed that the two rivers in Kericho alone, Chemosit and Kipsonoi have the potential to supply 1,000 megawatts of electricity. If that is true, then we should consider, right now, developing this energy in this area.

Mr. Deputy Speaker, Sir, let me say that another area that we might like to put more emphasis on is the development of geothermal energy. I am, in fact, told by the Minister that by the year 2011, perhaps, geothermal energy will give us something like 493 megawatts. This is fine and good. One can understand, of course, that although for a long time to come, perhaps, the main source of energy will be hydro-power, but when there are droughts and things of that kind, the supply will probably go down. That is why sometimes we have rationing and so on. But we need to put more effort in geothermal power and also in the development of small scale electricity generating plants by way of tapping what you call waterfalls. We have so many waterfalls in this country and I do not know how we will go about tapping all of them. In fact, at one time, there was a team of Kenyans who visited China and upon their arrival they said "Look, we have seen a very good and practical way of tapping these waterfalls and generating energy for use particularly in the rural areas".

Mr. Deputy Speaker, Sir, let me take this opportunity to thank the Government for what it has done in supplying electricity to my constituency. You know, at times, I wonder when these people who want to "eat" me politically say that my constituency is underdeveloped and so on. But the truth of the matter is that today in Buret Constituency, we have no less than 20 villages supplied with electricity and I can name them: Chemosit; Kabartegan; Kelelwa; Tulwet-Tabureti; Roret; Chemosot; Ketarwet; Kiptewit; Cheborge; Tebesonik; Kibwastuyo; Chebwagan; Litein; Cheblanget; Soimel; Kipsonoi; Kamungei; Chebribelek and a few other places. I must thank the Government for that because today, I just walk around in the evening and I tell people that "You are saying that the Government has done nothing and you see all these places are lit and, I think, you must say thank you to the Government for what it has done". But to say thank you to the Government does not mean that we do not need more. We need more because people want electricity in their individual homes and this is why I want to appeal to the Minister and his team to see how they can supply what you call stepdown or transformers. If we could supply transformers at reasonable prices, I am sure in those areas which already have electricity, the wananchi there would benefit more because when we have electricity brought to a village and you cannot take it to the school or your own house because you cannot afford a transformer, then it is not that good. I mean, wananchi would like to benefit from the electricity that has been brought close to their own homes.

Mr. Deputy Speaker, Sir, I want also to take this opportunity to say that electricity supply of late, and I do not know what is going on, has experienced a lot of rationing and cuts. The Minister was just telling me that we have fairly enough for now, but every time I go to my rural home where I am supplied with electricity, sometimes I stay for a whole day without electricity. The refrigerator cannot work any more. The lights that I have put out there to be able to

help wananchi when they come and go out of my home because at times they stay until midnight are not functioning because there are rations and the cuts. I hope the Minister and his team will find a solution to this and, in fact, I think, the solution is the development of more sources of energy.

With these few remarks, I beg to support.

Mr. Mwiraria: Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to support this Vote that is before the House. First and foremost, let me commend the PS and his team for doing a difficult job and doing it under the present day Kenya conditions very well. I will only make a few observations on petroleum, firewood and electricity.

Regarding petroleum, I want to first and foremost to support the point already made by saying that we have been told time and again that Kenya has sizeable hydrocarbon deposits. In fact, at one stage, we were assured that we had already discovered petroleum. The request that I would like to make today is to ask the Ministry of Energy to tell Kenyans where we actually--- Do we or do we not have enough oil deposits and gas deposits which could be explored to enrich this country? If we are told the truth about this, circulation which is going around the country at the moment to the effect that may be there is a lot of oil deposits which are being hidden and yet some Kenyan firms are strong enough to exploit them can be eliminated.

Mr. Deputy Speaker, Sir, the second point on petroleum is to ask the Ministry of Energy to take up the question of standardising gas cylinders. Consumers have suffered a great deal because oil companies want to sell liquid petroleum gas in their own cylinders which cannot be used by consumers for any other product. The position today is that because of rationing of electricity, you find that people have gone and bought gas cookers and they have even gone further and bought jikos because when electricity is rationed, you use gas and when gas runs out, you cannot replace it. Sometimes, in fact, consumers have been forced to buy gas cylinders from two companies and yet even those do not need the requirements. So, I think, the only solution is that we standardise the cylinders so that once you have got a cylinder, you can buy gas from any oil company and use it in your jiko.

Mr. Deputy Speaker, Sir, let me now turn to fuel wood, which is to the poor peasant farmer, the rural Kenyan, is like petroleum products are to the industrialists. In fact, fuel wood is an absolutely vital part of every day's existence of the majority of Kenyans. Without it, people cannot get their cooking energy. So, this source of energy, which hitherto has been ignored except for a few experimental aggro-forestry projects, should be given emphasis in our future development. I believe that more than 90 per cent of Kenyans depend almost entirely on fuel wood for their energy requirements. I think the Ministry ought to make it part of their policy to develop aggro-forestry actively throughout the country. Unfortunately, important though this fuel wood is, the Government seems to be a little confused, in the sense that you will find the Ministry of Environment and Natural Resources barring old mamas from going into the forest to collect fuel wood. They even arrest them if they are carrying a load of it on their backs to take home for cooking. Some of them come from newly settled areas, which are arid and semi-arid. In my constituency, I can talk of Timau, where there are very few trees although wananchi are beginning to grow them. But wananchi are not allowed to collect any fuel wood from the Ngaredare Forest.

