

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 11th June, 2003

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No.029

EXPANSION/STAFFING OF NANDI
SECONDARY SCHOOLS

Mr. Deputy Speaker: Is Mr. Sambu not here? We will leave his Questioning until the end. Let us move on to the next Question by Mr. Rotino.

Question No.046

UTILIZATION OF CESS MONEY
ON SIGOR ROADS

Mr. Deputy Speaker: Is Mr. Rotino not here? We will leave his Question until the end. Let us move on to the next Question by Mr. Manoti.

Question No.105

WATER SERVICES FOR OGEMBO
TRADING CENTRES

Mr. Deputy Speaker: Is Mr. Manoti not here? We will leave his Question until the end. Let us move on to the next Question by Mr. Kariuki.

Question No.099

PAYMENT OF MR. MARTIM'S
RETIREMENT DUES

Mr. M. Kariuki asked the Minister for Water Resources Management and Development when Mr. Stephen Kibiego Martim, P/No. 1980072370, who retired on 30th August, 2000 will be paid his retirement dues.

Mr. Deputy Speaker: Is anybody here from the Ministry of Water Resources Management and development? We will leave this Question until the end. Let us move on to the next Question by

Mr. Koross.

Question No. 129

TARMACKING OF KESSES-LESSOS ROAD

Mr. Koross asked the Minister for Roads, Public Works and Housing what plans he has to tarmac the Kesses-Lessos Centre Road, which is currently unmotorable.

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

My Ministry has no immediate plans to tarmac the Kesses-Lessos Road. However routine maintenance especially on grading, spot gravelling and drainage works has been carried out during this financial year and hence the road is motorable.

Mr. Koross: Mr. Deputy Speaker, Sir, the Minister has said that he has no plans to tarmac the road and yet it is only 15 kilometres and it joins Nandi and Uasin Gishu districts. Why can he not try to make sure the road is tarmacked because it is only 15 kilometres?

Eng. Toro: Mr. Deputy Speaker, Sir, the road is actually 11.1 kilometres and it is part of Cheptiret-Lessos road, No. D305, which is 21 kilometres long. I would like to advice the hon. Member that there was a contract to tarmac that road which was awarded in 1988 at a tender price of Kshs.61,379,400, and it was to take a period of 18 months. However, due to cashflow problems, the project was abandoned and that is why we have no plans to tarmac the road at the moment.

Mr. Omamba: Mr. Speaker, Sir, when does a road qualify for tarmacking? What are the qualities required?

Eng. Toro: Mr. Deputy Speaker, Sir, there are so many factors that are looked into when a road is to be tarmacked. First of all, the classification of the road matters and the priority is usually given to category A roads. Then in that order, there is B, C, and D. There is also what we call Average Daily Traffic (ADT), which, for all practical purposes, determines whether the road qualifies for tarmacking or not. The recommended ADT level is about 300 vehicles per day.

Mr. Mwanicha: Mr. Deputy Speaker, Sir, the tarmacking of roads is an essential aspect of the economy of this country and, for many years, since 1988, we have been waiting for the Kisii-Chemosit Road to be tarmacked. The contractor started some work but there has never been tarmac laid on it. What is the new stand on that road?

Eng. Toro: Can you repeat the question!

Mr. Mwanicha: There was supposed to be tarmac on the Kisii-Chemosit Road. The hard work is finished and there is no tarmac yet. What is happening?

Mr. Deputy Speaker: Order, Mr. Mwanicha! That is another question on that road! You are asking what is happening on that road and that is not what we are dealing with. Mr. Mwanicha, sit down!

Eng. Muriuki: Thank you, Mr. Deputy Speaker, Sir. From the answer given by the Assistant Minister, one of the factors is that very many vehicles have to pass along that road. But some of the roads are impassable and vehicles cannot be driven there. So, some other criteria must be found to facilitate the tarmacking of that particular road. If the road is so bad, what can the Ministry do to enable vehicles to use this road so that tarmacking can be done?

Eng. Toro: Mr. Deputy Speaker, Sir, I think that is one of the criteria that is used, especially when a road is motorable. Another criteria is opening up of certain regions to traffic. Eng. Muriuki is aware that there are some areas which need to be opened up and, unless they are opened up, we cannot talk about the daily average traffic because it will make no sense. There are other roads which are being classified and de-classified to enable the Ministry to consider their tarmacking.

Ms. Mbarire: Thank you, Mr. Deputy Speaker, Sir. One of the Assistant Ministers who has

had to answer most Questions in this House is the Assistant Minister for Roads, Public Works and Housing. Is it possible for the Assistant Minister to table a list of the roads which his Ministry intends to tarmac within the next financial year in order of priority so that hon. Members know where roads in their constituencies fall? Could he also tell this House the policy the Ministry has in place as far as those roads are concerned so that we do not have to keep on asking Questions related to roads in our constituencies when we know very well that he is aware that these roads are not tarmacked and are impassable? What plans does the Ministry have in place to tarmac these roads? Must we always ask a Question in this House in order for a particular road to be remembered? Is there a clear framework on how these roads will be tarmacked, murramed or whatever the Ministry plans to do about them? That will make his work much easier.

Mr. Deputy Speaker: Very good! I think that is a good question because it covers everybody? Mr. Assistant Minister, could you respond to it?

Eng. Toro: Mr. Deputy Speaker, Sir, I agree that, that is a very good question. The NARC Government is looking into the issue of tarmacking and gravelling of roads. This is because there never existed any concrete policy as to why some of the roads, which do not seem to serve any purpose at all, were tarmacked, when the roads which deserved to be tarmacked were not given the first priority by the previous Government.

Mr. Deputy Speaker, Sir, I would like to inform this House that we are looking into the issue afresh, and very soon we will give policy guidelines on how we intend to gravel and tarmac roads in Kenya.

Mr. Deputy Speaker: Mr. Koross, do you have any supplementary question to ask the Assistant Minister or you are satisfied?

Mr. Koross: Mr. Deputy Speaker, Sir, I am satisfied with the Assistant Minister's answers.

Question No.146

TARMACKING OF MAVUENI-KALOLENI ROAD

Mr. Khamisi asked the Minister for Roads, Public Works and Housing when Mavueni-Kaloleni Road will be tarmacked.

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

My Ministry will programme Mavueni-Kaloleni Road for tarmacking when the current low Average Daily Traffic (ADT) level of 140 vehicles per day increases to the recommended Average Daily Traffic (ADT) level of 300 vehicles per day and make it qualify for up-grading to bitumen standards. The results of a feasibility study based on vehicle operating costs and time saving, which are all traffic related, will not justify the road for up-grading at the moment.

(Laughter)

Mr. Deputy Speaker: That answer sounds familiar, does it not?

Mr. Khamisi: Mr. Deputy Speaker, Sir, this is a very strategic road which links Malindi Road to Mombasa Road. If this road is tarmacked, it will make tourists to visit that area. The reason why only 140 vehicles pass on that road is because it is impassable. Could the Assistant Minister tell us when this road will actually be tarmacked?

Eng. Toro: Mr. Deputy Speaker, Sir, Mavueni-Kaloleni Road is classified as C107, which means that it should be maintained by the Roads Department. This road is about 32 kilometres long. In the year, 2001, six kilometres of this road were repaired under the *El Nino* Emergency Project.

Some of the works which were done on the road were the extension of Mwasuma Bridge, construction of Kasonzo, both culverts and installation of pipe culverts. Road C107, as the hon. Member has said, will open up tourism in the coastal area. I am saying that the criteria for abandoning such roads has to be re-examined again so that they can be given priority depending on---

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

Mr. Deputy Speaker: No! Let the Assistant Minister finish what he is saying!

Eng. Toro: Mr. Deputy Speaker, Sir, this will ensure that roads are given priority depending on the economic output of the areas they serve. This is one of the criteria I have said we will take into account.

Mr. Rotino: On a point of order, Mr. Deputy Speaker. The question the hon. Member asked is so specific. I do not know why the Assistant Minister is going round in circles. The hon. Member asked: "When will the road be tarmacked?" The Assistant Minister should simply say that this road will be tarmacked this financial year or the next financial year. He should not go round in circles. He should answer the question straightaway.

Mr. Deputy Speaker: Mr. Assistant Minister, what is your reaction?

Eng. Toro: Mr. Deputy Speaker, Sir, I said that given its low ADT level, this road does not qualify for tarmacking at the moment. I also said that the ADT level is one of the criteria which are considered when we are trying to assess whether a road should be tarmacked or not. But there are other criteria which should be considered. As the hon. Member said, this road serves tourist areas. This criterion will be considered separately.

Mr. Sasura: Mr. Deputy Speaker, Sir, you have heard the Assistant Minister in his earlier answer say that the Government has no plans to tarmac a certain road. The Government does not require a lot of money to plan. That notwithstanding, could the Assistant Minister tell us the logic behind his saying that he will think of tarmacking the road when the traffic flow on the road increases to 300 vehicles from the current 140 vehicles? What is the logic behind that criterion?

Eng. Toro: Mr. Deputy Speaker, Sir, the logic is very simple. There are some roads which over the years have been gravelled. When these roads are gravelled, of course, the traffic flow increases. There are also some roads which are motorable because of the terrain and this makes the average daily traffic to increase. That is one of the criteria which are considered when gravelling or tarmacking a road. We are now looking into certain roads which have been rendered impassable and yet the areas they serve are very productive. If we go by the criterion of the daily traffic flow of 300 vehicles, such roads will not qualify for tarmacking even though the areas they serve are economically viable and need to be opened up. I have said that we are now looking into all those possibilities so that we can open up certain areas which have poor roads.

Mr. Khamisi: Mr. Deputy Speaker, Sir, the Assistant Minister has said that this road does not qualify for tarmacking because of the low traffic flow. Could he now tell us the measures he has taken to ensure that this road qualifies for tarmacking?

