

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 30th October, 2013

The House met at 9.00 a.m.

[Hon. Deputy Speaker (Dr. Laboso) in the Chair]

PRAYERS

QUORUM

Hon. Deputy Speaker: Hon. Members, there is no quorum and, therefore, we cannot start business. Can the Quorum Bell be rung?

(The Quorum Bell was rung)

Order, hon. Members! We now have a quorum. We can begin transacting business.

NOTICE OF MOTION

ENGAGEMENT OF HOME RANGERS TO PROTECT COMMUNITIES
NEIGHBOURING GAME RESERVES

Hon. Mwadime: Thank you, hon. Deputy Speaker.

Hon. Deputy Speaker, I beg to give notice of the following Motion:-

THAT, aware that communities neighbouring national parks and game reserves are suffering as a result of human-wildlife conflicts where animals destroy crops, homes and injure or kill people; deeply concerned that such incidents keep recurring due to inadequate number of Kenya Wildlife Service (KWS) rangers in these areas; noting that the KWS rangers are more expensive to recruit as compared to engaging the local communities in security activities, this House resolves that the Government facilitates the engagement of home rangers similar to Kenya Police Reservists drawn from these communities to secure their lives, property and livelihoods.

Thank you, hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you. Let us move on to the next Order because I do not see any other request for Notice of Motion. We can start with requests for Statements.

REQUESTS FOR STATEMENTS

TRANSITION OF WATER SERVICES BOARDS

Hon. Koinange: Thank you, hon. Deputy Speaker. Pursuant to Standing Order No.44(2)(c), I wish to request for a Statement from the Chairperson of the Departmental Committee on Environment and Natural Resources regarding the transition from the Central Government to the devolved system of Government of the water service boards.

In the Statement, the Chairperson should inquire into and report to the House on the following:-

- (i) whether the transition from the central Government to a devolved system of government based on the pre-agreement between the defunct local authorities and water services companies is still binding;
- (ii) the status of an agreement between the Nairobi Water and Sewerage Company, Athi Water Services Board and the former City Council of Nairobi that lapsed two years ago, and whether it has been renewed or renegotiated; and,
- (iii) whether the assets of the water services companies, including those of the Nairobi Water and Sewerage Company, have been transferred safely to the relevant county governments, including an update on the composition of the relevant boards.

Thank you, hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you. I can see an intervention by hon. Cheptumo.

Hon. Cheptumo: Thank you, hon. Deputy Speaker. I thought I should have had a chance before my colleague finished seeking his Statement. Under the current procedure, I thought all requests for Statements should be listed on the Order Paper. That is just a matter of procedure. I thought that his request should have been on the Order Paper.

Hon. Deputy Speaker: That is true, unfortunately the hon. Member's Statement was approved a long time ago but it has not appeared on the Order Paper. Procedurally, we have agreed that all Statements to be given or responded to should appear on the Order Paper, so that you are aware of them.

There is no other request for a Statement. The Chair, Departmental Committee on Environment and Natural Resources, Hon. Amina Abdalla, are you responding?

Hon. (Ms.) Abdalla: Thank you, hon. Deputy Speaker, Sir, I was responding to the hon. Member who has requested for a Statement. I want to tell the hon. Member what we are planning to do. I am sorry that the hon. Member was my former councillor. So, I know him by his street name as "hon. Buda". I do not have his official name.

The request for Statement by the hon. Member is a matter that is pending before our Committee to discuss what has been devolved in the water sector. We will include it in our interaction with the Principal Secretary, Ministry of Environment, Water and Mineral Resources that will happen within the next 14 days.

Thank you.

Hon. Deputy Speaker: Ensure that you also invite him during that interaction, so that he can also ask any supplementary question.

Hon. (Ms.) S.W. Chege: Thank you, hon. Deputy Speaker. I wanted to respond to two requests for Statements. One was requested by hon. J.K. Bett, the Member for Kesses Constituency, but I am not very sure whether he is in the House. The second response is to a petition presented by hon. Kang'ata Irungu.

Hon. Deputy Speaker: Are the hon. Members in the House? Is the Member for Kesses in the House?

Hon. Members: No.

Hon. Deputy Speaker: Soon, we will let responses lapse if Members will not be in the House, because we now know which statements are coming up.

What about hon. Kang'ata Irungu? Is he in the House? Again, the Member is not here.

Hon. Wandayi: On a point of order, hon. Deputy Speaker. I was anxiously waiting for a response from the hon. Chair of the Departmental Committee on Education, Research and Technology but I have not heard her mention my Statement. Could you allow her to explain whether my Statement is forthcoming or there is something wrong? This is because she promised that the Statement would be made today in the morning.

Hon. (Ms.) S.W. Chege: Thank you, hon. Deputy Speaker, Sir. I promised the Member that I was going to respond this morning, but when I checked with my clerk, I found that they had not received communication from the Office of the Cabinet Secretary. I spoke to the Principal Secretary this morning and he said that they have already sent a response. So, it is in between the Office of the Clerk and my clerk's office. I will follow up the matter, so that I give the response in the afternoon.

Hon. Wandayi: Hon. Deputy Speaker, I am a little bit perturbed because I sought this Statement about four weeks ago. In the first instance, it was directed to the Leader of Majority Party, who later on agreed with the Chair, Departmental Committee on Education, Research and Technology that she assists him. The nature of this Statement is such that it is urgent. Therefore, it is unfair for it to have taken this long. Today, I have not got a firm indication that the Statement will be issued today or tomorrow. It is still very disturbing. Perhaps, you could give a ruling once more that I get a response to this Statement request because it affects the future of very innocent students.

Hon. Deputy Speaker: The Chair, Departmental Committee on Education, Research and Technology, hon. S.W. Chege, has indicated that the Clerk's Office has that Statement. Please ensure that it is issued this afternoon. That is my order.

Hon. S.W. Chege, is your first Statement in response to a petition? If that is the case, according to our Standing Order 227, you will need to lay the response on the Table. You do not need to have the hon. Member here; that is the guidance. You can just lay the response to the petition on the Table.

Hon. (Ms.) Wanyama: Hon. Deputy Speaker, two months ago I requested a Statement from the Committee on Energy, Communication and Information. Up to date, I have not got any response.

Hon. Deputy Speaker: Is the Chair of the Committee on Energy, Communication and Information here? Leader of Majority Party, there is a Statement that has taken two months from hon. (Ms.) Wanyama and she would like to know the progress; there is neither the Chairman nor the Vice-Chair of the Committee on Energy, Communication and Information in the House.

Hon. A.B. Duale: Hon. Deputy Speaker, I will talk to the Chair and his Vice-Chair. But the Vice-Chair is here, hon. Kiptanui.

Hon. Deputy Speaker: Is the hon. Member not aware that he is the Vice-Chair of the Committee on Energy, Communication and Information?

(Laughter)

Hon. Kiptanui: Sorry, hon. Deputy Speaker. Apparently, I was engaged with my colleagues here. We were discussing issues on budget. So, can I get the question again?

Hon. Deputy Speaker: Hon. (Ms.) Wanyama raised a question directed to your Committee two months ago and has not received a response to date. Hon. Wanyama, can you just remind the Vice-Chair what your Statement request was about?

Hon. (Ms.) Wanyama: Hon. Deputy Speaker, it was about the retrenchment of staff of Telkom Kenya Limited, during the 2007 and 2008 period. I wanted the Chairman of the Committee to tell the House whether their dues have been paid up to date, including provident Fund and National Social Security Fund dues.

Hon. Kiptanui: Thank you, hon. Deputy Speaker. I remember this issue was addressed two weeks ago and I informed the House that, indeed, we got some response from the Cabinet Secretary for Information, Communication and Technology. As a Committee, we were not satisfied and we requested them to get us more information on the same. The answer they gave us was like all the former employees of Telkom Kenya Limited had been paid, but we wanted more information. We are still waiting for the Cabinet Secretary to give us more information, because the answer we received was not sufficient. We should be given until next week; we will be able to give an appropriate answer.

Hon. Deputy Speaker: Okay. The reason is because they were not satisfied with the initial response from the Cabinet Secretary. You should have come and asked for that extension to allow them a little bit of time to get further clarification.

Hon. Bowen: Thank you, hon. Deputy Speaker. I made a request for a Statement from the Chairperson of the Committee on Administration and Internal Security. On the Order Paper, it is placed as No. 2 for a response. Last evening, I was told by the Clerk that the Chairperson would give a response today. The answer is ready but I have not seen the Chairperson. Hon. Lentoimaga, the Chairperson, should be in a position to give me the response.

Thank you.

Hon. Deputy Speaker: Can we have the Chair of the Committee on Administration and National Security giving a response, or his Vice-Chair?

Hon. Lentoimaga: Thank you, hon. Deputy Speaker. I do not have a response with regard to the request from the hon. Member. But I want to pursue it and see whether we can get it in the afternoon.

Hon. Deputy Speaker: Okay. Since it is on our Order Paper, it means that you have the responses with you. So, can you please liaise with your Chair, so that we get it in the afternoon? Is it to the two Statement requests by hon. David Kangogo and hon. David Wekesa?

Hon. Lentoimaga: Yes, hon. Deputy Speaker.

Hon. Deputy Speaker: Let us hear from the Chair of the Departmental Committee on Defence and Foreign Relations. Is the Chair for that Committee in the House? Hon. Members, we are going to great length to give you information, but is it making it any easier or faster for you to get these responses? We do not have any of the hon. Members despite the fact that the Order Paper shows that they will be getting Statements this morning. So, Chairs of Committees, we need to pull up our socks. House whips, we need to pull up our socks. We have been saying this. The last one month has not been very good for us in terms of this morning session. Can we hear from hon. Wekesa?

Hon. Wekesa: Thank you, hon. Deputy Speaker. I am surprised that the Chairperson says that he does not have the response to my request for a statement whereas I have a copy of the Statement. I do not know what is happening and the Statement is already on the Order Paper to be responded to this morning.

Hon. Deputy Speaker: Hon. Wekesa, that is what I have just said. Something is not right. We have it on the Order Paper; the hon. Member has received a copy, yet we cannot have the Statement read out this morning. So, Chair of the Departmental Committee on Administration and National Security or the Vice-Chair, can you really take your responsibilities more seriously?

Hon. A.B. Duale: Hon. Deputy Speaker, now that you are also the substantive Chair of the Liaison Committee, I think you need to call for a meeting of all the Chairs. It looks like chairpersons, their vice-chairpersons and even Clerks do not read the Order Paper.

This Order Paper was placed on our website yesterday. If they cannot read and the Chair knows that his or her vice-chair is not here, then this is even an upfront on the business of the House. So, I think we should give a serious directive so that the Chairs of Committees take their works seriously. This is because as House Business Committee we have gone further and put schedules of responses to statements. The Chair of the Committee on Administration and National Security is not around. The Chairperson of the Committee on Defence and Foreign Relations is not around; the hon. Members are here. I think this is a serious matter. Therefore, hon. Deputy Speaker, you need to give a directive to the Chairs of all Committees.

Hon. Deputy Speaker: Yes. Definitely that is it. We discussed in our last Liaison Committee meeting about the presence of Chairpersons, particularly in this morning session, which has been dedicated to responses to statements requests.

So, hon. Members, it is really upon every one of us to take our responsibility seriously. There is nobody who can police another more than yourselves. Knowing that you have a responsibility--- We cannot come here every morning and start the same thing. Therefore, some punitive measures will be taken against the culprits, including hon. Members of the Chairs; you can give the chance to somebody else who can do better; who can come and deliver.

(Applause)

It is not a preserve of anybody. Every one of us is capable of holding those positions. What we went to see is you taking your responsibilities seriously.

Hon. Gikaria: Hon. Deputy Speaker, three weeks ago, I sought a Statement from the Committee on Lands about land which had been bought in Subukia and Njoro and the Government spent a lot of money. I was promised that it would be issued in two weeks' time. I waited for the Statement last week, but it was not issued. I agree with you that these Statements are taking quite a while and we do not know what to do. I had been promised two weeks. People were removed from an internally displaced persons' (IDP) camp and taken to another IDP camp. I do not know what the position is; the Committee had promised to issue the Statement in two weeks' time. Last week, they would have given me some response from the relevant Government agencies.

Hon. Deputy Speaker: The Chair of the Lands Committee or the vice?

Hon. Njenga: Hon. Deputy Speaker, you all know what is transpiring at the Lands Committee and the other Committee chaired by Cheptumo. We have an issue that cropped up which is urgent and which should be forthcoming. I know very well that matter is under consideration. Other matters came up, which are of national interest and involve the Cabinet Secretary, the National Lands Commission and some appointments. That should be given consideration and we will issue the Statement within next week.

Hon. Deputy Speaker: Okay. Hon. Gikaria, we all are aware about the weighty matters that are with that Committee at the moment. Allow them the leeway to prosecute that and then come to your question.