Thank you, Mr. Deputy Speaker, Sir. I beg to support.

Mr. Deputy Speaker: It is now time for the Mover to reply.

The Minister for Energy (Mr. D.M. Mbela): Mr. Deputy Speaker, Sir, I thank you for this opportunity to reply. I would like to record my special appreciation to the many hon. Members who have contributed to this Motion.

I particularly recognise the fact that even those who were opposing it were giving very giving very constructive reasons for doing so. I am pleased that I came here with a very big team of officers from my Ministry and parastatals.

No doubt the sentiments that were expressed will be noted. I would, particularly, like to say that I appreciate that most of the hon. Members who have spoken both yesterday afternoon and today afternoon have been supporting the Vote. I also heard the very generous sentiments in support of both me and my staff.

I would like to address myself to various comments that were raised and handle, particularly, the isolated stations in areas where we cannot expect the national grid to provide electricity. I am talking about areas as far as Marsabit, where it will cost millions of Dollars to construct electricity lines to. Therefore, the more sensible way of providing them with power, particularly in view of the fewer number of customers in them, is to ensure that a smaller unit is installed and operated as an isolated station. Currently, we have such stations in Lamu, Garissa, Marsabit, Wajir, Moyale, Lodwar and Mandera. I have been receiving representations requiring me to be able to provide more isolated stations, and I would like to recognise areas like Faza Islands in Lamu District which need service. I would like to state that the Ministry will give such areas priority in getting them served. When it comes to Dowdow, which is also fairly remote, I would like to say that the Kenya Power and Lighting Company (KPLC) is in negotiations with the National Cereals and Produce Board (NCPB) to buy equipment from them, which they had imported, so that the town can be served with electricity. We also expect that within the next one or two years we will ensure that towns like Hola and Merti are also served with isolated stations.

Mr. Deputy Speaker, Sir, having said that, I would like to refer particularly to the various issues that were raised by the hon. Members. I will not comment on everything, but will ensure that where something is being done that information is put on the records of the House. There were several hon. Members, including hon. Ligale, who felt that the Kenya Oil Refinery at Mombasa is old and outmoded. I agree with them and wish to say that this is an issue that the shareholders, who include a number of the oil companies which are trading in this country, have planned to spend a total of \$85 million to ensure that they make some improvement in it so as to make it more economic. Although it will still have some handicaps, it will be able to work more efficiently.

Regarding the feeling of hon. Members that there should be more players in the oil industry, particularly in view of the fact that most of the companies that are trading in oil are foreign, I wish to say that we have opened opportunities. The Ministry is even currently registering any commercial interests. Even some hon. Members who have come forward have been given licenced, so as to go into trading in oil. It is important that there should be competition in the oil industry, particularly since we have seen the foreign oil companies quickly going into cartel practices and denying the local people the opportunity of better prices, which would exist if they were to be competitive. There was also a recommendation that we should reduce the cost of transformers, which I agree with. But it is also important to appreciate the fact that the duty on transformers was reduced from 10 per cent to five per cent, while VAT was reduced from 18 per cent to eight per cent. This is why right now it is possible to have a transformer for anything between Kshs72,000 and Kshs100,000 for 50 KVA.

I would also like to appreciate the sentiments of hon. Members who feel that not enough is being done regarding the exploration for oil. Let me say that the 30 wells that have been drilled have cost enormous amounts of money, if you bear in mind that each well cost about \$7 million to drill. If you go four kilometres deep into the earth, and collect data and analyse it to see whether there is potential of getting any oil, that is quite expensive.

While I am referring to an issue that came from hon. Raila I would like to record my disappointment that he did not disclose his interest in the area of liquefied gas (LPG), where he has been producing cylinders. I say so because, unfortunately, there is only one manufacturer of cylinders. When we at the Ministry look at the price of cylinders, we feel that it is grossly inflated. It could actually come down by 40 to 50 per cent.

May be this is an area where we should encourage hon. Members to look for enterprising partners and set up industries baring in mind the fact that currently the oil refinery is able to produce 30,000 metric tonnes of LPG which restricts the market. We feel that is possible to move from 30,000 metric tonnes to 80,000 metric tonnes because we have the facilities to import. This requires an enormous amount of cylinders which hon. Raila Odinga and his company cannot be able to supply. I am keen on the fact that if we were to go into the rural areas, this should be provided at a price that the rural farmers can afford. As part of the reform agenda, the regulators that we get from the various companies should be similar; so that if you go to shell, you pick up a sealed cylinder knowing that the regulator you have can work on any other cylinder from any of the companies operating in the country.

I would also like to recognize the contributions made by hon. Kamotho and especially the one which is going to revolutionarise the power supply in this country. Within the next four years, we expect to spend Kshs375 million which is a grant from the European Community and in this case, the majority of the areas to be served will be the coffee producing areas of Murang'a, Kiambu and Nyeri. We will make it a point to ensure that the people are served if they live near the factories.