Eng. Toro: Mr. Deputy Speaker, Sir, do I have to keep on repeating myself? I have said that according to the one criterion which was used by the previous Government, this road did not qualify for tarmacking. That is why I have said that we have no plans for tarmacking the road. But taking into account the tourist industry and other factors, we might find that, that road needs to be tarmacked and it will be allocated some funds. But as of now, there are no plans to tarmac this road.

Question No.156

UPGRADING OF KIIRUA-
KIBIRICHIA-KISIMA ROAD

Mr. M'Mukindia asked the Minister for Roads, Public Works and Housing:-

- (a) whether he is aware that Kiirua-Kibirichia-Kisima Road serves a rich agricultural area and is impassable during wet seasons; and,
- (b) what plans he has to make it an all-weather road.

The Assistant Minister for Roads, Public Works and Housing (Eng. Toro) Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that Kiirua-Kibirichia-Kisima Road serves a rich agricultural area. I am also aware that motoring is impeded during wet seasons.

(b) My Ministry has planned to rehabilitate the Road D481 to all-weather gravel road. However, I appeal to the hon. Member of Parliament to appeal to his constituents living along this road to move the illegal structures that they have put up on the road reserves before its rehabilitation work can commence. This will allow the passage of traffic while the road is under construction.

Mr. M'Mukindia: Mr. Deputy Speaker, Sir, I do appreciate the hon. Minister's reply and I recommend him for his strong replies. However, it is the Government's responsibility to ensure that the structures that he is talking about along the road reserves are removed. If, indeed, there are structures that are illegally put up on the road reserves, what you need to do is to give notice to their owners so that they can remove them. When are you going to give notice to these people and when can we expect the rehabilitation of this road to start?

Eng. Toro: Mr. Deputy Speaker, Sir, we require the co-operation of Members of Parliament to help move out the people encroaching on road reserves. I would like to advise the hon. Member that there will be a gazette notice, probably by the end of this week by the Minister asking all those who have encroached on road reserves to move out, failure to which we will have to remove the structures at their cost.

Mr. Kagwima: Mr. Deputy Speaker, Sir, I do appreciate the good answer given by the Minister. I would like to know how much money the Government intends to spend in rehabilitating this particular road.

Eng. Toro: Mr. Deputy Speaker, Sir, the cost is being worked out. At the moment, I have no correct figure to give.

Mr. M'Mukindia: Mr. Deputy Speaker, Sir, can the Minister commit himself to avail the figures to this House at a later date, because we cannot expect wonderful words from the Minister without specific details about how much will be spent and when that money will be available?

Eng. Toro: Mr. Deputy Speaker, Sir, in my answer I stated that the ministry is going to gravel this road. That is already a commitment. I cannot say whether it is going to be next month or in the next two months, but the commitment is already there.

Question No. 298

REPAIR OF THIKA-GARISSA ROAD

Mr. H.M. Mohamed asked the Minister for Roads, Public Works and Housing:-

- (a) whether he is aware that the section between Thika and Mwingi along the Thika-Garissa Road has become dilapidated to an extent that it is now dangerous to the motorists;
- (b) what plans he has to repair the potholes and re-carpet the road; and,
- (c) when he will start repairs since the road is in bad condition.

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

(a) Yes, I am aware that the section between Thika and Mwingi on the Thika-Garissa Road (A3) is in a poor state thus affecting road safety to the motorists.

(b) During this financial year, Kshs4.7 million has been allocated for repair and routine maintenance of the said road section. However, there are no immediate plans to recarpet the said road.

(c) Funds have already been released for the repair of the Thika-Mwingi section and work will start any time now.

Mr. H.M. Mohamed: Mr. Deputy Speaker, Sir, the Thika-Garissa Road (A3) is a very important one. It is the only road connecting Nairobi, Mwingi, Garissa and Somalia. It is the only tarmacked road in that region. This amount of Kshs4.7 million allocated for it is very little considering that the Thika-Mwingi section is over 100 kilometres long.

Mr. Deputy Speaker: By the way Mr. Minister, the Chair happens to be a member of the area, and I want to tell you that over the weekend I realized that you are patching potholes with murrum. Is that what you are doing with Kshs4.7 million?

Eng. Toro: Is that a supplementary question from the Chair?

Mr. Sambu: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Minister to question the Chair? Would the Chair direct the House?

(Applause)

Eng. Toro: Mr. Deputy Speaker, Sir, there are no maintenance standards that require our engineers to use murrum to repair potholes on a tarmacked road. If they are doing that, then that is the wrong thing. According to my records, by around December 2002, the money that had been allocated for the maintenance of this road was very little and we tried our best to increase it to Kshs5 million. We were to give this money to the Provincial Engineer, Eastern Province, who has a sealing unit so that he could work on the road.

However, if what they are doing is patching potholes with murrum, then we have to establish the fact so that we can know their reasons for doing that.

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, the sister road to this road is from Embu through my constituency to Kitui. This sister road has a similar problem. In order for the sealing unit and the Provincial Officer to go to repair the road that has been referred to, he has to drive from Embu through my constituency. While he is repairing that road, could he also do the same in my area so that we can avoid accidents?

(Applause)

Eng. Toro: Mr. Deputy Speaker, Sir, right now I think we are tackling the brother issue. The sister issue will come later on when funds are available.

(Applause)

Mr. H.M. Mohamed: Mr. Deputy Speaker, Sir, this road was tarmacked some 20 years ago. Only once has it been recarpeted. How can the Minister say that he has no plans to recarpet it after 20 years? How does this road continue to exist in its current state? What plans do you have to allocate money for the next financial year?

Eng. Toro: Mr. Deputy Speaker, Sir, I am surprised by that fact because for the 20 years that the KANU Government has been in power, most of that time, hon. H.M. Mohammed has been a

Minister in that Government.

(Applause)

Mr. H.M. Mohamed: On a point of order, Mr. Deputy Speaker, Sir. The Minister has rejected the KANU Government Policy, and therefore, he has no business talking about KANU Government. Talk about the Policy of your Government!

Mr. Deputy Speaker: Order! Order! Order, Minister! That was not a point of order, Mr. H. M. Mohamed.

Next Question, Mr. Karaba.

Question No. 187

PLACEMENT OF KIRINYAGA
SACCO UNDER RECEIVERSHIP

Mr. Karaba asked the Minister for Co-operative Development:-

- (a) whether he could release the schedule of names of people who benefitted from STABEX Funds released to Kirinyaga District Coffee Growers in July, 1997;
- (b) whether he could further explain the circumstances which led to the Kirinyaga District Coffee Farmers SACCO being placed under receivership; and,
- (c) who the Receiver Manager is and how much he earns in terms of personal emoluments and other allowances.

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

(a) Kirinyaga District benefitted from STABEX Funds through the Coffee Factory Development Scheme to the tune of Kshs19,525,959.00. The beneficiaries were coffee factories from Kabare Factory Co-operative Society Ltd., Mutira Factory Co-operative Society Ltd., and Mairua Factory Co-operative Society Ltd.

(b) The circumstances that led to Kirinyaga District Coffee Farmers SACCO being placed under receivership arose from the fact that Kirinyaga District Co-operative Union went to court over a dispute of payment of Kshs39 million that it was demanding from the SACCO as compensation for the loss of income following the transformation of the Union Banking Section (UBS) into a SACCO in 1998. An *ex parte* judgement was made which placed the SACCO under receivership by a Court Order of 19th July, 2002.

(c) The Receiver Manager was H.W. Gichohi of FCCA Ltd. As for the emoluments, nothing was paid as the matter was disputed in court and was quashed later through an appeal in the High Court delivered on 24th March, 2003.

Thank you Mr. Deputy Speaker, Sir.

Mr. Karaba: Mr. Deputy Speaker, Sir, the Assistant Minister's reply is incomplete. He has been asked to state the amount of money given to coffee growers in Kirinyaga District, but he has mentioned only three co-operative societies. I believe that Kirinyaga District has more co-operative societies. Be that as it may, are the remaining funds available for release to other farmers in the district?

Mr. Kenneth: Mr. Deputy Speaker, Sir, the Question is about the STABEX funds released to coffee growers in Kirinyaga District in July 1998. In my reply, I gave the specific figure of Kshs19 million that was released during that time, and stated that the funds were issued to three coffee factories. So, my reply answers the Question.

Mr. Ndambuki: Mr. Deputy Speaker, Sir, we know that the STABEX funds were meant for coffee growers. This is an area which has--

(Loud consultations)

Mr. Deputy Speaker: Order! Order! The hon. Members sitting between Mr. Koske and Mr. Angweny, could you consult quietly?

Continue, Mr. Ndambuki.

Mr. Ndambuki: Mr. Deputy Speaker, Sir, I was saying that I understood that the STABEX funds were meant for coffee farmers. Could the Assistant Minister tell us, or lay before the House a list of the beneficiaries of these funds on a district by district basis?

Mr. Kenneth: Mr. Deputy Speaker, Sir, although that is a different Question, I undertake to do what the hon. Member has requested. However, as you are aware, Mr. Ndambuki is the one who distributed the money on a district by district basis when he was the Minister in the previous Government.

Mr. Ndambuki: Mr. Deputy Speaker, Sir, the Assistant Minister is not telling the truth. I never did what he says I did. I only negotiated for the release of the funds by the European Union (EU) to the Ministry of Agriculture and Livestock Development, which was then shared out. So, I would like the Assistant Minister to correct himself.

Mr. Kenneth: Mr. Deputy Speaker, Sir, the issue is cumbersome. At least, Mr. Ndambuki knows how much money he gave to the Co-operative Bank when he was the Minister, and how much money he negotiated for with the EU. As I said, I will bring a list, showing how the funds were apportioned on a district by district basis.