Hon. Gikaria: Hon. Deputy Speaker---

Hon. Deputy Speaker: Order, David. I think the Member has sufficiently responded.

Hon. (Eng.) Gumbo: Hon. Deputy Speaker, while I have no intention of repeating what you have said, but this matter of Committees is really frustrating the business of the House. As the Leader of Majority Party has rightly said, you, as the Chair of the Liaison Committee and even the House, you have to crack the whip. This matter of Chairs of Committees not taking their work seriously is not just frustrating Statements, but even Bills. We are having a problem transacting Bills. We have a pure presidential system under which we are supposed to be more efficient. So, in addition to what you have said, I want to call upon the Members--- What is emerging, and we have to say it, is that some of these Chairmen are not competent to handle committees. That is the reality. We have to look at this thing and move forward. Otherwise, we are going to continue frustrating the business of this House.

Hon. Deputy Speaker: I totally agree with your sentiments. That is what I have just said; if Members feel that you may have been given a position for which you do not have the competence or the capacity, it is only fair to relinquish it and we give it to a more able person; all these Members, as we have rightly said, are very senior. They are very educated and can handle any of the dockets. So, Members, this is really a wakeup call that if we have that every time, two or three times, we are going to be writing warning letters so as to know who is performing and who is not performing. We cannot be repeating the same thing every day, namely that we do not have chairmen or vice-chairmen here who have been given the responsibility. We need to do something. Members, we do not want to belabour the point any more. The point has been made.

Hon. Njagagua: Hon. Deputy Speaker, Sir, I have asked for intervention, but you have made a ruling. Mine was just to mention that these Chairmen and their Vice-Chairmen are holding this House and the country to ransom. We have been here since morning and we are not transacting any business as we wait for them. As you have rightly said, you are in the Liaison Committee and it is the right time this House and the leadership of this House cracked the whip on these Chairs. We can come here on Wednesday morning to get answers and we do not get them. I do not know what these people did when we came to Parliament, so that we gave them those positions. Either they were good at canvassing for votes or parties were whipped to vote for them, but we are realizing that many of them are not equal to the task. One, you can order that those who are unable to answer questions thrice be sacked; we will vote them out. Alternatively, you can even have their salaries or allowances slashed, so that they do not hold everybody to ransom. They are making us the laughing stock of this world when the entire nation is waiting for us to transact business and they are doing nothing.

Hon. Deputy Speaker: Okay; Members, the point has been made. Let us also understand that there have been a few challenges. I am not trying to speak on anybody's behalf, but there have been a few challenges, particularly in clerking and getting the information together. We have had a shortage of clerks and that is one of the issues that I was told about. That is not an excuse in the current situation because, as you have seen, most of them already have the Statements. It is just the presence of the Chairs that is required for them to prosecute their responsibility.

Hon. Nyikal and the Chair of the Committee on Defence and Foreign Affairs, we are not going to go back on what we have already said. We will have to move it to the afternoon session.

Hon. (Dr.) Nyikal: Hon. Deputy Speaker, what we have done this morning is lament. We have not done anything concrete that is going to bring change. My suggestion is that your Liaison Committee should meet and come up with clear sanction guidelines. If this does not happen this time, this is what is going to happen. I know many of these Chairs were elected on party lines, but now it is becoming clear that they are not up to the task. I would suggest that in our next Wednesday sitting, the first Statement that we would like to hear from the Chair is clear sanction criteria on how we are going to deal with those who are not taking their duties seriously, and not just say that something should be done. Their salaries should be deducted. If they miss two or three sittings, we should do this. We want it clearly put. I may not know the process, but if it has to go in as one of the Standing Orders, let us, in next Wednesday's sitting, get from the Chair what sanction criteria will have been laid down to handle this matter.

Hon. Deputy Speaker: Thank you, hon. Nyikal for your suggestions. That will be looked into. Hon. Sabina Chege, are you on an intervention?

Hon. (Ms.) S.W. Chege: Thank you, hon. Deputy Speaker. We have really lamented about Chairs. I want this House to appreciate that a lot of information that the Chairs seek is not final, especially when you seek a Statement and it is delayed. You also need to give direction in terms of what should happen when the Chair seeks an answer from a Ministry, it is delayed and the Member puts the whole blame on the Chair. What should happen in such instances? I do not want to defend those who did not turn up in the House, but you also need to appreciate that the Chairs do not have the final word. We are only acting as go-betweens. There is somebody else who signs the Statements. What should we do?

Hon. Deputy Speaker: The sentiments of hon. Sabina are also very true. We have all been talking about the fact that in this presidential system, the Chairs are not Ministers themselves. They have to get the Statements from the Ministries, but the problem is when the Statements are already here and then we do not have the Chair. The only problem is the absence of that Chair or the Vice-Chair to deliver the Statement. For that, you cannot excuse any of the Chairs.

Hon. A.B. Duale: Hon. Deputy Speaker, I do not want us to blame the Executive. Ministers have been appearing and answers have been forthcoming. I also do not want us to blame all the Chairs. There are very fantastic and hard working Chairs. If I can name them, some of them are hon. Amina Abdalla, hon. Langat and many others. Let us not blame the Executive. If the Order Paper is showing that you are supposed to give a response on Wednesday morning, courtesy demands that the Chair must be here latest 8.30 a.m. Let him go to Room 7 and pick an answer.

In fact, he is supposed to notify, by courtesy, the Member who sought the Statement that he is going to issue his Statement. That is what I do and hon. Gumbo will agree with me. I call the Members and say: "I am going to give your Statement on Thursday afternoon; will you be there?" We should not blame the Executive; if there will be a problem with the Executive--- I wrote to the Chairs yesterday that when they meet an impediment from the Executive, our office is ready to help. However, we are saying that the Chairs must deliver to enable the smooth running of the business of the House. If a Bill is referred to a Committee, the Standing Orders say that it will be with that Bill for 20 days. After 20 days, that Bill must come for the Second Reading here for the Members to contribute to it. The direction you gave is very good. Of course, we have challenges but as the Chair of the Liaison Committee has said, we will have meetings. We cannot allow excuses that it is the Executive. The Standing Orders are very clear in terms of

where the Executive fails. We know how to deal with them. How to deal with the Executive is well documented in the Standing Orders.

If an Executive refuses to give a Statement to a Committee or to appear, you come back to the plenary uninformed. But we do not want to blame the Executive; we do not want to blame other factors. Chairs, we are begging you. This is your mandate and that is why you are Chairs. Members elected you for that leadership; you must maintain it. The removal of a chair is well stipulated in the Standing Orders; it is not for the chair or for the leader to remove a chair. A chair will be removed based on the Standing Orders. I think I agree with your direction, Deputy Speaker.

Hon. Deputy Speaker: Thank you. Hon. Members, allow me as the Chair of the Liaison Committee to prosecute this matter. Let us leave it there; we do not want to ventilate further on this. Allow us time to go and give clear guidelines as to how we are going to transact business on a Wednesday in the morning with regard to Statements.

Hon. Gikaria, you still have intervention?

Hon. Gikaria: Thank you Deputy Speaker, maybe I need your guidance. Last week I had asked for a Statement which came late and I raised that on the Floor of the House on Thursday. I was advised that it would be coming either yesterday or today, but yesterday I was a little bit late and I was told that the Chair ruled that the Statement be dropped. I do not know what that is supposed to mean.

Hon. Deputy Speaker: Hon. Members, the same applies to all Members. We are not going to go back if you also come late. If the Chairs were here and were ready to give the Statement and you as a Member was not here, the same applied to you. We are not going to go backwards and look like we are bending over backwards for the Members, yet we are cracking the whip on the Chairs. We will leave it to such a time when that Statement can be given.

Hon. Murungi.

Hon. Murungi: Thank you, Deputy Speaker. You had called for Statement No.051, the Chairperson of the Departmental Committee on Defence and Foreign Relations. Since I saw the Chairman entering the Chamber, I was kindly requesting whether with your indulgence, he can answer this question because I know many Kenyans are suffering in South Sudan. There is no Government support. South Sudan is really campaigning to join the East African Community (EAC). The Chairman can respond to this question.

Hon. Deputy Speaker: Thank you for that, but I will not go back as I had already indicated. We will move on to the business of today, because that is one of the reasons why we are saying we are not waiting for the Chairs to walk in when they feel like coming in. They know that their Statement is supposed to be read and they should be here on time. So let us see whether it can be fitted in, in the afternoon or next Tuesday.

Next Order

MOTIONS

CONSTRUCTION OF MULTI-DAMS TO HARVEST FLOOD WATER

THAT, aware that every year floods and drought wreak havoc in various parts of the country; observing that flood seasons are often followed by times of drought, leading to loss of lives and lack of water for many; concerned that from 1995 to present, just over 500 small-scale sand dams have been constructed as

water reservoirs, further concerned that as a result, there has been unplanned and rampant digging of multiple boreholes, leading to fast and widespread depletion of water tables; noting that such depletion leads to falling of trees and adversely affects the entire ecosystem yet it could be prevented by harvesting flood waters for later use; deeply concerned that the ecosystem has a big impact on the environment as a whole, this House urges the Government to build multi-dams and ensure they are located equitably around the country while complementing the existing dams, and establish other measures for water harvesting especially during rainy or flood seasons for sustainability.

(Hon. (Ms.) Sunjeev on 23.10.2013)

(Resumption of Debate interrupted on 23.10.2013)

Hon. Deputy Speaker: There was nobody who was cut short. Any Member who is interested in contributing to this can then give their contributions. Hon. Charles Njagagua.

Hon. Njagagua: Thank you very much Deputy Speaker, for giving me this chance to contribute to this very important Motion. I also wish to thank hon. Sunjeev for bringing it to the Floor of the House.

The Motion actually speaks for itself. A lot of water goes to waste in this country during the rainy season. Year in, year out we have farms, houses being washed away, and the Government in its wisdom or lack of it, has never thought of constructing water dams which should be able to tap this water for use during the dry season. I, therefore, stand to support this Motion. I have in mind the people of Mbeere, which is a semi-arid place. We have the Seven Folks dams, and the water from those dams is actually of no assistance to the people within the vicinity.

You will be shocked that for one or two reasons water is being tapped from Masinga Dam and Kamburu Dam and taken all the way to Kitui while the people of Mbeere, who have given out their land, who even gave out free labour and who were not compensated for the land that they gave for the construction of these dams, have never benefited from even a litre of water from those dams. We are not saying that we are going to go the Masinga way, where people are actually demonstrating against that water going to Kitui. But soon if you are not going to give us water to assist the people of Mbeere, we will have no choice but to use the language that the Government and the Ministry of Water understands most and I believe that is taking my people to the streets, so that they can listen to us. I have been pushing through the National Water Conservation and Pipeline Corporation to have one water dam constructed in Mbeere. For the last two years, money has been channeled to other constituencies and we have not seen it fit to construct a water dam in Mbeere. So, I stand this morning to support this Motion so that at least, water dams can be constructed all over the country and also in the semi-arid areas for use, one, in irrigation, two for bathing and for other domestic needs. I stand to support this Motion.

Thank you, Hon. Deputy Speaker

Hon. Deputy Speaker: Hon. Omulele.

Hon. Omulele: Thank you Hon. Deputy Speaker, for giving me an opportunity to contribute to this Motion.

I stand to support this Motion. I will support it for very good reasons. It has been said invariably in many occasions that the next world war shall be fought over water. That allegory is

not just a good saying. It is something that will definitely happen. We can see from the Egyptian attitude towards water in the Nile River. You will be aware that the Egyptian people and the British colonizers of Egypt and the East African region from as far back as 1929 saw it fit to craft a treaty which denied the people of East Africa access to the waters of Lake Victoria and assured the Egyptian people of the waters of Lake Victoria through the Nile and all the silt and the fertile soils that are swept downstream. So, the Egyptians today are able to produce a lot of rice and sugar, which they are today exporting to the East African region at exorbitant prices and to the detriment of the East Africans.

This is a Motion really that, as my friend hon. Njagagua has noted, speaks for itself. This is a Motion that the Government must take careful note of, because the Constitution itself, at Chapter 5, empowers our Government to take charge of matters of land use. It must come up with a clear policy on water management in this country. That policy must take cognizance of the fact that we are depleting our natural forest cover, which is a key ingredient in the formation of rain, and therefore, accumulation of water in this country. We, therefore, need to be very careful about preservation of waters in this country for the future generation and for the use by our people.

It has been said, and all of us are aware of this, that water is life. Water is life because even in this august House on a daily basis, we consume tonnes and tonnes of water. This is the first thing that is placed before us on a daily basis, so that we can quench our thirst. However, the people in all corners of Kenya do not have access to clean drinking water, the way we have clean drinking water in this House.