I would also like to say that there is every good reason for the oil companies to be quoted in the Nairobi Stock Exchange to give Kenyans a chance to buy shares in these companies. This is very vital because there are big profits that are being made. You can imagine the huge profits made with our current foreign exchange arrangements and within the next one or two weeks two, all the money goes out of the country. It does not come to build any Kenyan schools; it just goes to serve the interests of the foreigners.

I would also like to comment on the recommendation that there ought to be preferential tariffs for schools, health centres, dispensaries and some of the public services. I agree that there is need for that, but I would rather leave that issue because it will be covered by a study which is currently being done by some consultants on the issue of tariffs.

There was the issue of Rural Electrification and particularly on the contribution by hon. Mathenge. I would like to assure him that we have had some major problems in the past. When the Estimates are passed by the House, no Exchequer releases are made until the tax has been collected. This, of course, is good economic management because you cannot spend revenue that you anticipate unless it has arrived. Because of those shortfalls in Exchequer releases, the Ministry, through its agent, the Kenya Power and Lighting Company has not been able to do enough on rural electrification as much as we would have wanted to do. For example, in the year 1991/92, Kshs427 million was voted, but Kshs110 million was released from the Exchequer. In 1992/93 financial year, Kshs460 million was voted, but Kshs67 million was released. In 1993/94 financial year, Kshs429 million was voted, but only Kshs88 million was released. In 1994/95 financial year, Kshs460 million was voted, but only Kshs28 million was made available and in

the last financial year, Kshs482 million was voted, but only Kshs43 million was released. This explains why we are interested in getting Rural Electrification delivered to particular towns. Unless the money is released by the Treasury, we cannot be able to go ahead with the construction.

I would like to comment on the contributions made by hon. Boy with regard to the supply of power to Lunga Lunga. I would like to say that there was a bit of confusion. What was programmed to be supplied with electricity in that area of Kwale District was Msambweni which was supplied in 1991. Lunga Lunga was mentioned, but because of the Exchequer releases, it was never possible for the Kenya Power Lighting Company to go ahead and do the constructions. The most recent development in that field is a discussion which is going on between Uganda and Tanzania to the effect that if a border town has power like in the case of Lunga Lunga, there is power on the Tanzanian side. We will be having discussions next week so that power can be delivered in bulk to the Kenya Power and Lighting Company who will then distribute it on the Kenyan side of Lunga Lunga. The same arrangement is going to work in the case of Namanga. A meeting to discuss this cross border power supplies will take place in Nairobi next week. I am hopeful that good results will come out of that. There was an issue which was raised with regard to tribalism in the Kenya Power and Lighting Company. I have not had the opportunity to look at the tribal breakdown of whatever staff has been employed in that Corporation hence I am unable to comment sensibly with regard to this issue. But I would like to caution that most of the staff that are employed by the Kenya Power and Lighting Company are professionally qualified and unless a candidate has the professional qualifications, much as you may want to see a better balance of tribes, it will not be possible to just employ somebody for the sake of it. I would like to challenge the smaller communities who may not have very many candidates, so that when they have candidates who are qualified, they can contact the Kenya Power and Lighting Company and see whether they can be assisted.

There were some very sound comments coming from hon. Ogeka and I would like to say that those comments have been appreciated, but some of them were not completely accurate. He felt that with weighted tax of 37 per cent for petroleum products, Kenya is more expensive than the other East African countries. This is not the case. Uganda is charging an equivalent of Kshs60 per litre of petrol while Tanzania charges an equivalent of between Kshs50 and Kshs55. Kenya charges Kshs35 per litre of petrol. So, I would say that we are not badly off.

On the issue of rationing power in the sugar industries, I would like to say that they are not being treated differently from the rest of Kenyans. We just hope that when we improve the generating capacity, we will be in a position to serve them better. The entire industry has suffered in the last 18 months and we are very keen to address these short falls so that we do not experience any more losses because employment is affected by the production losses.

Now, I would like to address myself to the project of Sondu Miriu, which I notice has not been opposed by any of the hon. Members. As I said, the project is going to cost around US\$180 million. We expect a loan of US\$126 million to come from OECF in Japan. Because the first phase will not have a dam from which we can irrigate, we are going to depend on the dam upstream which will be at Magwagwa, where we expect to generate 94 Mgw, in addition to stabilising the amount of water to be used in generating the 60 Mgw in Sondu Miriu. As part of the second phase, we expect to have irrigation that should be able to change the lives of the people around Sondu.

Mr. Deputy Speaker, Sir, there were other contributions, particularly, asking why it is necessary for us to continue to have power coming from Uganda. Let me say that we have this agreement that is supposed to last 50 years, which expires in the year 2004. The agreement is still valid, although we only pay 2 American cents. But it is important to know that we never get this power before 11 p.m., and even when it comes, we never get the 30 Mgw that is contracted. This is not deliberate because Uganda has only got an installed capacity of 150 Mgw., compared to their demand of 220 Mgw. Maybe just to see the size, this 150 Mgw. that Uganda has could only serve Mombasa and a small bit, maybe, the equivalent of Naivasha, which shows how big Kenya is in terms of investments. We are willing, and we will look at the cost of production of power that Uganda will present to us in the course of discussions.