Mr. Sambu: Mr. Deputy Speaker, Sir, as has been said, the STABEX funds were meant to stabilise coffee prices. There were negotiations between the Government of Kenya and the EU, which are still ongoing. Could the Assistant Minister tell the House why the Co-operative Bank has been allowed to charge commercial rates on the STABEX funds whereas the EU had given the funds to the Government at not more than 3 per cent interest rate? Why has the Co-operative Bank been allowed to charge more than 15 per cent interest on the same funds?

Mr. Kenneth: Mr. Deputy Speaker, Sir, first of all, I am not aware of the allegations made by the hon. Member. I have to establish the facts on this issue. What I am aware of is that when the Government gave the funds to the Co-operative Bank to distribute to coffee farmers, it did allow the charging of certain percentages over and above the rate the EU lent the money at, so that the bank could off-set the cost of administering the Fund.

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

Mr. Musila: Not allowed! Could you ask the last question, Mr. Karaba?

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

Mr. Deputy Speaker: What is it, Mr. Angwenyi?

Mr. Angwenyi: Is the Assistant Minister in order to mislead the House that the funds were given to the Government by the EU at a certain rate of interest when we know that they were a grant and, therefore, interest-free? The Assistant Minister should have arrested the Chairman and the Managing Director of the Co-operative Bank for fraudulently taking money from the people of Kenya?

Mr. Deputy Speaker: Order! Order, Mr. Angwenyi! You have raised your point of order. Could you respond, Mr. Assistant Minister?

Mr. Kenneth: Mr. Deputy Speaker, Sir, I said that I am going to look into the allegation made by Mr. Sambu, that the Co-operative Bank is charging commercial interest on money lent to farmers from the STABEX Fund. Action can only be taken after the facts have been established. I clarified that the Government did allow a certain percentage to be charged by the Bank to cover overheads and the costs of administering the STABEX Fund.

Mr. Deputy Speaker: Mr. Karaba, could you ask the last question?

Mr. Karaba: Mr. Deputy Speaker, Sir, this is a very sad affair. We know that the STABEX

funds were to be given to coffee farmers to compensate them for the high cost of farming. A certain amount of money was released by the EU, but it was never released to Kirinyaga coffee farmers. Secondly, we note that the mushrooming of banking sections of SACCOs in addition to Kirinyaga District Union started without the Ministry's advice. We could have avoided having a bank created against another one which was in existence. The Assistant Minister said that a Mr. Gichohi was picked as the Receiver Manager. The information I have is that he was earning Kshs4 million per month. This money was being paid by farmers, who should have benefitted from the STABEX funds, but they never did. This is very sad. So, we need to have a clear policy on this matter. In any case, if the Receiver Manager is not there, how will the money be recovered?

Mr. Kenneth: Mr. Deputy Speaker, Sir, first of all, the Question is about the release of STABEX funds to Kirinyaga District coffee growers in a particular month. I must tell the hon. Member that in the year 2001, coffee societies in Kirinyaga District did benefit further from Kshs123 million from the STABEX Fund. Secondly, the streamlining of the operations of co-operative societies is being considered by the Ministry. We even believe that there is a co-operative society which is being mismanaged. So, we have established a team of inquiry to look into the affairs of that particular co-operative society with a view to streamlining its operations and have the (UBS?) in the farming section and in that co-operative society.

With regard to the issue of the Receiver Manager, I said that I am not aware of any payment that has been made. When he was appointed, the stakeholders went to court to challenge his appointment, and the court annulled it. So, I am not aware of payments of Kshs4 million per month having been made to the particular Receiver Manager.

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

Mr. Deputy Speaker: I am sorry, Mr. Ndambuki, we have to proceed to the next Question. This particular Question is very important, but it has taken so much time.

Question No.280

UNDERPAYMENT OF NYAMIRA TEA FARMERS

Mr. Mwanicha asked the Minister for Agriculture and Livestock Development:-

- (a) why tea farmers in Nyamira District were paid Kshs7 per kilogramme of green leaf tea and yet a kilogramme of processed tea sells at Kshs160; and,
- (b) what action the Minister has taken against middlemen who are buying tea from the farmers at throw-away prices and yet they do not pay any bonus to the farmers.

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

(a) The rate of payment for a kilogramme of green leaf tea in Nyamira District varies from factory to factory. Similarly, the price of a kilogramme of processed tea depends on the factory.

Following is a table showing the purchase and selling prices of green tea leaf and processed tea respectively, on a factory by factory basis, in Nyamira District.

Factory Name	Purchase Price of Green Leaf Tea	Selling Price of Processed Tea
Nyasiongo	Kshs16.18	Kshs119.01
Tombe	Kshs15.50	Kshs107.86
Kibirigo	Kshs11.60	Kshs103.61
Sang'anyi	Kshs16.10	Kshs111.72
Nyankoba	Kshs14.50	Kshs109.97

- (b) Therefore, there is no indication that farmers are paid Kshs7 per kilogramme of green tea

leaf in Nyamira District, nor is a kilogramme sold at Kshs160 as alleged. There are reports of incidents of a few outgrowers in the district registered with private estate tea factories who buy low quality green tea leaf which has been rejected by the Kenya Tea Development Agency (KTDA).

Mr. Deputy Speaker: Order! Order! Mr. Assistant Minister, that is enough. Let us move on.

Mr. Mwanicha, could you follow up?

Mr. Mwanicha: The figures the Minister is giving are for bonus payments. I was asking about the payments made to the farmers on monthly basis, and it is Kshs7 per month. They later sell the tea in Mombasa auction at US\$2.5, upwards of Kshs160 per kilo of processed tea.

Mr. Munyao: Mr. Deputy Speaker, Sir, the tea bought in Nyamira and every other place is sold by dealers through auction offers so you may not know your kilo of tea when it is all mixed up.

Mr. Deputy Speaker: Order! If you want to ask a question just stand up like I have seen Dr. Maduku do.

Dr. Manduku: Mr. Deputy Speaker, Sir, the Minister says that there are some outgrowers registered to buy low quality tea from some farmers. However, we know that thieves go in the night and pick tea from the farms and hang around the roads to sell it to these farmers. Is the Minister aware of this? This is encouraging the stealing of tea from farms. Is he encouraging stealing of tea in those areas?

Mr. Munyao: I was coming to that bit which answers part "b" of the Question, but Mr. Deputy Speaker stopped me as he said what I had given was enough. The Question had parts "a" and "b" and if I am allowed I will go to part "b".

Part "b" of the Question reads: "What action has the Minister taken against middlemen who are buying tea from the farmers at throw-away prices and yet they do not pay any bonus to the farmers?"

Mr. Deputy Speaker, Sir, I will continue to reply.

(b) To curb this illegal and irregular activities, the following measures have been taken;

Licensing of construction of new tea factories at Kianchori which will process all the excess green leaves in the area in order to alleviate congestion in existing tea factories.

Intensification of education and creation of awareness amongst small holder growers on the disadvantages of selling green leaves through unauthorised channels.

The Board of Directors of Small Holder Tea (SHT) manufacturing factories have been asked to be more efficient in serving their growers and improve the initial final payment bonus to a more competitive level.

Finally, the management of SHT manufacturing factories in the region has been cautioned against accepting green leaves from suspicious sources.

Mr. Deputy Speaker: The only comment the Chair wants to make is that Ministers should make their answers precise. If they are long, they become statements. May we please seek to be precise.

Mr. Obwocha: Mr. Deputy Speaker, Sir, I think the Minister should go back and answer this Question properly. There are two distinctions the Minister needs to make. There are monthly payments and there are bonus payments. You have answered about bonus payments. This Question is not asking about bonus payment; it is asking why the middlemen are fetching US\$ 2.5 or Kshs160 at the auctions and yet they pay Kshs7 monthly. That is the first question which you have not answered. I believe we need an answer, but if you do not have it, it is not a mistake and we cannot hang you.

I want to ask the second question.

Mr. Deputy Speaker: Order! I gave you permission to ask a question.

Mr. Obwocha: Mr. Deputy Speaker, Sir, I am asking the question now, but part "a" of the Question has not been answered. What is the current policy of the Government about liberalisation? Liberalisation in the tea industry is killing it. That is why these middlemen are buying tea which is supposed to go to the factories. You are talking about a new factory. That factory is not going to have our tea.

Mr. Deputy Speaker: Order, Mr. Obwocha!

Mr. Munyao: Mr. Deputy Speaker, Sir, I will plead with the hon. Member. Our appeal is that we need to address the question of spreading awareness to our farmers. This would prevent all these anomalies. After this is done, eventually the farmer will get his rightful benefits from the sale of tea. The road side sale will also definitely stop.

Mr. Deputy Speaker: Order! Last question, Mr. Mwancha. If you have no question I will move on to the next Question.

Mr. Mwancha: I will give this chance to---

Mr. Deputy Speaker: Order! There is no question of an hon. Member giving another hon. Member a chance to ask a question.

Mr. Sambu's Question for the second time.

Question No. 029

EXPANSION/STAFFING OF NANDI
SECONDARY SCHOOLS

Mr. Sambu asked the Minister for Education, Science and Technology:-

(a) how many pupils sat for the Kenya Certificate of Primary Education (KCPE) in Nandi District in the year 2001 and how many were enrolled in form one in the district and other parts of Kenya;

(b) whether he could consider allowing all secondary schools in the district to start day scholar streams to cater for pupils from the areas around these schools; and,

(c) if he could ensure that Teachers Service Commission posts teachers to new secondary schools in the districts which are understaffed.

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

(a) Twelve thousand, one hundred and one pupils sat for KCPE in Nandi District in the year 2001 of which 2870 were enrolled in district schools in Nandi and 2501 were enrolled in other schools in Kenya.

(b) The Government will carry out extensive consultations with all the stakeholders and partners in education in order to agree on modalities of starting day scholar streams to cater for pupils from the areas around these schools.