So, this is a Motion that if taken care of, and if a policy comes out of it based on the Constitution at Articles 62, 66 and 69, which empower the Government to come up with land use and water conservation policies, we shall be going in the right direction to ensure that our people have got access to clean drinking water and water for other uses.

Hon. Deputy Speaker, still on the theme of war over water, I know a lot of Members of this House must be alive to the fact that if animals are denied water to drink, they will actually become violent. Very docile animals will actually become violent. We have all seen stories of hyenas or even donkeys biting human beings while fighting over water. If you are carrying a container of water and animals like monkeys, birds and hyenas see you, they will attack you. So, it is not farfetched to say that there will be war over water in future if we do not take care of the situation now.

Hon. Deputy Speaker, if the British saw it fit to take care of the Egyptians in 1929, why should we not – the Parliament of Kenya and Government today – take care of our future generations that are going to live here in the next 30 to 40 years when this kind of war will be commonplace within our borders?

Hon. Deputy Speaker, as much as our Constitution at Schedule Four puts the water management systems in the hands of county governments, the Government must look at this issue *vis-à-vis* the provisions of Articles 60 to 69, which actually empower the national Government to, through the National Land Commission, come up with policies on land use. As part of land use policies, the primary one must be about water conservation in the manner suggested by this Motion.

This is a good Motion and I am glad that you have given me an opportunity to speak to it and I support it. Thank you.

Hon. Deputy Speaker: Thank you. Hon. Members, I see a long list of Members wanting to speak. We only have half an hour left of this Motion. So, we will want to, with your

concurrence, limit each person's contribution to three minutes, so that we can accommodate all of you who want to say a few words on this Motion.

(Question that time for contribution be reduced to three minutes, put and agreed to)

Okay. Three minutes it shall be. Ali Dido Raso.

Hon. Dido: Thank you, hon. Deputy Speaker. I think I am very unfortunate to be the one who will be contributing for three minutes, but thank you for this opportunity.

What has been suggested by one hon. Member is the cheapest and the most cost effective means of providing water to the citizens of this country. Water is life and without water meaningful development cannot take place.

Hon. Deputy Speaker, a few years ago, the United Nations Environment Programme (UNEP) actually reported after the *El Nino* rains that water would be everywhere but there would be none to drink. If we take the example of Egypt, which the immediate hon. Member contributed on, it does not get rain. They depend on the River Nile, yet they are water sufficient, produce adequate food and are able to even sell to us their surplus. That is how we have not managed to use our rain water effectively.

As for dams, I come from a constituency where the Government has put in a lot of money, especially into boreholes, but we have only one single dam called Badasa Dam. Had Badasa Dam been completed, it would have solved the problem of water in my constituency. What I would ask through this Motion is for the Government actually to redouble its efforts for Badasa Dam to be completed.

Hon. Deputy Speaker, when we compare boreholes, pans and dams, I think boreholes destroy the ecosystem. My constituency has the only forest in northern Kenya. If boreholes are drilled 30 kilometres around the radius of the forest, the ecosystem around it will be rapidly depleted. I think this is a good Motion that we can develop and also get the Government to harvest rain water.

Thank you, hon. Deputy Speaker.

Hon. Deputy Speaker: Jared Opiyo.

Hon. Opiyo: Thank you, hon. Deputy Speaker. I want to rise to support this Motion and while speaking to it, I wish to indicate here that every year we have flooding affecting different regions of this country. I think of the Nyando Plains, Budalangi, Nyatike and, indeed, other areas of this country. For us in this country, flooding should now not be called a natural disaster, because it is something that repeats itself. It is a trend and the Government must take deliberate measures to ensure that it is a thing of the past.

First, I want to say here that our country basically depends on agriculture and it is time to start developing irrigation agriculture. This can only be done if we envisage a situation where every region has got dams. We find that a lot of land in Kenya is arable but we are not able to practise agriculture because we still rely on rain-fed agriculture. I think it is time this Government developed a deliberate mechanism to move away from rain-fed agriculture by constructing dams.

Hon. Deputy Speaker, in the recent past we have heard media reports that the Rift Valley lakes have actually burst their banks and they are destabilizing the ecosystem around them. One of the ways of controlling this unprecedented rise in the levels of the lakes would be probably to construct dams upstream so that a lot of rain water does not get into the lakes, or rather the water

that gets into these lakes is controlled. This is so that the ecosystems still remain stable while the upstream areas also get water for irrigation as well as for domestic use.

I, personally, think that the Committees are trying to frustrate legislation in this House. They are trying to---

Hon. Deputy Speaker: Your three minutes are over. Let us hear hon. Julius Melly.

Hon. Melly: Hon. Deputy Speaker, let me first of all thank the Mover of this Motion because it is very timely. Given the nature of our country and the problems that we have today, if we really harness the water system---

I want to draw the attention of this House to the fact that most parts of this country do not have constant water supply, but when there is rain, areas like Turkana and parts of north eastern experience a lot of flash floods. Our country loses a lot on this. We could harness this and use the water for domestic needs and carry out irrigation. We have a place around Lake Turkana where there are several Non-Governmental Organizations which have tried to harness these waters for irrigation and they are doing very well.

In my constituency, Tinderet, we have a lot of rain. During the rainy season, the rain waters wash people downstream. The waters have a lot of effect on the Nyando Plains. If the water could be tapped and we have enough dams upstream then people would not lack water to use daily. We will also have limited loss of lives. In April this year we lost a teacher, a number of animals and food crops to floods. If there was a dam we would not have a problem at all. We have several rivers that flow into the plains, including River Kibos and others. They cause a lot of havoc to communities along and near them.

I urge the Government to move with speed. If we do that we will not be dependent on rain water for agriculture. Egypt is a good example. It has harnessed its waters and it is now capable of exporting rice and wheat to many countries, including Kenya. It is not because of rains; rather it is because of the use of the dam system.

If we have dams in place, the miniature animals found commonly in the riparian system will be improved. It has been noted that---

Hon. Deputy Speaker: Esther Gathogo.

Hon. (Ms.) Gathogo: Ahsante Bi. Naibu wa Spika. Nimesimama kuunga mkono Hoja hii. Sisi sote tunajua kwamba maji ni uhai. Wakati tuna maji mengi ni wakati mvua imenysha. Maji humwagika kote kote hata barabarani. Hata hivyo, kuna wakati kila mtu husumbuka. Kwa mfano, wafugaji husumbuka sana wakitaifuta maji. Ikiwa tutachukua hatua ya kutafuta maji--- Watu wengi wanafikiria kwamba maeneo bunge ya mijini hayana shida ya maji. Ukweli ni kwamba maji yanahitajika katika kila maeneo bunge. Kila wakati watu wanalia kwamba mimea yao imekauka kwa sababu maji hayapo. Tukishikana mikono na tuhifadhi maji na tuyatumie vizuri, basi wakati wa kiangazi hatutakuwa na shida ya maji.

Naunga mkono Hoja hii. Naomba serikali ifanye haraka ili wananchi wasaidike. Kuna wengi ambao wana shida zaidi ya wengine. Sisi sote tushikane mikono tuwaonyeshe wananchi jinsi ya kuhifadhi maji wakati tunapoyatumia. Ahsante sana.

Hon. (Ms.) Ombaka: Thank you, hon. Deputy Speaker for giving me this opportunity. I would like to support this Motion.

This country faces two very interesting environmental seasons. On one hand you have drought and on the other you have floods. When floods come, so much water is wasted. We do not harvest any of these flood waters. I think we have technology where so much water can be harvested and stored for use during drought. In Kano Plains, so much water is wasted. People get driven out of their homes and animals die. Also, diseases break out. The Government could

harvest that water, store it and use it during drought. I never know what the planners do because that is supposed to be part of their work. What is the role of the Ministry of Water or the Ministry of Lands? I think they should work together to ensure that they store water.

The other day we visited Kigali. Rwanda is a small country, a very young one. However, what was very impressive, and it is a lesson we can learn from there, is that those people are environmentally conscious. Kigali is a very clean city. Water is well protected. Rivers are clean and there are trees. There is total cleanliness. You just sit there and you wonder. I think this country can learn from Kigali and do just that. Otherwise, we waste too much water when we have the technology to protect water that can be used domestically, for industrial purposes, irrigation and other things.

I support this Motion and at the same time implore the Government to put more efforts in harvesting, storing, and ensuring that the country has enough water throughout the season. Thank you.

Hon. Njomo: Hon. Deputy Speaker, on behalf of the people of Kenya and on behalf of this House I would like to thank God for giving us a country with plenty of water and many mountains that tap water from the skies. We, however, have to blame ourselves because we do not use this water effectively. We do not preserve water during the rainy periods, so that we can use it during the dry spells.

If you remember, during the biblical times there was a period of seven years of harvest. It was only because of prudent management that people were able to store food from their harvest to take care of the seven years of drought. As a country, we should be prudent and forward-looking. We should know that for our country to be self-sufficient in food we must preserve our waters, and must do irrigation.

I would like to support this Motion and urge the Government to construct many dams, so that our farmers do irrigation. Currently, only a few farmers are able to do irrigation. Only those who have estates and big farms and are endowed with finances are able to do irrigation. Rather than Government rushing to import food during drought to feed those who are affected by famine, it should provide dams for our farmers so that they carry out irrigation, especially in areas where gravity irrigation can take place.

There are many countries which do not have arable land, but they are able to farm because they have invested heavily in agriculture. I am thinking of Israel. I saw a documentary the other day showing how farming is done in a desert in Somalia. Enough food was got from this desert. That is exactly what we should do. We need to provide our farmers with enough water and then we allow them to do farming. They will provide us with food.

The grass can also create a beautiful area where people can go and relax. In my constituency, there are no dams. The few dams that are there belong to large coffee farms. People watch from afar as people do fishing in those dams. If we introduced dams in our constituencies, our people would learn how to eat fish. Right now, we just think of how fish can be eaten. We would also like to know how to eat fish and engage in fish farming.

I beg to support the Motion and urge the Government to create more dams.

Hon. Deputy Speaker: Yes, hon. Joseph Lekuton.

Hon. Lekuton: Thank you, hon. Deputy Speaker. I would also like to support the Motion.

Water scarcity is a world problem. There are about 3.3 billion people in the planet who have water problems. Specifically, in our country, it is not that we do not have ways of executing water policies, but it is because we do not have sufficient infrastructure to enable us harness and

preserve water. The paradox is that it is not that we do not have enough water in the world but it is because we waste a lot of it due to lack of proper planning. Even the Millennium Development Goals (MDGs) are very specific on water harvesting. One of them says that if we do enough water harvesting in Africa, we will not have shortage of water, be it water for drinking or for irrigation.

Hon. Deputy Speaker, I will give Laikipia, as a case study; it is one of the driest parts of our country, but where white ranchers have enough water not from boreholes but water harvested from streams and dams. If you go to Laikipia today, you will be surprised. It is even drier than some parts of northern Kenya. For example, in Laisamis Constituency, we have the Ndotto Mountains, which stretch from Wamba to South Horr. All those mountains have big rocks on them. If the Jubilee Government could implement its policy of ensuring that every village gets water dams in five years' time, areas like Laisamis will not have water shortage.

We also have white rivers in the entire northern Kenya. Sand dam is one thing that could be developed and nurtured. In the areas of Mount Kulal, there are some big galleys. It does not take rocket science to understand that tapping water helps people. People can use the galleys of Mount Kulal to create big dams that will help the people of Sirima, Olturot, Arapal and Loiyangalani. In conclusion, why do we not kill two birds with one stone by saving people from floods and ending up with harvested water?

With those remarks, I beg to support the Motion.

Hon. Deputy Speaker: Yes, hon. Fred Outa.

Hon. Outa: Thank you, hon. Deputy Speaker. I also rise to support the Motion. I want to thank the Mover for bringing it to the House.

I want to support this Motion with a very heavy heart. This is my second term, and I have always been talking about how the Government has neglected the management of water resources in the various parts of this country. It is known that every year, the people living around Nyando River are forced to migrate to higher grounds because the Government has not implemented any project in that area since 1972, when a lot of feasibility studies were conducted. Since 1972, the Government of Kenya has been planning and budgeting for areas like Nyando in order to manage the flood havoc, but all the budgets end up being squandered due to a high level of corruption.

Even now, you can buy as ringtone of your mobile phone, the plea by lady Adika to the Government, in which she says "*Serikali saidia*" whenever floods hit that area. This *Serikali* has not tried to help the people of Nyando. Feasibility studies to control flooding in Nyando were done. Implementation of the project was supposed to have been undertaken by the National Irrigation Board (NIB), but if you go there, you will be appalled to see how Government money was wasted through the purchase of rotten and faulty equipment, which is still there. They did not erect even a single dyke. It is irresponsible of the Government not to take care of floods in this country.