But it is also important to know that not much is to be expected from them, particularly because their demand of 220 Mgw. cannot adequately be supplied with their installed capacity of 150 Mgw.

Mr. Deputy Speaker, Sir, I would also like to explain that part of the request to this House for funds for Rural Electrification will fund a masterplan that will make us invest wisely in some of the remote areas. I have in mind an area like Marakwet, which has not got power in their district headquarters and many others, particularly, in the recently created districts, which also deserve to be served. But until that project is completed, we shall have to use the wisdom of the various District Development Committees (DDCs), which will continue to tell us which areas in their districts, should be attended to first. On a number of occasions, I have been questioned why we are not serving all the areas. But I have just explained why the Exchequer Releases really have not been able to make us do as much as we want. If you check in the Estimates, you will notice that every district has got some amount of money which is voted for Rural Electrification. This is the desire of the Ministry if we had all the money that is voted released, we should be able to move and get some of these things done.

There was the issue of the embargo raised, which hon. Mak'Onyango felt was because of inefficiency in the

power industry. I would like to deny this categorically because the embargo came, not only to the energy sector alone, but to the entire country. From the time that embargo was lifted, we have been extremely busy, burning midnight oil to make sure that we carry out as many of the agreed reforms as possible. This is why it is possible for me to talk about an investment programme in the next five years. The messes we are in now came about because we have not had any new investments in power generation, particularly since 1990.

Mr. Deputy Speaker, Sir, I would also like to comment on the possibility of generating power using atomic energy, and say that one reason why we have not explored it, is the expense. As and when we have exploited cheaper opportunities, we realise this is one of the options of the future, but we consider it inopportune at the moment.

Yesterday during the contributions, I protested about wrong information being supplied regarding KANU using power or rural electrification for political purposes, and, particularly, in Kipipiri. This is where the press, particularly, has been able to give wrong information regarding the area. I feel bad because nobody, and I repeat, nobody has been moved from Kipipiri area from the time the by-election came to an end. The implementation of rural electrification in Kipipiri Constituency which includes Nyakiambi Girls High School, Mugumo Bore hole, two primary schools in Ol Kalou market, Salient Secondary School and water pump, Kamande primary school, Captain and Gwakingo markets, Subugo, Merangine and their environments started way back in 1990 and it benefitted some 150 customers. More than Ksh10.6 million was spent. What is now in progress is estimated to cost Kshs10 million. Currently, works to supply Matindiri, parts of Mirangine and Upper Gilgil areas to benefit 120 customers is in progress. The works involve construction of 13.9 high-tension lines establishing 11 distribution sub-stations together with the associated medium and low voltage net works. The Kenya Power and Lighting Company staff from Central Rift are working at Matindiri, Mirangine and Upper Gilgil areas simultaneously, where more that Kshs20.6 million is to be spent and then the Government continues to be scandalised. It is a great disappointment. If that allegation had come from the hon. Member of Parliament for the area, I would have ordered the staff to pull out, because it is unfair to continue pretending that the Government has acted unfairly when so much money is being spent in that area.

I would like to say that, in regard to Makueni District Headquarters, Kshs10 million was spent last year. The project is continuing bearing in mind that we have not been able to get enough Exchequer releases to get the project completed. I would also like to say that TARDA is still actively looking at Munyu Dam which we expect will help Ukambani areas with irrigation in addition to producing 40 megawatts of electricity.

Mr. Deputy Speaker, Sir, maybe in passing, I would also like to say that, when you talk of solar energy, more than 20,000 units have been installed in Kenya, which is the highest in Sub-Saharan Africa. I still feel that the cost is very high and I appeal to the private companies that are involved in installation of solar energy to attend to the issue of cost because at present, they are pricing themselves out of the market.

With those few remarks, I beg to move.

(Question put and agreed to)

[Mr. Deputy Speaker left the Chair]

IN THE COMMITTEE

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

Vote 30 - Ministry of Energy

The Minister for Energy (Mr. D.M. Mbela): Mr. Temporary Deputy Chairman, I beg to move:-
THAT, a sum not exceeding K£16,019,510 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 1997, in respect of:-

Vote 30 - Ministry of Energy

(Question proposed)

VOTE R30 - RECURRENT EXPENDITURE

SUB-VOTE 300 - GENERAL ADMINISTRATION AND PLANNING

(Heads 428 and 429 agreed to)

(Sub-Vote 300 agreed to)

SUB-VOTE 301 - RENEWABLE ENERGY DEVELOPMENT

(Heads 430, 433 and 434 agreed to)

(Sub-Vote 301 agreed to)

SUB-VOTE 302 - ELECTRIC POWER DEVELOPMENT

(Heads 435 and 436 agreed to)

(Sub-Vote 302 agreed to)

SUB-VOTE 303 - PETROLEUM EXPLORATION AND SUBSTITUTION

(Head 427 agreed to)

SUB-VOTE 304 - REGIONAL DEVELOPMENT

Head 455 - Kerio Valley Development Authority

Mr. Ojode: Mr. Temporary Deputy Chairman, I am wondering why under Head 455, Item 301, last year, we authorised K£2.5 million on grants for salaries and other personal allowances and this year they want us to authorise K£2.7 million. Could the Minister explain why Kerio Valley is having K£2.7 million and yet the headquarters is having K£500,000?