(c) The Ministry will ensure that Teachers Service Commission posts teachers to new secondary schools in the district as long as they have met the conditions for establishing new schools.

Mr. Sambu: Mr. Deputy Speaker, Sir, you can see from the statistics there, that over 50 per cent of the children who sit for KCPE do not manage to go to secondary schools. This is mainly because of the high fees charged for the boarding schools. The Minister says consultations will be carried out with the stakeholders. We have the facilities like buildings and land in Nandi for our primary schools. Could he give a go ahead so that for every four secondary schools, a day secondary school is put up and for every four primary schools, one day secondary school is put up so as to absorb more pupils?

Mr. Gumo: Mr. Deputy Speaker, Sir, as I said, the stakeholders who are the parents and the local community have the freedom to put up a secondary school as long as they have the land and they know that they have enough students.

Prof. Oniang'o: Thank you, Mr. Deputy Speaker, Sir. I got the impression that this Assistant Minister is in charge of primary education. So, he really does not have the authority to talk on secondary education. Is he aware that many parents cannot afford secondary education for their children? What policy does the Ministry have to address this problem?

Mr. Gumo: Mr. Deputy Speaker, Sir, I do not know who told my colleague that I have no authority to talk on secondary education. I am an Assistant Minister for Education, Science and Technology and I have authority to answer any question relating to that Ministry.

Mr. Deputy Speaker, Sir, I am aware that school fees in secondary schools is very high and many parents cannot afford. But the biggest problem is that to maintain a boarding school is very expensive. As you are aware, we do not have much money to cater for boarding facilities. That is why we encourage more day secondary schools in the rural areas so that the majority of the children could be learning from home and most parents will be able to afford.

Mr. Karaba: Mr. Deputy Speaker, Sir, I would wish to draw the attention of the Assistant Minister for Education, Science and Technology to the fact that Standard Eight pupils are attending school freely. So, they are not paying any fees. I am wondering what will happen when they join Form One next year. Is the Ministry going to harmonise the fees in Form One so that those parents who have pupils in Standard Eight will not find it very difficult to send them to secondary schools next year?

Mr. Gumo: Mr. Deputy Speaker, Sir, at the moment, we are providing free primary education. But we have plans to cater for the same children in future when they get to secondary school. I am sure we shall manage.

Mr. Sambu: Mr. Deputy Speaker, Sir, on part "c", the Assistant Minister said that they will ensure that the Teachers Service Commission (TSC) posts teachers to the new secondary schools in the districts. But in my constituency, I have over ten new schools, I cannot read the names of all of them. These are Chepkemel, Sigot, Kamanyinya, Kimogoch, Olmaroroi and Nyigoon. These are new day secondary schools which have been opened and registered by the Ministry of Education, Science and Technology, and the TSC. But the TSC has not posted any teachers there. Will the Assistant Minister assure the House and the people of Nandi that secondary school teachers will be posted to all those new secondary schools with immediate effect?

Mr. Gumo: Mr. Deputy Speaker, Sir, we have been having a shortage of teachers and in the next Budget, which I hope will cater for this, we intend to employ more teachers. The moment we have enough, we shall post them there immediately to make sure the Nandis learn.

Mr. Deputy Speaker: Very well! Next Question, Mr. Rotino!

Mr. Rotino: Mr. Deputy Speaker, Sir, I am sorry for coming late.

Question No.046

UTILIZATION OF CESS MONEY
ON SIGOR ROADS

Mr. Rotino asked the Minister for Local Government:-

(a) how much money Muruny and Tapach Farmers Society in Sigor Constituency paid in form of cess to Pokot County Council from 1997 to 2002 and how the money was utilized; and,

(b) how many roads in Sigor Constituency have been maintained using this cess money in the same period.

The Assistant Minister for Local Government (Mrs. Tett): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Pokot County Council received a total of Kshs332,024.85 from the Muruny and Tapach Farmers Society as payment of pyrethrum cess as follows:-

- | | |
|-----------|----------------|
| (i) 1997 | Kshs 14,802.00 |
| (ii) 1998 | Kshs 6,130.00 |

(iii) 1999	Kshs 30,962.00
(iv) 2000	Kshs114,507.00
(v) 2001	Kshs131,930.00
(vi) 2002	<u>Kshs 33,619.00</u>
Total	<u>Kshs332,024.85</u>

(b) One road was maintained using this money during the period in question. This is the repair of some damaged section of the road between Kapsangat and Tapach in Lelen Division in Sigor Constituency.

Mr. Rotino: Mr. Deputy Speaker, Sir, I have a written answer here but I do not know whether the Assistant Minister understands what she has read. If you read part "a" of the Question, the total is Kshs331,000 while the sub-total that they have given reads Kshs531,000. So, I do not know which one the Assistant Minister is referring to. Secondly, I want to inform the Assistant Minister that Lelen Division, Kapsangat--- There is a Tapach Division. Kapsangat is in Lelen Division but Tapach is a division by itself. The Assistant Minister knows very well that this money is supposed to be used for the maintenance of roads of those farmers that are members of the co-operative society. The road she has mentioned; the Kapsangat-Tapach Road is only 15 kilometres. Could the Assistant Minister---

Mr. Deputy Speaker: Will you ask your question?

Mr. Rotino: Could the Assistant Minister explain why that money; Kshs331,000, was only used to maintain a 15-kilometre road? Where did the other money go? What about other roads?

Mr. Deputy Speaker: Mr. Rotino, I have stopped you once. You have now taken four good minutes talking about the Question. If you want to ask a question, ask it. Could you respond, Madam Assistant Minister?

Mrs. Tett: Mr. Deputy Speaker, Sir, the total amount was Kshs332,000. When I was going through this list this morning, I saw the mistake. It is just a calculation mistake. The money was used for the Kapsangat-Tapach Road in Lelen Division. From 1997 to 2002, the Kshs332,000 was used for that particular road.

Mr. Deputy Speaker: Okay, you can have the last shot.

Mr. Rotino: Mr. Deputy Speaker, Sir, I think you should be fair to me because---

Mr. Deputy Speaker: But, please, ask the question, Mr. Rotino!

Mr. Rotino: Mr. Deputy Speaker, Sir, you are intimidating me.

Mr. Deputy Speaker: Order! Order! Mr. Rotino, I order you to leave the Chamber for the rest of the morning session. That is disrespect to the Chair!

(Mr. Rotino withdrew from the Chamber)

Next Question, Mr. Manoti!

Mr. Manoti: Mr. Deputy Speaker, Sir, I am sorry for coming late.

Question No.105

WATER SERVICES FOR
OGEMBO TRADING CENTRES

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

(a) if she is aware that the water project constructed under the *El Nino* Programme at Ogembo Urban Council, which is the headquarters of Gucha District serves only the district hospital; and,

(b) what urgent action the Ministry is taking to serve other institutions and trading centres within Ogembo Urban Council.

The Minister for Water Resources Management and Development (Ms. Karua): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that Ogembo Water Project was initially serving only the hospital and the then DO's office. However, after its recent rehabilitation under the *El Nino* Programme, the project now serves the hospital, district administrative offices, Ogembo Urban Centre traders, the bus park, Tendere and Nyabisiongororo areas.

(b) Rehabilitation of Ogembo Water Project under the *El Nino* Programme has been completed and the distribution mains laid. The project now serves, as I have said, the district hospital, administrative offices, Ogembo Urban traders, the bus park, Tendere and Nyabisiongororo areas. Institutions, individual consumers and traders within Ogembo Urban Centre are required to apply for water connection to the District Water Officer, Ogembo.

Mr. Manoti: Mr. Deputy Speaker, Sir, I am shocked to hear the gracious Minister mislead this House. Ogembo Urban Council is the headquarters of Gucha District where I come from. I know the area where the water she is talking about is serving. It is serving only the district hospital. The people who are living around that place get water from River Gucha. If she has not been given a proper answer by Ministry officials in the field, can she go back and get proper answers from the site?

Ms. Karua: Mr. Deputy Speaker, I think the hon. Member ought to pay attention to the answer, appreciate it and then ask a supplementary question. I said, and I repeat, that for the individual user, they have to make an application to be connected. This is at the Ogembo District water office. Until someone applies, they will not be connected. So could the hon. Member tell the individuals who want to be connected to visit Ogembo District water office.

Mr. Angwenyi: On a point of order, Mr. Deputy Speaker, Sir. I am really very saddened today. It looks like this Government is following the footsteps of the *Nyayo* Government. They are giving false answers in this House. I know the hon. Member lives in that town. He applied for water connection, but could not be connected because that water serves only the hospital. Could I ask the indomitable lady to make a visit with the hon. Member so that she can personally verify that they are not supplying water to any body else, except the district hospital?

Ms. Karua: Mr. Deputy Speaker, Sir, the matter does not call for my personal visit. If the hon. Member has actually applied for connection and has been denied, I seek to see the application letter so that I can deal with the matter.

Mr. Deputy Speaker: Very well. I think that matter is sufficiently answered by the hon. Minister. Could we proceed on to the next Question.

Question No.099

PAYMENT OF MR. MARTIM'S
RETIREMENT DUES

Mr. M. Kariuki asked the Minister for Water Resources Management and Development when Mr. Stephen Kibiego Martim, P/No.1980072370, who retired on 30th August, 2000 will be paid his retirement dues.

The Minister for Water Resources Management and Development (Ms. Karua): Mr. Deputy Speaker, Sir, may I apologise. This Question came up before I arrived. However, I beg to reply.

Mr. Stephen Kibiego Maritim, P/No.1980072370, retired after attaining 55 years mandatory retirement age, on 1st October, 2000. His pension benefits were prepared and dispatched to the

Director of Pensions on 2nd December, 2002. I would like to admit that there was an inordinate delay in processing the pensions benefits. The reason being that the personal file of this particular person took time to be located at the Provincial Commissioner's office in Nakuru before it was handed over to the Ministry's headquarters so that the pension benefits could be processed. We will attempt to ensure that such delays do not occur in future.