Therefore, I want to state that as much as this Motion is good, we have sang this song for almost five years now, but the Government does not listen. I believe that even if we pass this Motion today, the Government will still not listen. If the Government could listen and construct multiple dams upstream Nyando River, we could control the floods that cause havoc to farmers in that area. Nyando is known for irrigation, but every year, farmers incur massive losses because of the floods that originate upstream. The World Bank has already given the Government of Kenya some money for construction of multiple dams on Nyando River, but due to corruption,

the programme has not been implemented. I remember that two years ago, I went upstream the river area with the then Minister for Regional Development---

Hon. Deputy Speaker: I am sorry your time is up, hon. Outa.

Hon. Members, we have only three minutes before I can call upon the Mover to reply. There is a long list of Members who want to speak to this Motion. If she is magnanimous and would like to donate some of her time, it will be okay but the list is very long. There is Eng. Chege, Priscilla Nyokabi, Philip Rotino, Jessica Mbalu, Shakeel Shabir, Samuel Nderitu, Julius Kariuki, William Kipsang, Bishop Mutua, Paul Arati and Joyce Lay, among others. Some hon. Members will have to contribute to the next Motion. I do not know if hon. Sanjeev is willing to donate a minute each to a few Members.

In the meantime, let us hear Eng. J.K. Chege.

Hon. J.K. Chege: Thank you, hon. Deputy Speaker. First, I would like to support this Motion which is timely. It is time that we looked at water management in a serious way. I represent an area in Limuru that is semi-arid. One of the problems we have in this area is that it is difficult even to persuade people to divert water from the roads, drainage or storm water to their farms. I would like to take this opportunity to inform people that even storm water can be used. If this water is harvested, it can solve our problem of lack of water. We can dig water pans which we can use to harvest this water. We should encourage schools to harvest rain water using water tanks. We can also manage water better by building dams in various areas that require them. But more importantly, it is important for each member of the public in this country to make sure that even in his or her small way he or she can conserve the little water that he or she has.

This country should address water shortage in a serious way because we are an agricultural country and we have to depend on water for our survival. On health, we know that our people will be prone to diseases if we do not have water. So, water is important.

Hon. Deputy Speaker, Sir, I support this Motion and hope that the Government will take it seriously by training people who can advise the public where they can build small water pans and dams and how they can conserve water.

Hon. Deputy Speaker: It is now time to call upon the Mover to respond. Are you willing to donate a minute each to a few Members to contribute?

Hon. (Ms.) Sunjeev: Yes, hon. Deputy Speaker. I am willing to donate a few minutes to the hon. Members.

Hon. Deputy Speaker: The only problem is that they are too many.

Hon. (Ms.) Sunjeev: Hon. Deputy Speaker, I will not repeat what other hon. Members have said. So, I will make my contribution short and to the point. I will take a maximum of three minutes. So, I have seven minutes to donate.

Hon. Deputy Speaker: So, Priscilla Nyokabi, you have one minute--- Are you going to choose whom you donate your minutes to or will we use the Members who are on the list?

Hon. (Ms.) Sunjeev: Use the list, hon. Deputy Speaker.

Hon. Deputy Speaker: Is hon. Nyokabi there? She is not here.

Yes, hon. Philip Rotino.

Hon. Rotino: Thank you, hon. Deputy Speaker. I would like to thank the Mover of this Motion for donating one minute to me to contribute to this Motion.

I would like to join my colleagues in supporting this Motion by saying that water is life because this country depends on irrigation. If we have to depend on irrigation, we have to depend on water. So, the dams and pans that we need to do are very important. I urge the Committee on

Implementation to ensure that this Motion is implemented once it is passed so that dams and pans are built in different constituencies. This is because we require dams and pans in my constituency to be able to harvest rain water during rainy season. This water can be used to irrigate our farms.

Hon. Deputy Speaker, with those few remarks, I beg to support the Motion.

Hon. (Ms.) Mbalu: Thank you, hon. Deputy Speaker. I also thank hon. Sunjeev for donating one minute to me to make my contribution. As per the Constitution, water is our right and not a privilege. I want to appreciate the water sector reforms and the Water Act, 2002, for the improvement in the sector in this country. I want to thank the water service providers, the water service boards and other partners like the Water Services Trust Fund.

I come from a constituency and county that experiences two extremes, namely drought and floods. Kibwezi East Constituency which I represent lacks water. Makueni County, and I want to speak on behalf of the county, also lacks water. I urge the Government to supply water to the counties that do not have the commodity.

I have worked in this country in every constituency and I have seen what water can do. Water is life but we do not experience that life in my constituency. I urge the Government to supply water to counties and constituencies that do not have this commodity. I plead that Kibwezi East Constituency and Makueni County to be considered in this aspect.

We have seen what Sasumua Dam has done to this country. We have been able to improve from 38 per cent in 2003 to 60 per cent in 2012 on access to clean water. I thank the implementers. I also come from a constituency that has no access to clean water. The issue is access to water. It does not matter whether it is clean or dirty. However, let the Government be advised that we need water.

We have a Government that works very well and we advise it to distribute water to the needy areas, and I want to cite Makueni County.

Thank you, hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Shakeel will be the last one and then we move on to the Mover of the Motion.

Hon. S.S. Ahmed: Thank you, hon. Deputy Speaker. I also thank the hon. lady for donating one minute to me.

My constituency borders the one of my brother, Fred Outa. We have had flooding in the Kano Plains. The passion with which hon. Fred Outa has followed this matter is the same passion that I will follow it. The lady *ninaomba serikali* is the same lady that is expressing the desires of our constituents.

I want to concentrate on the Nile Treaty. We are the source of those rivers and we want to construct dams along them. The Kenya Government has made deals on the sides. The Nile Treaty does not bind Kenya. We are not allowed to do a dam along Kibos River, Masaria River and Nyando River. However, we will build dams along those rivers. The situation is that the Government is making deals on the sides to save the treaty.

The rich people and everybody else were very happy when oil was discovered in Turkana. However, the poor people were happy when water was discovered in that area. Suddenly, what has---

Hon. Deputy Speaker, I want to thank you and the hon. lady for donating the one minute to me.

Hon. Deputy Speaker: Yes, the hon. Mover. Make your last contribution.

Hon. (Ms.) Sunjeev: Thank you, hon. Deputy Speaker once again. I would like to thank all my fellow Members of Parliament who have very passionately contributed to this Motion.

A few points have come into the limelight here. One of those things is that lack of water is a problem in each and every county. Therefore, it affects all the people in our country and it is the responsibility of each and every hon. Member who is here today, to ensure that we have enough water.

I would also like to say that governments come and go, but our environment has totally been neglected. That is why it is a situation that seriously needs to be looked into. I do not think that we are in an era where lies should be entertained. We stand equally responsible to deliver what we have promised the people of our constituencies. Therefore, the Government must take responsibility and tap that water.

Hon. Deputy Speaker, I would like to say something. I met a few people a while back who were so happy to see water in their area. When a borehole was done for them and they saw water, they said that they knew Kenya was independent but they saw independence when water was delivered to them.

Hon. Deputy Speaker: Give her one minute to conclude.

Hon. (Ms.) Sunjeev: Thank you. I would like to say that the standard for building dams is set by the World Commission on Dams. They say that dams are rushed and huge contracts are open to corruption. Designs are not up to scratch.

With those few points, I beg to move.

Hon. Deputy Speaker: Hon. Members, we do not have quorum, therefore, we will not put the Question. We will move to the next Order and put the Question when this matter comes up next on the Order Paper.

(Putting of the Question deferred)

INCREASE IN CAPITATION IN PRIMARY SCHOOLS

Hon. Mohamed Diriye: Thank you, hon. Deputy Speaker for giving me this opportunity. I beg to move the following Motion:-

THAT, aware that since the inception and implementation of the Free Primary Education programme in January 2003, enrollment has increased from 5.9 million in 2003 to 8.7 million pupils currently (an increase of 47.46%) in public primary schools; further aware that in order to reduce the cost of burden of primary education to parents, the Government established the FPE annual capitation per child at Kshs1020.00 for primary schools; taking into account the need to meet the constitutional right of every Kenyan child to free and compulsory basic education; deeply concerned that the capitation grant has remained constant at Kshs1020.00 since 2003 despite the inflationary levels having risen, thus undermining the purchasing power for schools; this House urges the Government to increase the capitation grant per child from Kshs1020.00 to Ksh.1200.00 for primary schools.

Hon. Deputy Speaker, with my earlier consultation with the Chair, in this amended version as per Standing Order 48; the Free Primary Education (FPE) as implemented from the year 2003 has recorded considerable success. But it has also met a lot of challenges. Currently, the figure of Kshs1020.00 for FPE has stagnated from 2003. There has been inflation in this country and no single price has stayed at constant level. The price of every commodity has been

changing and Kshs1020.00 has remained the same. This is really hampering education standards in this country. The Kshs1020.00 was meant to help schools buy textbooks, exercise books, pencils, dusters, chalks, registers, charts and wall maps, reference materials and other learning materials. It was also meant to help schools develop infrastructure. This account which is Kshs1020.00 is divided into two: Account one, Kshs550.00 and account two, Kshs470. Account one was meant to buy books and learning materials. This is not enough because for upper primary school level, for example, Standard Eight alone, a child will need to buy at least six books at the current market rate. Currently, a set book for English costs Kshs560.00; Science Kshs380.00, Kiswahili Kshs580.00, Mathematics Kshs690.00 and Social Studies Kshs580.

Hon. Deputy Speaker, a pupil in Standard Eight will require textbooks worth Kshs3,350.00. The cost provided under the Free Primary Education capitation per child grant is just kshs550.00. So, we can see the gap. Inflation rates have gone high and the money that the Government provides is not enough to cater for the children in schools.

In the academic year 2003/2004, when FPE was introduced, an English set book; *New Progressive Primary English for Standard Eight* cost Kshs280.00

During the current academic year, 2013, the same book costs Kshs560. The cost has increased from Kshs280.00 to Kshs560.00, that is an increase of 50 per cent and the money that the Government gives still remains the same. For science textbooks, for example, *Standard Seven Primary Science*, in 2004 it cost Kshs310.00. Right now, the cost has increased to Kshs380.00 and that is an increase of 41 per cent. On Kiswahili, for example, *Kiswahili Sanifu*, which is used in Standard Eight, the cost was Kshs525.00 while right now it is Kshs580.00. That is also an increase of 36 per cent. Those are just some few books that are being used in the primary level.

Also on mathematics, the set books for Standard Six in the year 2004 were costing Kshs380.00 each and right now the same book is being sold at Kshs690.00. That is an increase of 57 per cent. So, we can see that for all the textbooks from the year 2003 to 2013, there is, at least, 50 per cent increase in the cost. This has really undermined learning in our schools because schools do not have purchasing power for textbooks leading to poor standards of education even in the national examinations.

Hon. Deputy Speaker, those schools that do not have enough textbooks and learning materials and those schools that are new and have low enrolment rate are the ones that are performing poorly in the national examinations. The textbook ratio to pupil is recommended at one to two or one to three. Currently, in some schools, the ratio is very high.

For example, in Wajir County, Wajir South Constituency, I have a school called Dadajabulla. I sampled the best and the worst performing schools in that county. Dadajabulla Primary School had 40 pupils sitting for the Kenya Certificate of Primary Examination (KCPE) in 2012 and it had a mean grade of 133 marks. It was the last in Wajir County. It had a book to pupil ratio of one to five. That means that the books are not enough. The money received for the free primary education is Kshs40,800, which is very little. A mean grade of 133 is very low.

Hon. Member: Time is up!

Hon. Deputy Speaker: That is wrong timing. You are allowed 20 minutes to move.

Hon. Mohamed Diriye: Hon. Deputy Speaker, I was saying that the mean grade in that school is very low. The ratio of book to pupil was one to five. In the same county, we have a school called Wajir Excel Academy that had 25 pupils sitting for the KCPE in 2012. It had a mean grade of 320 marks. The ratio of book to pupil was one to one. A school that has a book to pupil ratio of one to one recorded a mean grade of 320 whereas in the same county, a school

recorded a mean grade of 133 marks. There is a big disparity between 320 and 133. One of the main reasons is lack of books. So, the book to pupil ratio in the school that performs very well is one to one and the school that performs poorly is one to five. The main factor is that pupils do not have enough text books, learning materials and tuition.

I have also compared in Bomet County the best performing and the worst performing schools in relation to the availability of text books. A school named Kebumbur which had a mean grade of 178 marks and had a book to pupil ratio of one to six performed poorly. In the same Bomet County, we have Chelsa Academy, which scored a mean grade of 396 marks. The ratio of book to pupil was one to one. The availability of textbooks for the FPE programme is directly linked to school performance. Also in West Pokot, I compared the worst and best performing schools in KCPE. A school named Kaplong had a mean grade of 192. The ratio of book to pupil was one to seven. The best performing school in that county was Kapenguria Town View Academy which had a mean grade of 365 and the ratio of book to pupil was one to one. Where we have enough text books, the mean grade, performance in national examinations and the education standards are very good. Where we do not have enough books, the performance is very poor.