The Minister for Energy (Mr. D.M. Mbela): Mr. Temporary Chairman, this is an actual cost of the salaries for staff that are existing. You will notice that there is a slight increase from K£2.5 million to K£2.7 million, which covers the normal annual increments.

Mr. Ojode: Mr. Temporary Chairman, can the Minister explain why this amount of money will be spent in Kerio Valley alone? Does that mean that in Kerio-Valley, there are a lot of people or is it that there is lot of money which is being paid to the staff than is paid at the headquarters?

Naturally, the headquarters would have more staff than Kerio Valley alone. Mr. Mbela, just compare K£558,000 for the entire headquarters to K£2.7 million as salaries for Kerio Valley alone.

The Minister for Energy (Mr. D.M. Mbela): Mr. Temporary Deputy Speaker, Sir, I would like to say that, most of the work of the Ministry is done outside Nyayo House. Have you noticed that, now that we are talking about Kerio Valley, which is a regional authority, it receives less than what TARDA receives for salaries?

Dr. Lwali-Oyondi: Mr. Temporary Deputy Chairman, the Minister could avoid being asked all these questions if he gave details under each head. The problem is that in these Printed Estimates, we have no details to explain how the money will be used. Could he give us a breakdown of this money? There are no details here but figures.

The Temporary Deputy Chairman (Mr. Ndotto): Dr. Lwali-Oyondi, I am dealing with Heads 455 and 707 and you can only restrict your clarification to those two heads for the time being. Have you got anything to raise on those two heads?

Dr. Lwali-Oyondi: I am basing my argument on Head 455. Here they talk about grants for salaries and other personal allowances. There are no details on how much money will be used on each one of these.

The Minister for Energy (Mr. D.M. Mbela): These are self-accounting authorities which have an establishment approved by the Ministry, but if I am asked a specific parliamentary question, I will give the details.

Dr. Lwali-Oyondi: Mr. Temporary Deputy Chairman, we are now passing these heads without knowing how this money is going to be used. We used to have details on the right side of the Estimates but there are none now.

The Temporary Deputy Chairman (Mr. Ndotto): Order! Dr. Lwali-Oyondi, I am not sure I am getting your question right. Are you asking who are being paid these salaries, do you want to know their names and where

they are or what is your question?

Dr. Lwali-Oyondi: Mr. Temporary Deputy Chairman, Sir, my point is this: For example in other places, you will say that the manager, director or the chairman is earning so much, and the other members of staff are earning so much. There are normally details like that. But here is a figure which somebody can take and pocket.

The Minister for Energy (Mr. Mbela): Mr. Temporary Deputy Chairman, Sir, those details are given for the Government departments and Ministries. But when it comes to self accounting parastatals, those details are not printed in the estimates. I think that is a matter of format. But I am satisfied with whatever is going on there.

Head 707 - Tana and Athi Rivers Development Authority

Mr. Mak'Onyango: Mr. Temporary Deputy Chairman, Sir, as my colleague is trying to find out, under Head 707 Item 301, we have this colossal sum of K£3.3 million as salaries. Could the Minister tell this House what is involved here? What is the number of staff that require this kind of pay? The amount is very big.

The Minister for Energy (Mr. D.M. Mbela): I think I have just explained it.

Mr. Mak'Onyango: Mr. Temporary Deputy Chairman, Sir, I think the Minister is not really making the point clear to the House. What we are saying is that we have K£3.3 million for TARDA.

Can the Minister give some indication as to the manpower that he is taking about, for whom this House is being asked to approve this amount of money?

The Minister for Energy (Mr. Mbela): Mr. Temporary Deputy Chairman, Sir, I appreciate the requirement of the hon. Member to get information. When you are voting K£3.3 million, it is quite a lot of money. But let me say that these parastatals have projects. For every project, you will find that they would have staff. There would be some projects in Kiambere, Emali and Garsen. In each of these projects, there is staff. By the time you add it all up, it comes to that amount of money. This money is not for new staff. It is for the existing staff and the slight increase you have is for the annual increments.

Mr. Busolo: On a point of order, Mr. Temporary Deputy Chairman, Sir. In view of the explanation given by the hon. Minister, if he is aware of the projects that are supposed to be undertaken, why is it impossible for him to itemise those elements, the way he has itemised money for the headquarters and everything like that? It is important for that question to be answered because we are aware of certain sums of money being hidden for election purposes in 1997.

The Minister for Energy (Mr. D.M. Mbela): Mr. Temporary Deputy Chairman, Sir, let me say that TARDA has 400 employees of various categories. As I said, I am quite willing to give the information because it is not secret. But as it is, the format of printing the estimates does not have those details, including at what level they are graded. However, if I am asked a specific Parliamentary Question, I shall answer it. But the total number of staff is 400.