Mr. M. Kariuki: Thank you, Mr. Deputy Speaker, Sir. I thank the hon. Minister for the answer and her admission that the delay was inordinate. That underscores the importance of the Pensions (Amendment) Bill that is before this House. However, my Question was more specific; when will Mr. Martim receive the money? The answer says the pension documents were prepared on 2nd December, 2002. Could the hon. Minister assure me that Mr. Martim will receive the money in the next seven days or so?

Ms. Karua: Mr. Deputy Speaker, Sir, I am not in a position to do that. Once we sent the documents to the Director of Pensions, it is up to that office to process the payments. That department is under Treasury. I am willing to give the hon. Member a copy of the letter from my Ministry forwarding the benefits to the Director of Pensions to enable them to do a follow up.

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, is the hon. Minister aware that the moment the documents get to the Treasury's Pensions Department, whether she likes it or not, it will take at least three years for them to be processed? Therefore, what the hon. Member is asking is: Could she also follow it to the Treasury department and ensure that the process does not take three years because she is very committed to helping Mr. Martim?

(Laughter)

Ms. Karua: Mr. Deputy Speaker, Sir, as I said, the department is under the Ministry of Finance. As a Government, I think the delay of pensions is an issue we have to attend to.

Mr. Deputy Speaker: Very well. The hon. Minister has done what is possible and has put it rightly that it underscores the reason why this House must take distinctive action on these matters in the Pensions (Amendment) Bill. Hon. Members, by now we ought to have finished with Questions. It should take one hour, but now we have to go to Questions by Private Notice. That is why I am asking the hon. Members to be precise in their supplementary questions and also the Ministers to do the same. We will now move on to Questions by Private Notice.

QUESTIONS BY PRIVATE NOTICE

MEASURES TO END CATTLE RUSTLING IN LAISAMIS

Mr. Ngoyoni: Mr. Deputy Speaker, Sir, I beg to ask the Minister of State, Office of the President the following Question by Private Notice.

(a) Is the Minister aware that due to insecurity arising out of cattle rustling, two sub-locations, namely Guthas and Koya have been deserted and the two Assistant Chiefs now operate from other centres?

(b) Is he further aware that the two centres do not have permanent water supply for the people's livestock, a dispensary, a primary school and a security camp?

(c) What urgent measures is the Minister taking to solve the insecurity problem in these two areas?

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

(a) Yes, I am aware that the Assistant Chief of Koya sub-location is operating away from his sub-location. The residents deserted the area due to insecurity. Relative calm now prevails and residents are being encouraged to return. However, Guthas sub-location is now settled. Administration police officers were posted to the area in August, 2002. The Assistant Chief is operating within his sub-location at Kari Centre.

(b) Yes, I am aware that Koya sub-location has no permanent water supply. However, Guthas has water supply from a borehole. The water pump was recently repaired and is fully operational.

(c) The re-opening of the Koya Administration Police camp will be considered as soon as the residents re-settle in the area.

Mr. Ngoyoni: Thank you Mr. Deputy Speaker, Sir. I beg your indulgence here. I will discuss with the hon. Minister. I think there is a typographical error in part "b" of the Question. It should read: "Is he further aware the two centres do have...", not "do not have". Therefore, this Question may be misleading and needs to be re-written. However, in his answer to part "c" of the Question, the hon. Minister has indicated that he will post AP's as soon as people have settled in the area. I find this ridiculous in that it is like putting the cart before the horse. This is an area that is insecure. How will people live in the area, unless there is security? I find this quite unacceptable.

Mr. Tarus: Mr. Deputy Speaker, Sir, I thank the hon. Member for the information he has given. The Government is encouraging the communities to settle in the area. We will ensure that we have AP's in the area so that those people can enjoy reasonable peace.

Dr. Wekesa: Mr. Deputy Speaker, Sir, the issue of cattle rustling is not only in Mr. Ngoyoni's constituency. This is an issue that has bothered many areas in Kenya for a long time. We read about cattle rustling in Gucha and Kwanza constituencies among other areas. What measures is the hon. Minister putting in place to deal with this issue?

Mr. Tarus: Mr. Deputy Speaker, Sir, the activity of cattle rustling has been going on in some of these areas because of lack of alternative economic activities. The Government has a programme for the Arid and Semi-Arid Lands (ASAL) to provide water and to encourage other economic activities that will enable the communities living in these areas lead a better life. I am sure that once we have these activities in place, cattle rustling will be history in this country.

Mr. Lesrima: Mr. Deputy Speaker, Sir, I am a bit disappointed by the answer given by the Assistant Minister because we have held various meetings and attended rallies in the North Rift. We indicated to the Assistant Minister the nature of our problems. The biggest problem is the total collapse of security in the North Rift. There are no police stations. There are divisions without District Officers (DOs), vehicles and other communication equipment. I expected the Assistant Minister to give us a programme or an assurance that Government will restore security in those areas before we move.

Mr. Deputy Speaker, Sir, as I speak now, a number of my constituents live as refugees in towns, waiting for re-establishment of Government, so that they can go back. That was the agreement we had with the Assistant Minister. For him to say, we go back first and then he brings the policemen later, really, is not reasonable.

Mr. Deputy Speaker: Mr. Lesrima, you have spoken very well, but you ended up not asking a question.

Archbishop Ondiek: Mr. Deputy Speaker, the Assistant Minister seems not to be taking this matter very seriously. This is because most of the centres are about 30 kilometres apart in those divisions. There is a lot of insecurity in those centres. You find many cases of burglary in shops in the centres and even watchmen are being killed by thugs. What action is the Assistant Minister taking to arrest that kind of a situation?

Mr. Tarus: Mr. Deputy Speaker, Sir, could the hon. Member name the centres because he is being too general?

Mr. Deputy Speaker: Order! Mr. Tarus, could you then react to what Mr. Lesrima said generally?

Mr. Tarus: Mr. Deputy Speaker, Sir, I was expressing my wish that the hon. Member tell us which centres he is referring to. With regard to the hon. Member's concern about the general breakdown of law and order in those areas, I do agree that we did have some problems with regard to vehicles in some police stations. We did have shortage of personnel, but the Office of the President is addressing this problem. I hope we shall be able to provide enough security personnel in these areas.

Archbishop Ondiek: On a point of information, Mr. Deputy Speaker, Sir!

Mr. Deputy Speaker: Order! We have no "point of information" during Question Time. If it is a point of order, I will give you the chance to raise it. Archbishop Ondiek, do you have a point of order?

Archbishop Ondiek: No.

Mr. Ngoyoni: Mr. Deputy Speaker, Sir, the Assistant Minister wanted the hon. Member to name some of those centres. Just a few months ago, in one of my centres in Ugenya, Sambosye, two watchmen were murdered and up to now we have no information as to what action has been taken.

Mr. Deputy Speaker: All right! So, it has ended up being a point of information! Last Question, Mr. Ngoyoni!

(Laughter)

Mr. Ngoyoni: Thank you, Mr. Deputy Speaker, Sir. You must have noted the casual way the Assistant Minister is trying to answer the Question. If you listened to him very carefully, he evaded answering it. My Question was about chiefs deserting the areas. As the Assistant Minister in charge of chiefs, he has not told us whether they are going back to the areas. He has also said in part "a" of the Question, that in August, last year, the Administration Police (AP) camp at Guthas was re-opened. I want to state categorically that as I speak now, there is no a police post in that area. Last year, in November---

Mr. Deputy Speaker: Mr. Ngoyoni, please, ask a question!

Mr. Ngoyoni: Last year, in November, five people were killed at Guthas; two Kenya Police Reservists (KPRs) and three civilians. Could the Assistant Minister, therefore, consider re-opening this particular sub-location, so that people can settle and graze their animals?

(Applause)

Mr. Deputy Speaker: Indeed, this is a very serious matter. Hon. Members have expressed concern over general security in those areas. I think, Mr. Assistant Minister, you ought to look at it, perhaps, more seriously. Could you address this question now?

Mr. Tarus: Mr. Deputy Speaker, Sir, we shall consider re-instating the Administration Police camp in that particular area.

Mr. Deputy Speaker: Next Question, Mr. Oparanya!

MEASURES TO CURB
INSECURITY IN BUTERE

Mr. Oparanya: Mr. Deputy Speaker, Sir, I beg to ask the Minister of State, Office of the President the following Question by Private Notice.

(a) Is the Minister aware that residents of Inaya Sub-location in Butere Constituency were

terrorised and seriously injured by a gang of thugs on the night of 29th March, 2003?

(b) What action has the Minister taken to arrest the culprits behind the mayhem and curb the increasing incidences of insecurity in the area?

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

(a) Yes, I am aware.

(b) As a result of the incident, eight people have been arrested and charged before court, with the offence of robbery with violence. An Administration Police station has since been established in Inaya sub-location. Day and night security patrols have been intensified by both regular and Administration police to ensure that there is security in that area.

Mr. Oparanya: Mr. Deputy Speaker, Sir, this incident happened on 29th March, 2003, at midnight. The police were called but, unfortunately, they said they had no fuel. They went to the area the following day at 1.00 p.m. The Assistant Minister says that eight people have been arrested and charged in a court of law. The answer is not correct because nobody has been arrested. Since then, ten other incidences have happened; in Bubala, Masaba, Mahondo, Mabile and Marenyo areas. I did meet the District Commissioner (DC) of the area. He told me the police in the area have no vehicles, fuel and manpower.

Mr. Deputy Speaker: Please, ask your supplementary question!

Mr. Oparanya: Mr. Deputy Speaker, Sir, when will the Assistant Minister provide a vehicle for the police station? This issue of lack of fuel has been going on since independence. What action is he taking to ensure that the police in the area have enough fuel?