In Wajir County, one carton of dustless chalk costs around Kshs9,000 whereas the normal chalks called *Someni* cost Kshs3,000. So, this Kshs1,020 per child is not enough. From the explanation of how much the text books cost and how much a child will need, it is very clear that unless this money is increased threefold from the current Ksh1,020 to Kshs3,060, we are not going to improve the education standards in our schools. Currently, the FPE programme just exists theoretically, but practically, there is no free primary education. When we do not have exercise books, text books, pencils, dusters, chalks, registers, wall maps and other supplementary reading and reference materials in schools, what kind of free primary education are we talking about?

*[Hon. Deputy Speaker
(Dr. Laboso) left the Chair]*

*[The Temporary Deputy Speaker
(Hon. Cheboi) took the Chair]*

This is why we are seeking to increase this amount. As we know, when a school buys a book, the lifespan of a book is two to three years and it gets worn out. It is worse in primary schools where pupils are younger and the destruction of text books is faster. The other thing is the change of the syllabus. Every year, there is normally a change of the syllabus. If the school buys books and the syllabus is changed, then it cannot utilize the previous text books and it might be forced to buy new ones each year. Also, the FPE money for schools that have low enrolment has no impact at all. This is one reason why we are having very low performance in national examinations in our schools, particularly in ASAL areas and many parts of the country.

Hon. S.S. Ahmed: On a point of order, hon. Temporary Deputy Speaker, Sir. I did not want to interrupt by brother on the Floor, but I wanted your guidance on the manner of the code of dressing. I want to bring to your attention the dressing of my dear brother, hon. Kopiyo, who is sitting just behind me. I want your decision as to whether this mode of dressing is acceptable in the House.

The Temporary Deputy Speaker (Hon. Cheboi): What is the problem with the dressing of the Member?

Hon. S.S. Ahmed: May I request if you could ask him to stand up.

The Temporary Deputy Speaker (Hon. Cheboi): I am actually looking at him and I am perfectly clear that other than the fact that the sleeves are a little short---

Hon. S.S. Ahmed: He is not wearing a suit. He is wearing a safari suit with a tie.

Hon. Dawood: On a point of information, hon. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Hon. Cheboi): Who do you want to inform?

Hon. Dawood: I want to inform hon. Shakeel.

The Temporary Deputy Speaker (Hon. Cheboi): Is hon. Shakeel ready to be informed?

Hon. S.S. Ahmed: Yes, hon. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Hon. Cheboi): Okay, proceed.

Hon. Dawood: Thank you, hon. Temporary Deputy Speaker. I want to inform hon. Shakeel that hon. Opiyo wore the same suit last week and the Speaker ruled that he was properly dressed. So, I would like to inform him of that.

The Temporary Deputy Speaker (Hon. Cheboi): So, you are actually reminding him about his own dressing? I really do not think that it is an issue that we need to address. Well, I think the hon. Member is perfectly dressed.

Proceed, hon. Member. I think we are getting into sideshows.

Hon. Mohamed Diriye: Hon. Temporary Deputy Speaker, on FPE the capitation grant of Kshs1,020 per child that was introduced in 2003 needs to be increased to Kshs3,060 in order to improve the standards of education and also the performance in national examinations. This programme, as you are all aware, was introduced by the NARC Government in 2003 under pledge number five and from that time, this figure that has stayed at the same rate is really affecting education. It was by then meant for 5.9 million children. Now, the number of pupils in our primary schools is 8.7 million. Whereas we have got a lot of pupils in schools, we are not getting quality primary education because the number of teachers is very low. The number of textbooks is very low. The number of other learning materials is very low.

So, we are asking ourselves: Is this really FPE? This is because this money that is now being provided is not having any effect at all. It is doing nothing and it is worse for those schools with low enrolment. For schools that have a higher enrolment rate, the situation is a bit better. For example, in my Wajir County in 2012 the number of pupils who did the Kenya Certificate of Secondary Education (KCSE), 80 per cent of them got grades "D", "D" plus and "D" minus. Those students in high school did not get enough basic education at the primary level. Things go wrong at the primary level. If we do not improve the quality of primary education, then we are going to transfer this to the secondary education. If we transfer poorly educated students to secondary schools, the effect will also be translated nationally. We will not have good educated people. This is really having a big effect on our economy, skills development and education standards.

Hon. Temporary Deputy Speaker, we fear that we will not get enough students to pursue middle level courses like nursing, health and water engineering in diploma level colleges. Last year, the medical training colleges set the intake at a certain level and students from northern Kenya were not able to gain entry because they scored very low in their KCSE. Low performance in KCSE is as a result of low performance in the primary education.

Hon. Temporary Deputy Speaker, we therefore need to increase this capitation grant, otherwise the objectives of the FPE will be lost. The FPE had very good objectives, to enhance

access to tuition, improve quality and provide relevant primary education. Yes, access and enrolment have been achieved but what about quality and the relevance of our education system? It was also meant to reverse the declining enrolment trends at primary schools but right now when students are very many, there are no textbooks. There are no enough learning materials. There are no enough teachers. Does this high enrolment rate have a meaningful impact? It was also meant to reduce the burden of the cost of education previously borne by the parents in the provision of primary school education. So, it was to reduce the burden on the poor parents but the cost is still going back to them again. This is because Kshs1,020 is doing nothing. It is too little. It cannot purchase learning materials like textbooks and other facilities.

Hon. Temporary Deputy Speaker, that is why we need this figure to be increased from the current Kshs1,020 to Kshs3,060. This is so that the burden on the parents is reduced. This is so that we have quality primary education in our schools. The FPE is recognized in Vision 2030. Education is recognized as the foundation for us Kenya achieving a middle level income economy. Further, the Constitution of Kenya, the Policy Framework on Education and Training, 2012 and the Education Bill, 2013 provide for the right of every Kenyan child to free and compulsory basic education. If this figure of Kshs1,020 is not increased, then all that will be negated.

Hon. Temporary Deputy Speaker, the issue of every child having access to free and compulsory education is being wasted and is actually being lost if we will not improve this amount from the current Kshs1,020 to Kshs3,060. The country therefore is geared towards raising the quality and the relevance of education to all school-going children in order to attain the education for all. That is also what we will lose if---

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Wamalwa, you have a point of order.

Hon. Wakhungu: Thank you, hon. Temporary Deputy Speaker, Sir. I rise to seek your guidance in line with the Motion that my friend Mohammed Abdullahi is trying to move. From the Order Paper, it shows increase from Kshs1,020 to Kshs1,200 and if I heard him right he is talking of Kshs3,060. So, can we get that clarification whether we have amended it or it is as per the Order Paper?

The Temporary Deputy Speaker (Hon. Cheboi): Yes, you have really noticed that particular fact and I was going to communicate at a particular point in time but since you have raised it, it is a very valid issue that you have raised. I want to say that if you have your Standing Orders there, look at Standing Order No.48. The Member sought permission from the Speaker earlier that he wished to change that particular figure from Kshs1,200 to Kshs3,060 and I was actually going to communicate it immediately after he finishes whatever he is transacting now. He is perfectly in order. The Standing Order covers him. If I may read that particular section for Members who do not have their Standing Orders here, it states:

“The Speaker may permit a Member to move in amended form a Motion of which notice has been given if in the opinion of the Speaker the amendment does not materially alter any principle embodied in the Motion of which notice has been given.”

As far as it has been done, the Speaker has looked at it and feels that it does not materially alter the principles of the Motion. So, the issue is settled unless there is another objection.

Hon. Wakhungu: Yes, I agree with you hon. Temporary Deputy Speaker, Sir, only that it would have been wise for the Speaker to have communicated because it is not effected in the Order Paper and Members who want to contribute find it to be misleading. I am most obliged.

The Temporary Deputy Speaker (Hon. Cheboi): That is okay but I was going to make that communication shortly after he finishes moving his Motion. Hon. Jared, do you have another issue or it is on the same one?

Hon. Opiyo: It is the same matter.

The Temporary Deputy Speaker (Hon. Cheboi): Then that is okay. I think we have disposed of that. Thank you, hon. Member and the rest of the membership. Be notified accordingly that, that particular figure has changed.

Hon. Mohamed Diriye: Thank you, hon. Temporary Deputy Speaker. Indeed, I actually moved the Motion as amended under Standing Order No.48 as clarified.

I just want to summarize that the FPE, much as it has recorded a great success, we fear that we might lose the gains made. There is no quality primary education right now. The amount of money currently given under the FPE capitation grant per child of Kshs1,020 is too little. It is not enough. It cannot purchase what is required. It cannot purchase even the books. It is from the same amount that we have Account One which is Kshs550 and used to purchase books. Account Two is meant for the maintenance of schools, renovation of classrooms, building of toilets, improvement of physical facilities in schools, quality assurance, transport, electricity and water bills and purchase of sanitary towels. So, we have two accounts with Kshs550 and Kshs470 respectively. This amount of money is not enough.

I will give an example of a Standard Eight pupil. He will need at least five books. The cost of five books will total to Kshs3,350. We, therefore, need to increase this amount urgently from the current figure to Kshs3,060, otherwise we will lose the gains made. The objectives of the FPE might be lost and the country will suffer. Currently, we have many schools performing very poorly. There are many schools and so the quantity is huge, but the quality is very poor. This is not the goal and objective of the FPE. The information levels have risen dramatically and no single item has remained at the same price since 2003. So, it is very unfair to give schools the same amount of money that was designed in 2003.

The other thing is lack of teachers; this is really hampering us. In some schools which have classes up to Standard Eight, in my constituency there are only three teachers from the Teachers' Service Commission (TSC). Even if books were not enough, but there are enough teachers, maybe, that would be complemented. However, lack of text books is worsened by lack of teachers.

Hon. Temporary Deputy Speaker, I wish to call upon the Members to support this Motion and ask the Government to fast-track the implementation. I would like to call upon hon. Yusuf Chanzu to second the Motion.

Hon. Chanzu: Thank you, hon. Temporary Deputy Speaker. I want to really congratulate *mheshimiwa* Mohamed Diriye for bringing this Motion. I, therefore, stand to support. These are some of the very basic issues that we need to address as the leadership of this country before even we talk about the very big things that we talk about. If we give our children education then we can talk about a solid nation. I support the Motion and congratulate the Mover.

This was a noble idea that was brought by the NARC Government in 2003. You realize that it is now 10 years since then. I brought a similar Motion which was incorporating both FPE and secondary education. This was during the Tenth Parliament. However, because of the tug of war that we had between Party of National Unity (PNU) and Orange Democratic Movement (ODM) it was not possible for us to implement it, but this Parliament passed it.

So, on the aspect of the Kshs3,060, the Mover has based that on some statistics which are detailed based on learning materials and so on. At that time, I also did the same, but I was

looking at it globally and the way the economy had grown from 2002/2003 up to the last Parliament. We started off with a budget of about Kshs300 billion, but two years ago we were talking about Kshs1.5 trillion. Right now we are talking about an economy which has grown from Kshs300 billion to about Kshs1.6 trillion. So, looking at that, it meant that the President and the leadership by then had noble ideas, but the technocrats who were supposed to be advising on how the economy was growing were not advising on the aspect of education.

I really want to commend the Government then because as much as we were talking about the reduced quality of education because of numbers---Even the numbers that we attained from, say, 5.9 million up to 8.7 million now, I think if we did not have this scheme we would not have achieved it. Quite a number of children were just at home not going to school. I think that Bill helped to have as many children as possible go to school. That is commendable on the part of the Government of that time.

We are now talking about Vision 2030. We cannot realize that without educated and trained manpower. So, it is important that the Government considers increasing this capitation from Kshs1,020 to Kshs3,060. The Mover has come up with figures. It is about two years ago that we brought this Motion. The economy has grown and inflation has grown.

The Temporary Deputy Speaker (Hon. Cheboi): I want to be clear from your argument. Are you asking the Government to consider increasing the amount of money or are you seconding a Motion which is actually supposed to move an increase?

Hon. Chanzu: Yes, I am seconding.

The Temporary Deputy Speaker (Hon. Cheboi): I know that, but are you asking the Government to consider or are you seconding the Motion which you--- Proceed because we do not seem to be---

Hon. Chanzu: I am reiterating the issue that I raised by seconding the Motion. That is what I am doing, hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Cheboi): What I had a problem with is when you said that you want the Government to consider. In effect, by seconding that Motion you are proposing an increase. So, you do not need to have the Government to consider. You are actually moving towards getting into a Bill.

Hon. Chanzu: Hon. Temporary Deputy Speaker, I stand corrected. You know you are a lawyer and I am not.

(Laughter)

We are technocrats in other areas, but they all add up to the same thing.