(Heads 455 and 707 agreed to)

(Sub-Vote 304 agreed to)

(Vote R30 agreed to)

The Temporary Deputy Chairman (Mr. Ndotto): Hon. Members, we have finished with the Recurrent Estimates and you can get your Development Estimates now, and go to page 946.

VOTE D30 - DEVELOPMENT EXPENDITURE

SUB-VOTE 300 - GENERAL ADMINISTRATION AND PLANNING

Head 428 - Headquarters Administrative Services

Mr. Busolo: Mr. Temporary Deputy Chairman, Sir, under Head 428, Items 184 and 403, what is actually contracted professional services and technical advisory services? What is the difference?

The Minister for Energy (Mr. Mbela): Mr. Temporary Deputy Chairman, Sir, one is for preparing purposes. As I said earlier on, there are a lot of projects that have a lot of details to be put together, well before we can go to tender. The World Bank has provided money and personnel outside the Civil Service who help us in putting

together the various projects. That is for contracted professional services.

In the case of Item 403; technical advisory services, this covers consultancies like the re-organisation that I was talking about of the power industry, where we expect to split the Kenya Power and Lighting Company (KPLC) into two companies. That came as a result of consultancies that were commissioned under that Item. Right now, there is also another study on tariffs, which I talked about. That is the distinction between them.

Mr. Ojode: Mr. Temporary Deputy Chairman, Sir, I believe we are on Head 428. Under Item 402, that is the construction of ASK show stands, I believe the construction is done only once. Why should the Minister want us to approve K£18,000, just as we did last year? In other words, the Minister wants us to give him money on yearly basis, of the same construction. He could use the word "renovation" because when he uses "construction", it means he constructs it on a yearly basis. This is not possible.

The Minister for Energy (Mr. D.M. Mbela): Thank you, Mr. Temporary Deputy Chairman, Sir. I would like to say that this is a programme where we were not handling all the show stands. There are certain areas where we have not been participating. We have programmed ourselves to do this over a number of years. What was done last year, does not have to be done again this year.

(Heads 428 and 429 agreed to)

(Sub-Vote 300 agreed to)

SUB-VOTE 301 - RENEWABLE ENERGY DEVELOPMENT

Head 430 - Woodfuel Resources Development

Dr. Lwali-Oyondi: Mr. Temporary Deputy Chairman, Sir, under Head 430, Item 521, that is the third from the bottom, there is a lot of money being used every year, to the tune of K£4.7 million last year, and this time, it is K£3.75 million.

Where are those projects, and what are they doing?

The Minister for Energy (Mr. Mbela): These are woodfuel centres which are scattered all over the country. They are somewhere along these estimates. They are actually listed. Some of them that are new include Migori, Busia and Kericho. But the list is a bit longer than that.

Dr. Lwali-Oyondi: What do they do?

The Minister for Energy (Mr. D.M. Mbela): They handle agro-forestry plus many other aspects concerning wood fuel.

Mr. Busolo: Mr. Temporary Chairman, I would like some clarification on head 430, items 520 and 521. In Item 520 - Woodfuel Resources and Replenishment Project, no money was allocated last year, but there is some allocation this year. Then there is Item 521 - Woodfuel Development Programme; what is the difference?

The Minister for Energy (Mr. D.M. Mbela): Mr. Temporary Deputy Chairman, Sir, these two projects complement each other.

Mr. Busolo: Mr. Temporary Deputy Chairman, Sir, what I wanted to know is what exactly is going on under items 520 and 521? I know they are projects, but what are they? I want the issue to be split up so that, I understand, as a layman what is going on.

The Minister for Energy (Mr. D.M. Mbela): Mr. Temporary Deputy Chairman, Sir, as I said earlier, the two projects complement each other, but the increase is because of the new districts.

Mr. Busolo: Mr. Deputy Temporary Deputy Chairman, Sir, I do not think the Minister has answered my question. With due respect to him, I asked what exactly is woodfuel resources development and replenishment project and what exactly is wood fuel programme? All he is telling me is that they are projects that complement each other. That is not my question!

The Minister for Energy (Mr. D.M. Mbela): Mr. Temporary Deputy Chairman, Sir, item 520 covers the new districts whereas item 521 is for on-going projects.

Mr. Mak'Onyango: Mr. Temporary Deputy Chairman, Sir, under the same head 430, item 525, the Minister is talking of Research and Development of Woodfuel Burner for which we gave K£32,000 last year, this year we are allocating K£70,000. What are these woodfuel burners? Are we just about to make a discovery? Could the Minister explain why there is such a huge increase?

The Minister for Energy (Mr. D.M. Mbela): Mr. Temporary Deputy Chairman, Sir, this programme is receiving a lot of attention, particularly from the women groups in production of the improved jikos which we all need

in this country.

(Heads 430, 433 and 434 agreed)

(Sub-Vote 301 agreed to)

SUB-VOTE 302 - ELECTRIC POWER DEVELOPMENT

Head 436 - Geothermal Resources Exploration

Mr. Ojode: Mr. Temporary Deputy Chairman, head 436, item 420, I would request the Minister to explain to us what he meant by connection of make-up wells and where are these projects? He requires about K£3.7 million on this.