Mr. Deputy Speaker: Order! That is sufficient. Let the Assistant Minister answer the question.

Mr. Tarus: Mr. Deputy Speaker, Sir, I do recognise that the issue of fuel shortage has been coming up more often, not only in the police station referred to by the hon. Member, but also in other police stations even where there are vehicles. We have noticed that the problem is bigger than the problem of transport. The Office of the President has instituted a programme of ensuring that we have changes and effective performance in these police stations. This is because some of the excuses given sometimes are not genuine. Yesterday, an hon. Member came to my office to complain about a similar issue and when I talked to the Commissioner of Police, the record indicated--

Mr. Khamasi: On a point of order, Mr. Deputy Speaker, Sir. There is definitely somebody who is misleading this House. The hon. Member of the area has said that nobody has been arrested and yet the Assistant Minister has said that some seven or eight people were arrested. So, I think we would like some clarification as to whether the officers in the Assistant Minister's office actually misled him into bringing a wrong answer to this House.

Mr. Tarus: Mr. Deputy Speaker, Sir, I do have a list of the people who were arrested and the answer states:-

"As a result, the following suspects were arrested and charged before court with the offence of robbery with violence contrary to Section 296(2) of the Penal Code: Stephen Omondi, Dan Isoboso, Samuel Sabatia, Cleophas Isaru, Daniel Musa, John Sakwa, Simeon Amukoro and Joseph Shikuku. Butere CR924/168/03, Case Referred: The next hearing date of this case will be on 18th June, 2003."

Mr. Oparanya: Mr. Deputy Speaker, Sir, I am happy that the Assistant Minister has mentioned names. As I said, when the police went there the following day, at 1.00 p.m., they arrested some people they found drinking *chang'aa*. Those are the people who the police said were the robbers. Could the Assistant Minister tell me when Butere Police Station will be provided with a vehicle? Secondly, when is he likely to increase the manpower at Butere Police Station?

Mr. Tarus: Mr. Deputy Speaker, Sir, as for the people who were arrested, I think it is safe to leave it to the court to determine whether they are innocent or guilty. Secondly, for the vehicles and personnel for Butere Police Station, as soon as I leave this House, I shall consult with the Commissioner of Police to ensure that these problems are sorted out.

DESTRUCTION OF SOY PRIMARY SCHOOL ROOF

Mr. Choge: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Education, Science and Technology the following Question by Private Notice.

(a) Is the Minister aware that the roof of Soy Primary School, in Terik Location, was ripped off by a strong wind during the week ending 23rd March, 2003?

(b) What steps is the Minister taking to have the roof restored so as to save the school building from further destruction by the rains?

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

(a) I am aware that the roof of Soy Primary School, in Terik Location, was ripped off by a strong wind during the week ending 23rd March, 2003.

(b) The roofs of the damaged classrooms have already been repaired through funds provided by the Government to support free primary education under the Repairs, Maintenance and Improvement Sub-vote and also the use of the old iron sheets. Pupils are now learning normally.

Mr. Choge: Mr. Deputy Speaker, Sir, I am a little bit disappointed by this answer. Having visited the school over the weekend, I found out that, indeed, there were local arrangements made by the parents but nothing has been done by the Ministry as alleged. In fact, there is no way a roof measuring over 85 feet could possibly be repaired using torn iron sheets, old nails and broken timber. Could the Assistant Minister tell this House how much money was spent on the repairs, materials and labour?

Mr. Gumo: Mr. Deputy Speaker, Sir, there was a request through the District Education Officer (DEO) for some money from the Ministry to repair this roof and we had already sent some of the money to the school for maintenance, which amounted to about Kshs25,515, although they were requesting for Kshs8,180. So, the DEO wrote to the Ministry and he was authorised to ask the headteacher to use this money and, indeed, he has used this money to repair the roof of the school. Now, together with the support of the community, they are supposed to have finished by now.

Mr. Koech: On a point of order, Mr. Deputy Speaker, Sir. If you heard the hon. Assistant Minister very clearly, he said that he is happy the students are learning because the roof had been repaired and yet he now again says that he hopes the parents will do something about it. What are they supposed to do now if it has already been repaired?

Mr. Deputy Speaker: Mr. Koech, you are an old hon. Member of this House and I am surprised to see you stand on a point of order and ask a question. Why did you not just stand and catch my eye without telling me that you have a point of order which you actually did not have since it was a question? Anyway, for the interest of the community, I will allow the Assistant Minister to answer the question.

Mr. Gumo: Mr. Deputy Speaker, as the hon. Member knows, the construction of schools is the responsibility of the parents but we do not leave it to them entirely. So, when we got this information, that the roof had been blown off, the DEO quickly asked for authority from the Ministry. We gave the school the money with which they were supposed to use to complete repairing the roof and I am sure by now it should be ready. If it is not ready, then he should tell me.

Mr. Choge: Mr. Deputy Speaker, Sir, I am not entirely surprised by the response from the

Assistant Minister. However, be that as it may, could he re-investigate this matter so as to satisfy himself that, indeed, if there were any repairs carried out, they were done professionally? This is because the roofs were not aligned and the leakages persist and so learning is not yet back to normal.

Mr. Gumo: Mr. Deputy Speaker, Sir, that is good information because, as far as we are concerned, the school has been re-roofed and that is why we need the hon. Member's assistance. If it was not repaired properly, then we can find out why it was not repaired properly. Otherwise, we have done our best.

DESTRUCTION OF MANDERA
WEST PRIMARY SCHOOL

Mr. A.H.M. Mohamed: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Education, Science and Technology the following Question by Private Notice.

(a) Is the Minister aware that on 16th March, 2003, strong winds blew off the roofs of Darweed, Wajai Dahan, Hillrode and Takaba Primary Schools resulting into the closure of all the schools?

(b) What urgent measures is the Minister taking to resolve this crisis?

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

Mr. Deputy Speaker, Sir, this is a Question similar to the previous one. In fact, roofs in so many schools have been blown off. The answer is likely to be the same but, in this case, the donors and the local community have worked on the roofs and work has already been done. The only thing that I am not sure of, and I wanted to find out, is how much the Ministry has contributed. If I can be given time, I can find out.

Mr. A.H.M. Mohamed: Mr. Deputy Speaker, Sir, the Assistant Minister has given a very unsatisfactory answer. I have got a written answer here. I visited the area on Monday and the Assistant Minister's answer is far from the truth. It is true that the community has mobilised itself and is doing something about the roofing, but the schools are partially closed because the community was not able to roof all the classes. Some of the classes have structural damage and cannot be used at all. I am surprised that the Assistant Minister is giving such an answer. When I inquired, it was revealed that the Ministry of Education, Science and Technology personnel in the district have not visited the area and yet, when the damage occurred, the Provincial Director of Education was in that area and did nothing about it let alone talking about it. What did the Ministry contribute and how are they going to alleviate the situation?

Mr. Deputy Speaker: As the Assistant Minister has said, roofs in so many schools have been blown off. Now, before the Ministry comes up with a policy, is it the responsibility of the community or the Ministry to do something so that members of the public are aware because now the Member is expecting the Ministry to do something and the Ministry is expecting the community to do something? Could the Ministry tell the House what should be the position, including those schools where roofs have been blown off because parents are not here?

Mr. Gumo: Mr. Deputy Speaker, Sir, the Ministry has given a certain amount of money to every school for maintenance. I am sure that it is not enough, but the parents are also supposed to assist in the construction. As I said, in this case, I am not very sure whether we have sent any extra money to those schools, but the schools have got a certain standing amount of money from the Ministry, which we sent out in March this year.

Mr. Deputy Speaker Sir, at the same time, I have got a breakdown of what these schools got from the donors. I think these amounts should be able to complete the roofing of the schools. Takaba Primary School got 180 three-metre long pieces of iron sheets; 110 feet of timber, each measuring 3

by 2 feet, 1,300 feet of 4 by 2 feet timber, 120 bags of cement, six doors, wire mesh, nails and Kshs30,000 being the cost of skilled labour. Darweed Primary School got 50 pieces of iron sheets, 300 feet of 3 by 2 feet timber, 40 bags of cement, and Kshs9,000 to cover the cost of labour. Wajai Dahan Primary School got 50 pieces of iron sheets, 300 feet of 3 by 2 feet timber, 40 bags of cement, Kshs9,000 being cost of labour. Hillrode Primary School got 60 pieces of iron sheets, 600 feet of 3 by 2 timber, 800 feet of 4 by 2 feet timber, 60 bags of cement, 25 kilogrammes of roofing nails, and Kshs12,000 for the skilled labour.

Mr. Deputy Speaker, Sir, I do not know how much damage was done. But if the hon. Member is really as serious as some of us are, he should go there and find out how much work has been done and what is remaining, and then come to the Ministry and tell us. We might be able to assist him.

*(Several hon. Members stood
up in their places)*

Mr. Deputy Speaker: Order! Order, Members! The Assistant Minister has answered that Question very well. Next Question! It is past Question Time. It is now 10.35am. Mr. J. Nyagah!

SALE OF TELKOM KENYA

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Transport and Communications the following Question by Private Notice.

(a) Could the Minister confirm that the Government intends to sell up to 70 per cent of Telkom Kenya?

(b) What is the status of the sale negotiations?

The Assistant Minister for Transport and Communications (Mr. Ligale): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I can confirm that the Government does not intend to sell up to 70 per cent of Telkom Kenya.

(b) Due to the continued poor performance of telecommunications shares in major financial markets, the Government has decided against offering for sale a stake in Telkom Kenya Ltd for the time being.

Mr. J. Nyagah: Mr. Deputy Speaker, Sir, does that mean that they intend to sell less than 70 per cent of the corporation?

(Laughter)

Also, we have heard rumours about it. You know we go by rumours at times---

Mr. Deputy Speaker: Order! This House does not accept any thing which is a rumour.