We really want the Government--- Whatever it is. I do not know what you want me to say. It is the Government to do it. We can just say it to nobody. This money should be increased from Kshs1,020 to Kshs3,060.

Hon. Members know very well that it is very difficult for our youngsters to engage in certain activities. There is need for some educational trips to be organised for them, so that they can familiarise themselves with a number of institutions in the country, to which they should be exposed. Sometimes they are called upon to pay Kshs500 each in some areas but as you can see, this falls short of what is expected of them. In some schools, the head teachers even go against the law by sending away children to look for money from their homes. The money is not there. So, children end up loitering on the streets. Others go and hide in the bushes. They do not learn.

Going by the Constitution that we passed in 2010, and going by the Education Act that was passed this year, basic and quality education must be given to the children of this country. It can only be quality education if the amount of money provided for education is enough. This amount should have been increased a long time ago. Right now, we should be talking of a slightly bigger figure of, say, Kshs5,000 per child. We are still talking about this figure because we have to review this figure gradually. I hope that the Ministry concerned will be keeping proper records, so that it can be advising the Government continuously on how much money is needed to give quality education to our children.

Hon. Temporary Deputy Speaker, I contributed to the earlier Motion. We are waiting for a Bill to come. We hope to incorporate secondary education in the programme because there is no way we can be talking about primary education without preparing where the children will go when the time comes for them to join secondary school. So, we want education, starting with early childhood education, primary and secondary education, to be affordable. We want the Government to cater for it because Kenyans are paying taxes, so that we can have an educated society.

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

(Question proposed)

The Temporary Deputy Speaker (Mr. Cheboi): Let us hear contribution from hon. Kariuki Ndegwa.

Hon. Kariuki Ndegwa: Thank you, hon. Temporary Deputy Speaker. I appreciate the need to support this Motion given the fact that since 2003, when the Government initiated the free primary education programme, which is a very important initiative, the prices of teaching materials have changed against a constant capitation per child. So, I see the importance of reviewing the capitation per child under the free primary education programme. I would also like to take this opportunity to urge the Government to prepare for the transition of the children from primary school to secondary school, so that those who complete primary school can be accommodated at the next level of education.

Hon. Temporary Deputy Speaker, as we allocate this money, we have to consider the diverse nature of the various parts of this country. Whereas some parts of this country are strategically located closer to manufactures of education materials, other places, like Lamu County, where I come from, are very far away from the manufacturers. So, schools in such far-flung areas need transport budgets to transport the materials they need from the manufacturers. Therefore, it is my feeling that primary education is not yet entirely free. If you allocate a school in Nairobi the same amount of money as a school in Mandera, it means that teachers in Mandera will have to ask parents to contribute some money for transport.

It is also good for the Government to support the Kenya Institute of Education (KIE), so that we can source primary education materials from the same place to ensure that schools across the country have materials of uniform standards. I also see the need to consider private schools. The children who go to private schools are not private children. We also have private primary schools. Therefore, this programme should also cover private primary schools because children who go to private schools are not private children. Although private schools are owned by individuals or groups of people, it is our children who go to those schools. The children who go to private schools also expect to enjoy the benefits accrued from the taxes that we pay.

Therefore, the free primary education should benefit every child in this country, in line with the Government's promise.

Hon. Temporary Deputy Speaker, therefore, it is my view that the amount of capitation per child should be increased from Kshs1,020 to Kshs3,060, so that we can adequately cater for the free primary education. We also need to undertake a very good evaluation of the free primary education to ensure equity. Situations vary across the country. We also need to come up with structures to ensure equity for primary school-going children because they are all Kenyans and, therefore, they deserve to be treated equally. Education is very important and, therefore, it should be considered properly. It will help us to minimise poverty in this country.

Well educated people handle challenges more effectively than poorly educated people. A well educated population can also provide human resources to other countries. For example, we currently export trained labour to the Republic of South Sudan. Somalia is also stabilizing. We would like the expatriates going to serve in those countries to originate in our country, so that they can bring foreign currency to Kenya. Therefore, I urge fellow hon. Members to support this Motion, irrespective of one's political affiliation or one's ethnic background. Let us support this Motion collectively, as Members of the National Assembly, so that the programme can commence as soon as tomorrow.

With those remarks, I beg to support the Motion.

The Temporary Deputy Speaker (Hon. Cheboi): Yes, hon. Wandayi.

Hon. Wandayi: Thank you, hon. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this very important Motion. I must thank my very good friend, hon. Diriye for having come up with this Motion at this opportune time.

The question of FPE is no longer a policy issue but a purely constitutional issue. The Constitution that we passed in 2010 dictates that the Government provides free and compulsory basic education. The operating words here are "free and compulsory quality basic education". We can no longer have comfort that the enrolment levels have increased without addressing or looking into the issue of quality.

We are aware that enrolment has increased many times since 2003. However, the question we are asking is about quality. In fact, this House should not even bother itself advising the Government on the amount of money it should allocate per child. It is the duty of the Government to meet its constitutional obligation to provide free and compulsory quality basic education to every single child. How the Government gets the money and from where, it is for it to determine. This is because it has a constitutional obligation.

Basically, this House is making the Government to wake up from its slumber and realize that it has a constitutional duty to undertake in so far as providing free compulsory quality basic education is concerned. We are aware that even in many instances, the money that we are saying is not enough, that is the Kshs1020 per kid per year, does not even reach the schools on time. We are also aware that there are times this money has been squandered by mandarins or civil servants at Jogoo House.

(Applause)

We are also aware that there some cases which have been taken to court. We are further aware that part of this money has been provided for or donated in the past by multilateral donors and bilateral partners.

Hon. Temporary Deputy Speaker, Sir, it is important for us to make a break with the past, that the Jubilee Government takes upon itself to ensure that the FPE becomes a reality. It is either free or not free. There cannot be a middle way ground. It is either free or not free. This is because you will find a situation where parents are made to believe that education is free. Therefore, they send their children to school and the school headmasters are unable to cope because the money is not enough. At the same time, they are constrained and they cannot send the children back home to look for money from their parents because this is not allowed. Therefore, you will find teachers who are frustrated because they cannot cope with the large number of children who have been enrolled. They cannot cope with the demands because the teachers' numbers are not also increasing. So, you will find a situation that is very pathetic. What suffers at the end of the day is the quality of education.

Anything that touches on the future of children is a matter that should be taken very seriously by any Government worth its salt. So, this Motion is a wake-up call to the Jubilee Government. It should take the FPE from where the Kibaki regime left it to the next possible level. This possible level is a level dictated by the Constitution. This is not a question of manifesto or policy but it is a requirement of the Constitution that the Jubilee Government provides free, compulsory and quality basic education. That is its obligation.

Hon. Temporary Deputy Speaker, Sir, the issue of quality education should concern everyone or every possible stakeholder, including the teachers' unions. This is an area that the teachers' unions need to take their time and properly advocate in the strongest possible manner. The problem in this country is that the Government has systematically weakened teachers' unions starting with the Kibaki regime which went out of its way to weaken the then Kenya National Union of Teachers (KNUT) by promoting the rival Kenya Union of Post Primary Education Teachers (KUPPET). Now, the Uhuru regime has taken over, it wants to go further and split the KNUT so that it does not have the strength to agitate for free and quality primary education---

Hon. Dawood: On a point of order, hon. Temporary Deputy Speaker, Sir. Is the hon. Member in order to purport that the Government is weakening the KNUT when KUPPET was doing what it was supposed to be doing for secondary school teachers? He should not purport that the Jubilee Government is weakening the KNUT in any form. It is the circumstances that dictate that. I think the hon. Member should withdraw those two remarks.

The Temporary Deputy Speaker (Hon. Cheboi): That is a point of argument. You should ignore that. I think hon. Opiyo is perfectly in order.

Hon. Wandayi: Hon. Temporary Deputy Speaker, Sir, I am not purporting anything but I am stating the facts the way they are.

The Temporary Deputy Speaker (Hon. Cheboi): I knew it was your opinion. So, just proceed with it as an opinion.

Hon. Wandayi: Hon. Temporary Deputy Speaker, Sir, it is a fact that the Kibaki Government promoted KUPPET in order to weaken the KNUT and now the Uhuru regime wants to split KNUT on tribal grounds by promoting the candidacy of Sosion. Again, it is targeting the KNUT leadership. These are facts.

The known objective is to ensure that there is no strong voice that will agitate for quality free primary and basic---

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Wandayi, you are now treading on dangerous grounds that are eliciting a lot of excitement. I can see the hon. representative of KUPPET, hon. Tonui, very agitated. What is it hon. Tonui?

Hon. Tonui: On a point of order, hon. Temporary Deputy Speaker, Sir. I do not know whether the hon. Member is in order to state that it is a fact that KUPPET was created to split KNUT. There is a Registrar of Trade Unions. He was not appointed to that position to simply register one union but he was appointed to that position to register as many unions as possible.

In other countries, we have several unions. There is competition and freedom of choice everywhere. Monopoly should not only be in primary and secondary schools. This is an era of liberalization. To register KUPPET was in order and it was not a Government project. That is what I want to assure the House.

The Temporary Deputy Speaker (Hon. Cheboi): So, Tonui is saying that we might be having a nursery school union.

Proceed, hon. Opiyo. I think that is a fairly valid point of order although it was not properly put. It was a good point of order.

Hon. Member: Time up!

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Wandayi, you must have lost some time.

Hon. Wandayi: Hon. Temporary Deputy Speaker, Sir, hon. Tonui should protect KUPPET which has made him what he is.

It is important as I conclude to urge my colleagues in this House that this Motion is important, critical and we need to support it but more importantly, we need to go a step further and ensure that whatever resolution we make today is implemented to the letter.

Thank you very much, hon. Temporary Deputy Speaker, Sir. I support the Motion.

Hon. Kisang: Thank you, hon. Temporary Deputy Speaker, Sir. I rise to support this timely Motion. The FPE is 10 years old this year and the amount the Government allocated has stagnated at Kshs1020.00, while the prices of commodities have gone up more than 10 times. Therefore, I rise to support the Motion and thank the Mover.

First, public schools within urban centres and upcountry are congested because of the FPE programme. Many parents took their children to school in order to benefit from FPE. There are some cases especially in my constituency where we have more than 70 pupils per class; that is not a classroom. When you compare public schools with private schools, the population is about 25 to 35 pupils per class in private schools and that is why there is a difference in quality between public and private schools. Therefore, we need to increase the amount of capitation per child to Kshs3,060 so that public schools may have additional resources to put up infrastructure. They need additional classrooms so that we can improve the quality of education in public schools.

Secondly, I support this Motion because currently the managers of public primary schools are struggling. They cannot run the schools well because they do not have the resources. The Ministry of Education does not even release the funds on time. The money arrives towards the end of the term when the schools are about to close. We also need to urge the Government to release funds as soon as the schools open or even earlier; a week or two before schools open so that resources may be used well within the term.

Hon. Temporary Deputy Speaker, Sir, I also rise to support the Motion on increasing capitation per child because we know very well that most of the positions in public national schools are taken by students from private schools. This is because our public primary schools are not doing well due to lack of resources. For example, they do not have enough teachers. Private schools have enough teachers because the businessmen who are running the schools can afford to employ more teachers because they charge reasonable school fees. Actually, they

charge enough to provide quality education. So, we are urging the Government to increase the amount for capitation. We need to pass this Motion so that it moves to the next stage. We need to convert it into a Bill so that the Government releases the money. We do not have to beg or urge the Government. It is a requirement or a right for the children of Kenya.

I urge the Mover of the Motion, as soon as we approve it, we should move to the next stage where a Bill is drafted and brought to the House to become a policy. That way the Minister for Education will not have any option but to increase the amount at the beginning of next year.

With those remarks, I support this Motion.

Hon. Wakhungu: Thank you very much hon. Temporary Deputy Speaker, Sir, for giving me this opportunity. I rise to support this Motion.

Education is very critical because the success of every citizen has a co-relation to education. We can only go far or advance through education. Free Primary Education was in the manifesto of the former President, hon. Mwai Kibaki. We want to say thank you very much for the Government of Kibaki for introducing this noble idea of FPE programme.

Hon. Temporary Deputy Speaker, the FPE brought a lot of development, especially in the regions which were marginalized. The FPE programme was introduced in this country more than 10 years ago. Therefore the amount of money which hon. Diriye is talking about is the money which was allocated 10 years ago. As we speak here now, the economy has improved. Before President Kibaki came to power, the Gross Domestic Product (GDP) was growing at negative 2 per cent.

The President came up with economic recovery strategies to improve the economy of this country. The economy improved from negative 2 per cent to positive 2 per cent, then 5 and 7 per cent. If it were not for the post election violence, I am sure our economy would be doing 10 per cent plus. That was the time GDP was negative and now the average GDP of this country is somewhere around 6 per cent and yet the amount of FPE is still at Kshs1020.00. The economy is improving, but the amount of money allocated is not improving.