The Minister for Energy (Mr. D.M. Mbela): Mr. Temporary Deputy Chairman, Sir, these wells have been drilled in Olkaria in various sites. Instead of having a generator for every well, you have to collect the steam put it together and have a common generator so that you can produce your 64 megawatts for Olkaria II project which I talked about when I was moving the Vote.

Dr. Lwali-Oyondi: Mr. Temporary Deputy Chairman, Sir, I would like the Minister to explain why on head 426, item---

The Temporary Deputy Chairman (Mr. Ndotto): Order! We are not yet on head 426.

Head 444 - Rural Electrification

Dr. Lwali-Oyondi: Mr. Temporary Deputy Chairman, Sir, then I would draw his attention to 444, item 211 - Coffee and Tea Industry Rural Electrification Sub-Programme. Despite a bit of money being used, the hon. Members of Parliament from these areas complain that there is no actual rural electrification going on. Could the Minister give details as to where this K£15 million is going?

The Minister for Energy (Mr. D.M. Mbela): Mr. Temporary Deputy Chairman, Sir, in moving the Vote yesterday, I explained that there is STABEX project with funding from European Community amounting to Kshs375 million to be spent over the next four years which is starting. I also went further to table the list of 991 coffee factories which are going to be connected and in replying this afternoon I also said that the communities around these coffee factories will also be served.

The Temporary Deputy Chairman (Mr. Ndotto): Order, I thought the Minister also tabled a list of coffee factories to be put on this programme. Why ask what he did yesterday?

Mr. Ojode: Mr. Temporary Deputy Chairman, head 444, item 450. There is a lot of money which the Minister wants us to approve, but when you go to the summary given, you find that each and every district is mentioned. I want clarification from the Minister. This money which he wants; is it for servicing the current lines or is it for the additional lines? For example, in Homa Bay District where Ndhiwa constituency is, we had already asked for rural electrification, but what is given to Homa Bay District alone is not enough. Is the Minister confirming that this is for just servicing the lines because I know there are already lines which are existing in this district? What is he going to use this money for?

The Minister for Energy (Mr. D.M. Mbela): Mr. Temporary Deputy Chairman, Sir, this is for the actual construction of rural electrification which we have allocated Kshs250 million plus, in the areas that are given priority by DDCs.

Mr. Ojode: Mr. Temporary Deputy Chairman, I am asking the Minister to clarify whether they are for additional lines or for servicing the current lines because, in the summary given, nothing is mentioned as a new project which is being undertaken. I gave an example of Homa Bay District where I come from. I had asked a similar question here for rural electrification for Ndhiwa constituency.

When I moved on to the summary section, there is nothing indicated as having been allocated for rural electrification. Could the Minister clarify whether it is for the new project or for servicing the old project?

The Temporary Deputy Chairman (Mr. Ndotto): Order! I do not think that question is really necessary. These are obviously new lines because if you move on to item 296, Electrical Maintenance Works is there. This is for the construction of new lines.

Head 459 - Hydro-Power Development

Mr. Mak'Onyango: Mr. Temporary Deputy Chairman, Sir, under head 459, I see the Minister is asking for K£3.8 million for hydro-power development work as compared to K£1.6 million granted last year. Of course, the item here is 198 - land compensation. Could the Minister tell the House what number of people we are talking about here, where and what period of time is covered?

The Minister for Energy (Mr. D.M. Mbela): Mr. Temporary Deputy Chairman, Sir, this is for land compensation for Sondu Miriu where we expect to be very active within the next year or two.

Mr. Busolo: Mr. Temporary Deputy Chairman, Sir, I am seeking clarification on the issue of Coffee and Tea Industry Rural Electrification Programme. I am aware that within the Ministry of Commerce and Industry or the Ministry of Agriculture, Livestock Development and Marketing, there is a World Bank project for electrification of coffee factories in those areas.

Is this the same programme, because you are talking of tapping funds from the European Union?

The Minister for Energy (Mr. D.M. Mbela): Mr. Temporary Deputy Chairman, Sir, I think he is referring to SCIP which is operated by the Ministry of Agriculture, Livestock Development and Marketing. I am talking about Stabilization of Export Earnings (STABEX), which is also included in my Vote and is only handling electrification of coffee factories. There is a complete list showing all the coffee producing areas.

(Heads 435, 436, 444 and 459 agreed to)

(Sub-Vote 302 agreed to)

SUB-VOTE 303: PETROLEUM EXPLORATION AND SUBSTITUTION

Head 426 - National Oil Corporation of Kenya

Dr. Lwali-Oyondi: Mr. Temporary Deputy Chairman, Sir, I would like to draw your attention to Head 426, Item 614 - Petroleum Development Levy (PDL), which is a source of Appropriations-In-Aid for the National Oil Corporation of Kenya. How is it that Petroleum Development Levy which was meant for roads has been taken and used for other purposes other than roads?

The Minister for Energy (Mr. D.M. Mbela): Mr. Temporary Deputy Chairman, Sir, there is a difference between Petroleum Development Levy, which is supposed to be used for petroleum projects, and Fuel Dedicated Tax (FDT), which is supposed to be used for roads, and is operated by the Ministry of Public Works and Housing.