Mr. J. Nyagah: I have seen newspaper reports indicating that the Minister for Transport and Communications attended a meeting in South Africa, where he very strongly spoke along the lines quoted in this Question. Could he, therefore, disregard the statement made by the Minister for Transport and Communications when he was attending an African Telecommunications meeting in South Africa and make it very clear that, that position has changed and that shares eventually should be sold in a very transparent manner to all potential buyers?

Mr. Ligale: Mr. Deputy Speaker, Sir, we have no intention of selling the shares for the time being. What we are doing now is to restructure Telkom Kenya using funds from both internal and external sources, to add value and ensure full commercialisation of the company. Our priority for the

time being will also be the issue of staff rationalisation and network expansion. It is envisaged that to make Kenya Telkom shares attractive, we require some three years from now after which it is proposed that privatisation will proceed on the following lines:-

(a) Sale of 25 per cent of share holding to the Kenyan public through the Nairobi Stock Exchange by way of an initial public offer; and,

(b) Sale of 20 per cent of share holding to a strategic equity partner in line with the proposed Privatisation Bill.

Archbishop Ondiek: Mr. Deputy Speaker, Sir, with regard to the third mobile telephone operator, whom they are trying to license, is the Ministry of Transport and Communications going to use a transparent manner to source those facilities or does it have some people in mind?

Mr. Ligale: The consideration of applications for the third mobile operator shall be done in the most transparent manner.

Mr. Deputy Speaker: Thank you. End of Question Time! There is only one request for a Ministerial Statement from Mr. Khamasi.

POINT OF ORDER

HUMILIATION OF MEMBERS OF PARLIAMENT DURING MADARAKA DAY CELEBRATIONS

Mr. Khamasi: Mr. Deputy Speaker, Sir, I rise to seek a Ministerial Statement from the Office of the President, to explain to this House why they subjected Members of Parliament to ridicule and humiliation during the Madaraka Day celebrations held on 1st June, 2003.

Members of Parliament were made a laughing stock to the public who attended that event. They were denied seats on the dais and some were outrightly advised that there was no space for them. Could the Minister advise this House as to whether the Kibaki regime is now intent on doing without MPs? The President is going to attend a function at the Grand Regency Hotel this morning. I want to assure you that most of these hon. Members are reluctant to attend that function lest they be humiliated again. So, we require a Statement from the Office of the President.

(Applause)

Mr. Deputy Speaker: Next Order!

MOTION

INTRODUCTION OF MOBILE AND BOARDING SCHOOLS IN PASTORAL AREAS

Mr. Wario: Mr. Deputy Speaker, Sir, I beg to move the following Motion:-

THAT, in view of the high illiteracy level in pastoral areas occasioned by lack of appropriate pastoral education policy; taking cognizance of the Government's commitment to the provisions of free basic education for all Kenyans; this House urges the Government to put in place mobile and boarding facilities in each division within the pastoral areas in order to enable children in these areas to enjoy free basic education just like other children in other parts of the country.

Mr. Deputy Speaker, Sir, pastoralism is as old as this world. I am saying this because Jesus, Abraham, Moses and Mohamed were all pastoralists. As the Mover of this Motion and a pastoralist, I

would like to say that, that livelihood is still in practice and I beg this honourable House to understand this way of life. We are pastoralists because the most viable economic activity in our areas is keeping of livestock. If it were not for pastoralism, 80 per cent of Kenya's land mass could not have been utilised the way it is being utilised today. It could even have been claimed by other countries because you could not have time to go and monitor what is happening in Mandera. Kenyans are still there because of pastoralism. They are still struggling to safeguard that part of the country as theirs despite the harsh environment.

Due to the poor carrying capacity of this area, we have to move from one place to another in search of pasture and water. We have to move from one place to another so as to cope with these things. We have to move from one place to another to run away from conflict. In this process of movement, as we are alternating between existing ecological zones so as to survive, the poor pastoral child must also move because he entirely relies on this livestock as his primary source of livelihood. It is in the process of this movement that the poor pastoral child is mostly affected simply because the current education system is meant for people living in permanent settlements. So, in the absence of an institution which will address education for the pastoral child, the situation of this target group is going to get worse than it was at Independence.

Mr. Deputy Speaker, Sir, the first colonial governor, Mr. Elliot, said that Her Majesty's Government cannot invest in ASAL areas due to poor economic returns. The successive governments have not changed this discriminative policy. It is due to this fact that the educational situation of the pastoralists was worse at Independence than today because the Ominde Report of 1965 put the enrolment rate at 20 per cent while, 35 years later, the Koech Report put the enrolment rate in this area at 17 per cent.

Due to the lifestyle which I told you about, there is a very poor enrolment rate in this area. At times a pastoralist predicts the weather. If it forces him to move; he has to move. If he moves, the child must also move. This has affected the enrolment rate of this particular target group. Due to lack of concern and commitment by the former Government, the performance of school children in the ASAL areas is very poor. Tana River District is always the third last as far as examination performance in this country is concerned. That is the position reserved for that particular district. It is not that we have children who cannot perform well in school, but the environment around us does not allow us to compete with children from other areas. This has cost us loss of children from primary to secondary.

As I said earlier, due to lack of concern and commitment there is low pupil and teacher ratio. As I speak here now, there are schools with fewer teachers compared to the students. This has contributed to the low quality of education in these areas. The only option for a pastoral child is to ensure that we have access to boarding schools so that, if we are forced by the weather to move we can leave our children behind to learn in school. Now that the NARC Government has come up with a free education policy, we do appeal for these boarding facilities so that if we are forced by the weather or conflict to move from one centre to another our children will remain behind to get opportunities like other Kenyans and access to education.

Planning and implementation of educational programmes should include the principal actors; that is the pastoralists. The top-down approach in planning has made us to be what we are today. In planning educational programmes, I do appeal to the Ministry to involve the pastoralists so that, like other Kenyans, they may plan for their children and address the gap which is already there. There is a wide gender gap compared to national indicators. While at national level the gender gap between the boy and girl child has been bridged, but in pastoral areas that gap is too wide. It is 60 per cent in West Pokot, 20 per cent in

Moyale and the ratio of boys to girls in North Eastern Province is 1:2.

Finally, may I beg this House to understand our way of life. We are not appealing for free things but, due to that indifference, I am appealing to both sides of this House to understand our way

of life and the suffering of the pastoral children and support this Motion.

With those few remarks, may I call upon my colleague, hon. Amina, to second this Motion.

Thank you.

Ms. Amina: Thank you Mr. Deputy Speaker Sir. I rise to second this Motion on the establishment of mobile and boarding school facilities in the arid- semi arid parts of our country. This Motion is not only timely, but one that intends to make sure that the NARC Government, which promised to focus on the development of the former Northern Frontier Districts and other arid lands, translates this promise from rhetoric to concrete action. Education is a right that is essential for any economic and social development of a community. The pastoral communities in this country have fundamentally been left behind because of the poor educational status in those regions. Primary education is the foundation of a child's experience in learning. A weak foundation results in poor future performances. In this regard, I strongly link the poor economic indicators in pastoral areas to poor educational standards.

Mr. Deputy Speaker, Sir, an example of the effect of poor primary education in the pastoral areas, is given by North Eastern Province. Since Independence, this province has taken less students to the university than Kagumo High School took in 1975. This disparity is extremely serious and is reflected by the answers that the Ministry of Education, Science and Technology, has been giving to Questions regarding the implementation of the free primary education programme in pastoral areas. It is in this regard that I am obliged to give a distinction between what we are proposing and the difference between mobile schools and boarding schools. The mobile schools are intended to deal with basic education. Basically, this is to provide functional literacy to the nomadic child who is not able to go to school for reasons such as cultural or livelihood commitments to join boarding schools. Therefore, the mobile schools proposed in this Motion are meant to deal with functional literacy. Boarding schools, on the other hand, are intended to provide the nomadic child with an opportunity to follow the national curriculum and hence integrate this child into the national education system. We have repeatedly been informed of the reasons why education system in northern Kenya and other pastoral areas in Kenya has been wanting.

Mr. Deputy Speaker, Sir, first, we were told that the first schools in the former Northern Frontier Districts were started 100 years after Dr. Kraph established the first school in Rabai. For me, this is just a justification because they do not have a better one. The subsequent Governments since Independence have not invested in changing the attitude and perception of pastoralists towards education, especially because secular education has been linked to alienating a pastoralist child; to delineating his or her culture and christianization of the pastoralist child. Secondly, there has not been any specific education policy. In fact, all the subsequent studies and reports, on the pastoral education, have linked the improvement of the pastoralist child to the settlement of those communities.

Mr. Deputy Speaker, Sir, since I joined this Parliament, several speakers here have suggested that pastoralists need to be settled for service delivery to be improved. This is in total disregard of the fact that pastoralists move, not out of choice, and not out of economic strategies, but mainly because the ecological conditions in those areas demand that they move for survival purposes. Those of us who have been suggesting that pastoralists settle should learn from the World Bank failures in villagerising pastoralists in the Sahel which have all failed miserably. Thirdly, pastoralists are the poorest of the poor. Their livelihoods are very vulnerable to ecological and social economic shocks such as diseases, droughts and insecurity. Due to this, these groups are not able to participate in the establishment and improvement of educational policies in the area. Unless we focus on the improvement of the primary education programmes in the pastoral areas, poverty shall remain a vicious cycle and the children from pastoral areas will not be able to compete with those from the rest of Kenya. Let us have one Kenya; let us have an improved education programme for the whole of Kenya.

Mr. Deputy Speaker Sir, boarding schools are the only option for the moving nomadic pastoralists. They are the only way we are going to improve enrolment in schools and retention in schools. They are the only way that we can improve the performance of the pastoralist child, since most of the schools are also sources of school feeding programmes that improve the nutritional status of those children.