Hon. Temporary Deputy Speaker, Sir, recently the Value Added Tax Bill came into law and we found a lot of inflation cases. We have seen the price of exercise books having gone up and yet the issue of FPE money is still at Kshs1020.00. This is to say that the Motion, as hon. Diriye brought it before this House, has been long overdue. If we want to have quality education for our children, this is the right time this amount should go up.

Since the FPE came in, the element of quality in some public schools has been compromised because the number is too much and when you look at the ratio of teacher to pupil it is wanting. I know the recommendation of KNUT and KUPPET to be at the ratio of one to sixty but currently the ratio is one to 120. The facilities have been overstretched and, obviously, the quality is compromised.

Hon. Temporary Deputy Speaker, Sir, it reminds us of those good old days when we used to hear of Olympic Primary School in Kibera. It used to be number one in performance of KCPE. Since FPE was introduced, we have never heard of Olympic Primary School. We ask ourselves, what happened to it? This is because the amount of money that came in is not enough for these pupils to compete on an equal level with private schools. Therefore, for us to ensure that there is quality education we must increase this amount that has been suggested by hon. Mohamed Diriye.

Hon. Temporary Deputy Speaker, Sir, when you look at the Millennium Development Goals (MDG), you will realize that one of the goals is universal education. The FPE is universal

and it is a constitutional obligation of the Government to ensure that all children can access basic primary education.

Hon. Temporary Deputy Speaker, Sir, in the Bill of Rights, which I do not want to emphasize--- It is my humble request again to the Government to look at the employment of more teachers. I know the Government is doing a lot, but we need them to go an extra mile so that we reduce the ratio of teachers to students. In Form One, it should reduce the ratio to around one to eighty. I know Rome was not built in a day, but teachers play a very critical role in education. I am saying this as a scholar. Those of you who know me, I have been teaching at the university and at times, the number of students is too much to manage. So, when we have more manpower, in terms of those people who are teaching, the quality of education is bound to improve.

As I conclude, I want to tell hon. Mohamed Diriye not to leave it at this level, but to go to an extent of making it a Bill. This is because we have had cases where legislation comes in as a Motion and there are challenges in terms of implementation. So, my humble request to the Mover is that he moves quickly so that the Bill comes here for debate and it is passed to the Budget and Appropriations Committee. I am a Member of that Committee and I will ensure that this matter is fast-tracked so that we can improve on the quality of education for our dear children.

I want to congratulate the Jubilee Government because I have seen their manifesto and what they have said about education. Coming from the Opposition side does not mean that we criticize for the sake of it. We are here to give constructive criticism. I know the commitment that is there and I want to encourage you to move ahead and put in more money as far as education is concerned.

Thank you, Temporary Deputy Speaker, Sir. I support the Motion.

The Temporary Deputy Speaker (Hon. Cheboi): Very well, I am looking for the opposite gender. Let us have the Member for Othaya.

Hon. (Ms.) Munene: Thank you, hon. Temporary Deputy Speaker, Sir. I rise to support this Motion. The reason why I support this Motion is because we know that if a child cannot perform well in primary school, he cannot join secondary school. As other Members have said, this Kshs1020 is not enough because the cost of books and the cost of living is very high. Also, pupils in primary schools because of the FPE are more. So, more teachers need to be employed by the Government, so that our children can get be taught properly. They should not just be taught how to pass examinations, but they should also be taught other things. In primary schools, pupils should be taught how to cook and how to do embroidery, so that when they go out, even if they will not join secondary schools, they can do something. We want our children to go far in education because there is nothing which one can do without education.

This allocation should even be Kshs4,000, so that it is enough to buy books and everything else if this is going to be free primary education. We know that there are some poor regions where parents cannot pay anything. We also want them to be at par with children from other regions. There are some pupils who are taught under trees. We want the Government to build classes for them and make sure that every child sits in a classroom, so that during the rainy or sunny seasons, pupils will be in classrooms. I am happy because the last Government came up with FPE, which is very important. Before the introduction of the FPE, some schools had about 20 pupils, but after the programme was introduced, they increased to 50 pupils.

I support the Motion and I hope that the Government will help those needy children.

Hon. Elmi: Thank you, hon. Temporary Deputy Speaker, Sir. First, I would like to congratulate hon. Abdullahi for bringing this Motion. As he has stated, it looks like the cost has gone almost tenfold yet he is proposing only three times. The proposal to increase it to Kshs3,060 is reasonable. We hope that the Executive as the other arm of the Government will take this Motion seriously and even before we bring a Bill, they will implement it.

A lot has been said as to why this is necessary. There is a disaster, a national security disaster in the making in the North Eastern region of this country. This is for two reasons. One, it is because this amount of money is not enough and two, because there are no teachers. There is a shortage of over 2,000 teachers in that region. So, we are producing annually children who have gone through primary school, who when they go to secondary school, get “Ds” and below; thousands of them. We know the challenge that we have with our neighbours, namely, the *Al Shabaab*. So, the question is: When you get a “D” minus or an “E” grade because teachers are not available, what happens? We know the two most important ingredients for children to learn are the teachers and materials. I will give you a simple example of Wajir County, which is lacking over 700 teachers. There is only one Inspector of Schools in the whole county. A county that is equal to the size of Central, Western and Nyanza counties and more so there is no vehicle. So, there is no supervision. There are no teachers and the money for materials is not there. What do you expect? So, when you see Mandera, Wajir and Isiolo counties at the bottom, science has proved that there is no superiority across the world and across the races in terms of people being clever than others. This country must ask itself for how long we will produce children that will not get jobs, who have left their nomadic ways of life and therefore, cannot fit into looking after the animals. Are we not creating the *Al Shabaab* of tomorrow?

I declare and say it here that what we have in that region is a national disaster for insecurity. Before we reach the inequality of this country, we must have one country if we are going to move forward. One other thing is that equality is good for everybody. Our country is becoming more and more unequal. The elites of this country are living a lie and the life of a Kenyan is worth Kshs50. somebody killed his wife because of Kshs50. It is a country where children from certain regions are not getting the education that they require, where roads do not exist and we have a whole region without tarmac and you expect this country to move forward! We keep talking of taking this country to the next level, but I am sorry, it will not happen. It is a fact of life. Look at the history of all the countries that have done well and where the quality of life of the citizens is good and you will realise that these are countries that have dialogued and made sure that inequality has been reduced. By all indicators, those countries are doing well. They are the Scandinavians.

I want to support this Motion. Members, we must make sure that this becomes a reality. Education is the equalizer of all human beings. You are poor, you get good education and you will meet with your rich neighbour at the university. Take Muthaiga and Mathare for example. If you can make sure that the child does not die under the age of five years due to preventable diseases and he can get free primary education, get bursary in secondary school, they will meet at the university and they can compete. But if you deny them education, then we will continue to perpetuate this very unequal society.

Hon. Macharia: Thank you, hon. Temporary Deputy Speaker, Sir. I rise to support this Motion by hon. Abdullahi Mohamed Diriye. Having worked as a publisher and in the schools during the time when the free primary education started in this country, honestly, I thank the Government of the former President that started this. For the first time in Kenya, pupils got an opportunity to go to school as a result of which we saw the likes of the late Kimani Maruge, may

God rest his soul in eternal peace, having a chance to go to schools and many others in this country. For the first time also, we saw the parents being involved in what we popularly call the school instructional material selection committees where they were involved in selecting what books are going to be used in these schools. This was the first one. As publishers, we would present to these schools and they would select from a group of publishers books that were mainly approved by the Ministry of Education. However, as much as I support this Motion and in as much as the gains have been much, as I have put them, I would like to say that at a certain point in this programme, the rain started beating us.

As hon. Abdullahi Mohammed Diriye rightfully puts it, this amount of money, Kshs1,020 is not enough. It is what started this programme 10 years ago. Today is 2013. We know even that the cost of a HP pencil used to be Kshs1. Today it is Kshs2.50 but we still give the schools this money hoping that they will be able to continue with the FPE.

Hon. Temporary Deputy Speaker, I know the argument that probably could have been advanced by some of the Government agents is that some of the books are supposed to be used and passed between classes but those of us who have been teachers know and indeed clearly that books, especially at the primary level last a year and if somebody is lucky, they can last for two especially books for classes one, two and three – that is lower primary school. They hardly even last for a year. So, I support that this money should be actually raised to even more than Kshs3,060.

Hon. Temporary Deputy Speaker, Sir, on the other hand, I would also like to point to the fact that this money has also been misused. As much as we would like to increase this amount, I am aware as a key player in that industry that at certain points, school principals or school head teachers in collaboration with book sellers and other key players, have embezzled money belonging to schools. We had started seeing, during the roll out of this FPE, head teachers moving around with black book orders and telling book sellers: “*Niambie utanipatia nini nikupatie hii order?*” In English it is: “Tell me how much money you will give me and then I give you this order?” They have stopped teaching to go and solicit for the highest percentage on the amount of money that has been allocated. They are roaming in towns from bookseller to bookseller. Some of them have even opened personal briefcase bookshops to supply these books. Finally, as a result of the high commissions they are asking from booksellers, we end up getting very few books getting to schools and we even have instances where books are supplied and they are later taken away. We do not know how but the books of accounts of the schools indicate the books have come.

Hon. Temporary Deputy Speaker, so, therefore, I would also urge hon. Diriye probably to try and look at the procurement strategy as he makes this a Bill of the Government. This is because in other countries like Namibia, Botswana and Zambia they have FPE all right, but the books are not channeled through the schools because the head teacher’s main occupation is to teach. The books are channeled through tenders by booksellers and publishers where the Government should pay the bookshop directly and the teachers and committees should only place orders. This will help us stop instances that I am talking about here where teachers waste like one or two weeks in their teaching careers hunting for *kitu kidogo* from booksellers.

Hon. Temporary Deputy Speaker, finally, out of this money that has been allocated here, we know that part of it is supposed to pay subordinate staff. We know that this FPE money does not come on time and, therefore, as hon. Abdullahi Mohammed Diriye puts this as a Bill, he should also insist that this money should come at the beginning of the term because sometimes it takes long. These people have examinations to take; they have subordinate staff to pay and most

of the times when teachers ask for Kshs20 from the students, the parents are up in arms saying: “It is FPE and free is free and, therefore we cannot pay Kshs20 because it is free.”

Hon. Temporary Deputy Speaker, Sir, I appreciate this Motion and I support it.

The Temporary Deputy Speaker (Hon. Cheboi): Let us have hon. Opiyo.

Hon. Opiyo: Thank you, hon. Temporary Deputy Speaker. I rise to support this Motion. This Motion by hon. Abdullahi Mohammed Diriye is actually very timely. Since the inception of the FPE and subsidised secondary education 10 years ago, the amount of capitation has remained the same despite the various parameters of measuring the growth in our economy indicating that our economy has been growing steadily from the year 2003.

Hon. Temporary Deputy Speaker, the money that is sent to primary schools, besides just buying curriculum materials is also meant to maintain the schools and, of course, the school workers. Those school workers are actually workers of Government institutions and, therefore, their requirements of even annual increments and things like those should be looked at. If the schools have lived up to this, then it means they must have exhausted what was available.

Hon. Temporary Deputy Speaker, it is not right. We all know that the prices of items have since tripled or doubled and yet the amount that was given 10 years ago still obtains. I wish the Mover of this Motion would have included the secondary schools in this Motion. Secondary schools get up to Kshs10,265 per year per child. This caters for the employees, learning materials in the school and all other forms of curricular. Having been a teacher and a principal at that, I really understand that this money is very little. It forces the principals to levy other small fees, of course, in consultation with the District Education Boards (DEBs) or rather now called the County Education Boards (CEBs). This makes education even more expensive for the parents, contrary to the initial intention of this programme to make education cheap or even free at the primary level.

As we are speaking today, hon. Temporary Deputy Speaker, primary education is not free. It is not free because most of the times the children are on the highways running back home to go and bring some money for tests, evaluation, sports and all that. This makes this programme not to achieve the intended purpose for which it was created. How come, therefore, that our Government has not been keen on increasing capitation to our children with equal margin?

Hon. Temporary Deputy Speaker, in my own opinion, for this Motion we need not even develop a Bill. This Motion is actually stressing what is already there in our Constitution: The right to free and compulsory education. What we should do once this Motion passes – I pray that it does – is to ask the Implementation Committee to follow up and find out if really the Government is looking at our proposals in ensuring that the capitation is increased. Being a teacher and a principal or head teacher of a school---

Hon. Mohamed Abass: Hon. Temporary Deputy Speaker, because of time limit and this is a very crucial Motion, I request the House that we reduce contribution time from 10 minutes to five minutes so that we have more Members contributing.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Abass, my thinking is that we still have quite a lot of time. If you really want to speak, or if that is your fear then be a little patient. Even if you do not have an opportunity now, you obviously will have time in the next sitting.