Dr. Lwali-Oyondi: Mr. Temporary Deputy Chairman, Sir, here it is just written Petroleum Development Levy. Money was obtained from Petroleum Development Levy, but it has not been made very clear that the money came from elsewhere, other than the normal Petroleum Development Levy.

The Minister for Energy (Mr. D.M. Mbela): Mr. Temporary Deputy Chairman, Sir, we at the Ministry and Treasury, know the distinction between Petroleum Development Levy and Fuel Dedicated Tax. As I said, the Fuel Dedicated Tax is for roads and is managed by the Ministry of Public Works and Housing, whereas the Petroleum Development Levy is for projects under my Ministry, but it is spent with authority of this House after consultation with the Treasury.

Head 709 - Kenya Pipeline Company

Mr. Busolo: Mr. Temporary Deputy Chairman, Sir, Head 709, Item 225 and 400 - Kenya Pipeline Company. There is this question of construction of the LPG storage facility. Where is this going to be constructed?

The Minister for Energy (Mr. D.M. Mbela): Mr. Temporary Deputy Chairman, Sir, it is going to be constructed in Mombasa.

Mr. Busolo: Walete Bungoma!

(Heads 426, 427, and 709 agreed)

(Sub-Vote 303 agreed to)

SUB-VOTE 304 - REGIONAL DEVELOPMENT

Head 455 - Kerio Valley Development Authority

Mr. Mak'Onyango: Mr. Temporary Deputy Chairman, Sir, I want to draw your attention to Head 455, Item 306 - Catchment Conservation and Dam Maintenance, for which we provided K£2,250,000 last year, and we are being asked to provide the same amount this year. Can the Minister explain whether we are going to be asked to be providing the same amount, year in, year out, or can we foresee a day when this is going to be wiped out?

The Minister for Energy (Mr. D.M. Mbela): Mr. Temporary Deputy Chairman, I expect it to go on for the next three years with varying allocations, depending on how much more work is left to be done.

Dr. Lwali-Oyondi: Mr. Temporary Deputy Chairman, on Head 707, under item 317, there is Tana River Catchment Rehabilitation Programme. There is another question I will ask just below it. Now, there appears to be a recurrent expenditure of K£2.7 million every year. Last year it was there and this year too. What is it used for? Then, on item 522 - Kiambere Goat Ranch, what have goat ranches got to do with energy?

The Minister for Energy (Mr. D.M. Mbela): Mr. Temporary Deputy Chairman, I think, item 317 is very well described in the sub-Head, that is about Catchment Rehabilitation. You cannot be drawing water and expect it to last forever. You have got to maintain the catchment. But, I expect this project to taper off after sometime.

When it comes to Kiambere Goat Project, the regional authority is not just for generating electricity. It has, as part of its brief, to assist the farmers to improve whatever stock they have, and because the area covered by TARDA is mainly a ranching area, there is an urgent need to improve the quality of goats that are being looked after there.

Mr. Ojode: Mr. Temporary Deputy Chairman, could the Minister explain why on Head 707, items 305 and 306, last year he only required K£25,000 and K£40,000 respectively. This year he needs K£100,000 and K£130,000 respectively? Could he explain why he needs so much money this time?

The Minister for Energy (Mr. D.M. Mbela): Well, the programme under item 305 - Livestock Multiplication Programme, has become very popular with the farmers and there is an urgent need of expanding it to serve a bigger number of farmers particularly in Kitui.

As concerns Head 306, in addition to the generating capacity and the dams we have, there are other investigations for some smaller rivers which we would like to use to also generate electricity.

Mr. Busolo: Mr. Temporary Deputy Chairman, Head 707, item 305 - Livestock Multiplication Programme. I am wondering if the Ministry is not duplicating what is done by other Ministries.

What is the difference between this programme and programmes of the same kind offered by the Ministry of Co-operative Development and the Ministry of Agriculture, Livestock Development and Marketing? These could be hidden sums of money being dished out in these various Ministries for election purposes.

The Temporary Deputy Chairman (Mr. Ndotto): Order! I thought we are talking about projects under regional authorities and, in this case Tana and Athi Rivers Development Authority (TARDA) which is implementing this kind of programme.

(Heads 455 and 707 agreed to)

(Sub-Vote 304 agreed to)

(Vote D30 agreed to)

(Question put and agreed to)

(Resolution to be reported without amendment)

(The House resumed)

[Mr. Deputy Speaker in the Chair]

REPORT

Vote 30 - Ministry of Energy

Mr. Ndotto: Mr. Deputy Speaker, Sir, I am directed to report that the Committee of Supply has considered the Resolution that a sum not exceeding K£16,019,510 be issued from the Consolidated Fund to complete the sum

necessary to meet expenditure during the year ending 30th June, 1997, in respect of Vote 30 - Ministry of Energy, and has approved the same without amendment.

The Minister for Energy (Mr. D.M. Mbela): Mr. Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

The Minister for Labour and Manpower Development (Mr. Masinde) seconded.

(Question proposed)

(Question put and agreed to)

ADJOURNMENT

Mr. Deputy Speaker: Hon. Members, the House stands adjourned until Tuesday, 15th October, 1996, at 2.30 p.m.

The House rose at 6.15 p.m.