Let us proceed, hon. Opiyo as you summarize.

Hon. Opiyo: Thank you, hon. Temporary Deputy Speaker. I was saying that once this Motion goes through, we should charge our Implementation Committee to follow up and find out whether the Government is listening to the legislative voice of this Parliament. Apart from

encouraging children to go to school, we have other parameters of measuring success in education that we must always try to maintain. All these parameters come with a cost. We have been talking about Vision 2030, universal education and so on. Unless this Government takes a conscious step to ensure that there is money available for implementation of these programmes, we will not go anywhere. One thing that should be of importance to the House and the country is the timely disbursement of these grants to schools.

I will give an example. You will find that for this term, say, this week or last week I was told that money was rolling out to schools and yet it is only a few weeks to the closing of schools. You wonder which programmes these are that this money is supposed to facilitate when schools have been closed. The head teachers are frustrated and so are the parents. The children are even more frustrated by the delay in the disbursement of these funds.

This Motion ought to have included a clause that compels the Government and, indeed, the Minister for Education to disburse these funds a week before or on the date of opening schools so that these monies are used for the intended purposes. This House is charged with the responsibility of appropriating monies to all Government agencies and, indeed, to the Ministry of Education. Well, if the delay is caused by the Treasury then we should have a written commitment from Treasury between them and the Ministry of Education to compel them to disburse these monies in good time so that we are not seen to be taking the education of our children for granted.

As I conclude, I want to ask Members of this House to look at this Motion as important and support it.

Hon. Bii: Thank you, hon. Temporary Deputy Speaker. I also want to join hon. Mohamed Diriye. This idea has come at the right time. It is a known fact that all over the world the key factor to development and growth of a country is education.

Education should take priority in terms of funding. Even this Kshs 3,060 is very little. I know that the Kshs1,020 that has been in operation from 2003 to date has been very little. It has only addressed the issue of pencils and exercise books. We know of the shortage of teachers in the country. This is very little amount even to be used to pay the parents and teachers associations. This was a noble idea or a well thought-out plan. If we asked ourselves: Supposing there was no free education from that time, how many children would be out of school? This has saved even the girl-child. We know there are communities that do not take seriously the life of the girl-child. This free education is universal to all children. Girls cannot be denied by their fathers an opportunity to go to school.

I urge that as much as we support that this money be raised, we also try to use the CDF to build good schools. The shortage of teachers in this country is a problem and so is the issue of remuneration. We need to think of how we can improve on the teacher recruitment. The shortage is high and even if we provide this money that will cater for books and there are no teachers, the effect will not be big. I, however, support the Motion.

Hon. Otaalo: Thank you, hon. Temporary Deputy Speaker. I also stand to support this Motion. It is a noble idea. I observed that most parents tend to think that they are not supposed to do anything for the kid now that we have FPE. Also a lot of pupils have dropped out of school. Like my colleague has said if the Government increases this money, then it needs to be specified which items of education are going to be catered for.

Previously, parents would get involved in building infrastructure for schools. Unless the CDF comes in, it is not easy for these people to come in and assist. As we talk of FPE we should

also look at the improvement of infrastructure of our schools. There is a very good link between infrastructure and the quality of education in schools.

For example, there is Kakamega Primary School in Lurambi Constituency, which I represent, which is well built. Pupils at that school perform better than the pupils of Ichina Primary School, in the neighbourhood, which to-date has mud-walled classrooms. So, as we talk about increasing the capitation per child for the free primary education, we also have look into such matters.

Another area we need to look into is that of interlinking the free primary education to secondary school education. As a colleague said, a pupil can do very well in primary education but if he does not have support for secondary school education, transiting to higher levels of education may not be possible. We are increasing the capitation from Kshs1,020 to Kshs3,060 but still this might not be enough. I would think of this as the beginning. We should be able to increase this amount progressively to a higher figure that can assist in improving the quality of primary education.

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

The Temporary Deputy Speaker (Hon. Cheboi): Very well. That was brief. Let us have hon. M'ruaki.

Hon. M'uthari: Thank you, hon. Temporary Deputy Speaker. I also rise to support this very timely Motion.

It is now about a decade since the fund for free primary education was established. We are aware of the escalating costs of the teaching materials ever since. We are also aware that education is very important, given the fact that it is the equalizer in society. This money is going to public primary schools. In most primary schools, there are other costs. So, even though we talk of free primary education, it is not entirely free since there are other associated costs. So, if we increase the capitation per child, some of the funds can be used to even increase the infrastructure in the schools. This will make it possible for the school managers to run the schools effectively. As it is now, for many of the head teachers, especially those who are in very difficult situations, it is difficult for them to run the schools effectively.

Hon. Temporary Deputy Speaker, another thing I would like to point out is the fact that most of the time, free primary education monies are disbursed late. Whenever that happens, it inconveniences those who are involved in the management of schools. It makes it difficult for us to achieve the objectives of the programme. When disbursement of funds is delayed, or when the money is little, the children of the majority poor in society suffer since they cannot access the necessary facilities. So, they are constrained. As a country, we know that in order for us to get the benefits of Vision 2030, we need to have a good learning environment. We need to have quality education for our children. Quality education can only be achieved if we can afford the necessary services and what is required by schools.

So, given the escalation of the cost of living, it is important that we revise the capitation upwards. As some of our colleagues have said, we actually need to go ahead and bring a Bill to this House, so that this policy can be captured in a statute..

If it is about the constitutionality and we want to give education, then we have to give schools enough money to cater for the cost per child. We need to seriously consider this since we have a role in the budget-making process.

Hon. Temporary Deputy Speaker, Sir, we are aware that the Ministry of Education, Science and Technology is the one that receives the highest budget but it still needs more funding, given the importance of education.

If we want to develop as a nation, we must take more serious steps in terms of increasing the investment that we put in the development of human resources. This is because you will have the opportunity to develop if you have appropriate or developed human resource. As far as the Government is concerned, that is why the investment even in the laptop project becomes important. Even as we have the laptop project, we need to think about the overall environment where the child learns. This environment can only be improved by considering the funds that are given per child in the schools.

Hon. Temporary Deputy Speaker, Sir, I believe that the spirit of this Motion needs to be developed further into a Bill because it will go a long way in terms of improving the performance in the schools.

Once we have this improvement, we have the possibility of equalizing because once children go through school, they are able to interact with children from different areas. There is the movement from one class to another. Whether we like it or not, the society is classified but education has the possibility of equalizing and making everybody have access and possibility. This will work well if we consider the investment in terms of increasing the number of teachers so that the shortage is reduced. This is because we may not go far if we provide all these facilities but we do not have the facilitators in the name of teachers in schools. So, we need to consider the plight of teachers; we need to support the teachers and increase the number of teachers in schools.

In the next Budget, this House should consider increasing the allocation not only the one for pupils but we should also increase the budget to the Ministry to allow for recruitment of more teachers so that there is adequate and quality education. As we increase the funding, we should consider the curriculum in terms of the courses and materials that are given to our kids. How are they prepared? How do we prepare our pupils? How relevant are the materials in terms of equipping the young people in terms of knowledge and helping them to be creative and the possibility to realize their potential? This is because we may have some materials which are not relevant. Even specialization can start earlier so that whatever material is given is relevant.

Hon. Temporary Deputy Speaker, Sir, with those remarks, I support this Motion because it is very fundamental for the development of our country.

Thank you.

Hon. (Ms.) Keraa: Thank you, hon. Temporary Deputy Speaker, Sir. I rise to support this Motion.

First of all, I wish to congratulate the Mover of this Motion. I would want him to include pupils in private schools so that they can also benefit from the money the Government provides for the children. Children in private schools are not children of private citizens; they are Kenyan pupils like any other. Therefore, they should also be given this money.

Hon. Temporary Deputy Speaker, Sir, I also want to talk about the employment of teachers. Since the inception of this FPE, there has been an increase in enrollment in public primary schools, but teachers are very few hence an increased workload. Therefore, the Government should consider recruiting more teachers to our primary schools.

I support this Motion that this money be increased to Kshs3,060.00

Thank you.

Hon. Mohamed Abass: Thank you, hon. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute and support this timely Motion. The amount of Kshs1,020.00 across the board is not fair because this country is just too large and the cost of goods and services is not the same countrywide. The cost of goods and services in my constituency and in Turkana is

different. Therefore, the amount of Kshs1,020.00 across the board is actually not fair and the amount should be increased as suggested by the Mover of the Motion.

Hon. Temporary Deputy Speaker, Sir, while I thank the previous Government for coming up with FPE and the Jubilee Government for coming up with the laptop issue, I think there are many things that were overlooked. The infrastructure in various primary schools is over-stretched and that affects learning conditions. If we look at the performance since the time FPE was introduced, I think most of the rural schools have not been performing very well. The classes are over-stretched, teachers are very few and there are no desks or books. Teachers are actually demoralized. You cannot have one class of 100 pupils and then you expect them to perform well.

The sanitation, the environment and everything else has been affected so much, especially for the girl-child. The learning conditions for girls have now become so unfriendly, even toilets are very few and, therefore, the environment is not friendly to the girls for learning.

Hon. Temporary Deputy Speaker, Sir, as I said, this money is just too little and it does not reach the schools in time. It might take the entire two terms before our schools receive their allocations. Therefore, whatever little money they receive, they are always paying debts and as a result, the school managements are frustrated. Besides being too little, it is not timely. So, we request the Government to release money in good time.

Hon. Temporary Deputy Speaker, Sir, one other thing is, as every hon. Member said, teachers are very few. There are so many teachers who are qualified but unemployed. We must employ teachers. In my constituency, I have over 700 teachers who qualified but are not employed and I have a shortage of 900 teachers.

Hon. Temporary Deputy Speaker, Sir, the TSC is actually bringing in new conditions for employing teachers. The TSC is only an employing institution; we have the Commission for Higher Education that is supposed to guide on who should be employed. It is supposed to say who qualified and who did not qualify. The TSC is currently saying that it is recruiting teachers based on grades of KCSE.

A teacher goes through the Joint Admissions Board (JAB), qualifies to join the university and then qualifies in the right subjects like science, but if he got a lower grade like “C”, the TSC says that they are not going to employ him. In my place, we are lucky we have science teachers. So, the TSC has to review its conditions. While we appreciate that we must have a standard for the employment of teachers, some of these conditions must be overlooked at times. If somebody can go to the university for three-and-a-half years and qualify as a teacher, then I do not see why he or she should not be employed.

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

The Temporary Deputy Speaker (Hon. Cheboi): Let us have hon. Kisoi Manthi and you have about four minutes. The rest you can save for the next sitting.

Hon. Kisoi: Thank you, hon. Temporary Deputy Speaker, Sir. I rise to give a vote of confidence to this Motion because it touches on the lives of Kenyans, namely, our young children. We know very well that a nation that invests in its young ones invests in the future properly.

Hon. Abdullahi has just enforced what is the norm because we know very well that free education is now a constitutional right for every Kenyan. It is not something that this House will so much engage in debating. The Government should take seriously any right that is already enshrined in the Constitution, when it comes to our children. The Children Act is also very clear. In this country, we are at a time when everybody knows his or her rights very candidly. In this case, this Motion is only to enforce the constitutional obligation and responsibilities that are

enshrined in the Constitution as far as education is concerned. As I continue in this debate, I want to say that as we increase this money, we also want to take note of the corruption in the Ministry of Education. This money has been plundered. We have reports in the previous Auditor-General's reports that money in the Ministry of Education including the money meant for the free primary education is being squandered by the Ministry officials.

We have not seen a head teacher being arraigned in court for playing around with this money. This country must wake up and this Parliament must take its responsibility seriously and ensure that corruption is not entertained when we are dealing with serious issues pertaining to this nation. This money is bound to push this country towards the achievement of the Vision 2030. That is why this country is grappling with myriad problems in the education sector, which includes the Early Childhood Education. When you look very carefully and dissect what is happening, we need to take note of the fact that teachers in this country also need to be taken care of. Their welfare needs to be taken care of. That is why we have proposed, as the Committee on Education, Research and Technology, an amendment to the Basic Education Act, to provide for the employment of the early childhood education teachers by the TSC and not the county governments. This House is keen to ensure that whatever the teachers get is enough to cater for their welfare, so that they can cater for the welfare of our children well.

I also note that this money, even if it is increased, there have been quite serious challenges in terms of disbursement. It is disbursed very late and it reaches the schools very late. This is an issue of great concern. The Government must take seriously the issue of timely release of these funds.

ADJOURNMENT

The Temporary Deputy Speaker (Hon. Cheboi): Order, hon. Kiso.

It is now 12.30 p.m. Therefore, it is time for the House to adjourn. I, therefore, declare the House adjourned until this afternoon at 2.30 p.m.

The House rose at 12.30 p.m.