Mr. Deputy Speaker, Sir, I strongly support this Motion. I urge my colleagues that, if we are truly serious in ensuring equity in the development of this country, the pastoralist child should be brought forth and education in those areas be strongly supported. I am worried that by mentioning the support of infrastructure and building schools in pastoral areas, would mean that we would be left with white elephants with no teachers to man the schools, and no textbooks for those children to learn from. I urge that, in addition to the Ministry focusing on increasing the number of schools in each district so that the nomadic child can get a school to go to, we also equip those schools with competent teachers. If we are serious about development, we have to seal the weak leakages in our education programmes in the pastoral areas and one of the biggest weaknesses is the quality of teachers posted to those areas. The teachers just like the other civil servants posted to Northern Kenya, are usually sent there on disciplinary grounds, rather than their competence in improving the educational status in those areas.

Mr. Deputy Speaker, Sir, finally, I want to appeal for the special needs of the nomadic girl child. Boarding schools that have so far been established in the arid and semi-arid areas have not paid special attention to the cultural requirement that hinders the nomadic girl child from going to school. I, therefore, urge the Ministry of Education, Science and Technology, in its implementation of this Motion, that it establishes special streams that will take special consideration of the girl child. I am informed that Motions in this House are debated and we are a mere talk shop as the Implementation Committee in this House is not functional. For us, I am urging the Ministry of Education, Science and Technology, not to let this Motion go unimplemented, like the beautiful reports I have had to read about nomadic education are filling shelves in the Ministry.

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

(Question proposed)

The Assistant Minister for Education, Science and Technology (Mr. Gumo): Thank you, Mr. Deputy Speaker, Sir. This is a very important Motion, as the Government is concerned about developing schools in semi-arid areas. The Government is aware that these areas have lagged behind particularly in education.

This has been as a result of their lifestyles, that is, of moving from one area to another. That is why the NARC Government has made efforts in these areas, to make sure that the children, who are not able to go to school now, can do so in future.

The Government has done its best by trying to enforce and put up more facilities in the existing boarding schools. Children cannot stay in schools unless boarding schools are built in these areas. The idea of mobile schools cannot work.

Mr. ole Ntimama: On a point of order, Mr. Deputy Speaker, Sir. I notice that the hon. Assistant Minister is making an official response to the Motion. But, I would expect that we contribute to this Motion before any official response is made.

Mr. Deputy Speaker: You are right, but the Chair was informed that there was an agreement between the Mover and the Assistant Minister to move an amendment to the Motion. I had consented to this in order that, if there is consensus and it is seconded and approved, then we shall move on to the amended version. The Assistant Minister, therefore, wants to move the amendment.

The Assistant Minister for Education, Science and Technology (Mr. Gumo): Thank you, Mr. Deputy Speaker, Sir. I was going to say a few words, then move the amendment. This is to enable

fellow Members know the reasons for moving the amendment.

[Mr. Deputy Speaker left Chair]

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

We have noticed worldwide that mobile schools cannot work because they require movement from one area to another. In these areas, there is difficulty in communication and transportation. Mobile schools will need movement both of materials and teachers. It will, therefore, be more difficult for children than when we have better equipped boarding schools. The children will be able to learn, even if the parents move from one area to another.

With those few remarks, Mr. Temporary Deputy speaker, Sir, I beg to move that the Motion be amended as follows:-

By deleting all the words after the word "Government" in the sixth line and inserting the following words in place thereof, "to establish extra and enhance existing boarding facilities within pastoral areas in order to enable these children to enjoy free basic education like any other children in other parts of the country.

This would be better because of the problems associated with mobile schools. As we are aware the areas are so expansive that the schools will not work.

The Assistant Minister, Office of the Vice-President and Ministry of National Reconstruction (Mr. Mungatana): Thank you, Mr. Temporary Deputy Speaker, Sir. I beg to second the amendment moved by the Assistant Minister for Education, Science and Technology. For the first time, the Government has given a tall commitment, free from any push, that it shall provide free primary education.

As we try to fine-tune this policy, we have realised that we have to take care of communities that move from one area to another. The Government is an all-inclusive Government and all communities will be taken on board. In the past, the pastoral communities have been sidelined in the issues of education.

I would like to take an example of the ASAL areas, like Garsen Constituency, where you find that areas with boarding facilities, and in settled communities, have better performance in education. This is a clear example of the contrast that exists. Certain areas are favoured by certain factors, while others are not. The nomads, for example, were not favoured by the previous Government's policies.

It would, therefore, be in good faith and all-inclusive that this Motion be amended as proposed. We, as the Government, are supporting this Motion. We should make it a realistic Motion which can be implemented. For those reasons, this Motion should be supported by both sides of the House. The Motion should be worded in such a way that we will not come back here and say that Motions are not implemented by the Government.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Members, the Mover of the Motion has indicated to the Chair that he has no opposition to the amendment. So, after proposing the Question, I will straightaway put the Question, so that we can debate the main Motion.

*(Question of the first part of the amendment,
that the words to be left out be
left out, proposed)*

(Question of the first part of the amendment,

that the words to be left out be left out, put and agreed to)

(Question of the second part of the amendment, that the words to be inserted in place thereof be inserted, proposed)

(Question of the second part of the amendment, that the words to be inserted in place thereof be inserted, put and agreed to)

(Question of the Motion as amended proposed)

Mr. Sasura: Mr. Temporary Deputy Speaker, Sir, I stand to support the Motion. I want to talk about the plight of the pastoralists as far as the education policy is concerned.

It has been said that pastoralists are leading the life that they are leading because they have no alternative ways of livelihood. That is not true because pastoralists do not need alternative means of livelihood. All they need is their current livelihood to be improved. So, I do not agree with one Assistant Minister who said that pastoralists do not have alternative means of livelihood. In as far as education is concerned, it is not enough to stress the importance of basic education with respect to boarding schools. I agree with the Assistant Minister when he says that it might not be practicable to have mobile schools. One, because if we have mobile school programmes, we will definitely have mobile teachers, and considering that teachers have families, then we will have mobile families. We should not forget that not all teachers in the pastoral areas are pastoralists. So, we will convert non-pastoralist families into pastoralists.

Having said that, early this year, when the Government announced the provision of free and compulsory primary education, a heated debate arose with regard to free and compulsory education in boarding primary schools. The Government excluded boarding facilities in pastoral areas from the free and compulsory primary education programme. It took us a lot of time and arguing to be included in the programme. That is a very good example of how Arid and Semi-Arid Lands (ASALs), and the plight of the pastoralist children have been ignored. The question that puzzles us is why successive Governments have all decided to neglect the plight of the pastoralists. That question can only be answered when some attention will be given to the pastoralists. It is difficult to answer that question now.

Mr. Temporary Deputy Speaker, Sir, I want to illustrate the high level of illiteracy in the pastoral areas. Between Marsabit, Isiolo and Moyale Districts in Eastern Province, 40 years down the line, we have only managed to produce about six doctors, four lawyers and about three engineers. Pastoralists are not foolish people. Actually, there is no human being who is foolish except the one who is born deranged. The situation in the North Eastern Province has been caused by the education policy that has been adopted by successive Governments. Pastoralist communities have become samples of Non-Governmental Organisations (NGOs) proposals. Those communities normally fit in very well when NGOs sit down to write their proposals in pursuit of funding. Donors will always come in very fast if the NGOs put in their proposals with respect to pastoralism in terms of shelter, food, water and infrastructure. That has been the life that the pastoralists have been leading to date.

What will convince the pastoralists of this country that the current Government will be different from the previous Governments, when we stand here to talk about insecurity in our areas and cry to be provided with one radio call facility in a police camp? What will convince us that this Government will be different from the previous Governments when, for example, it can give Kshs25,000, within a week, to provide maternity facilities for a big snake in Nyakach called *Omieri*,

and fly in an Oromo farmer from Addis Ababa in the name of "General Mathenge" at the expense of the taxpayers? Yet the Government has failed to buy one radio call facility for a police station in Marsabit to facilitate communication so that we will have less insecurity in the area. I sympathise with Mr. Wamwere because he was disappointed at the airport!

Mr. Temporary Deputy Speaker, Sir, what is the difference between the current and the previous Governments? It has been said, and it is true, that the former President Moi's Government bought a Presidential Jet at Kshs4 billion. What is the difference if the current President Kibaki's Government is planning to buy fighter jets when Kenya is not at war? I thought that immediately another Government came to power, it would sell the Presidential Jet. But the current Government is now very comfortable using the same jet. How will the current Government convince us that it will be different from the previous Governments? When we talk about pastoralism, we talk from the bottom of our hearts and the only time we shall be convinced that the National Rainbow Coalition Government will be different from the previous Governments is when we see changes taking place. Our lives are less valued than the life of a snake. That is the bottomline.

You will realise that this morning several Questions have been raised about school roofs being blown off. I do not know what it is about those disasters over the last six months. Ever since Mr. Gumo and the rest went to Jogoo House, these disasters have become too many, especially in primary schools. But, next time, the roof of Jogoo House will be blown off. My major concern here is that every time there is a disaster in schools, the Government refers to the parents and tells the area District Education Officer to write a letter to the local NGOs within the district for funding. It is the responsibility of the Government to set aside a disaster fund. We are talking about children and roofs being blown off. Sometimes, when those roofs are blown off, they end up killing children. That has happened in this country several times. It is high time the Ministry of Education, Science and Technology realised that and set aside an emergency fund to cater for the disasters. The maintenance funds which are normally sent to schools should not be used to repair the blown off school roofs. The Secunder of the Motion has said that the Government will implement this Motion. I really wish it will be implemented. Very good Motions have been passed in this House, but when they are shelved, they do not serve the purpose. You do not have to set up new schools as such. Just equip the existing boarding schools with facilities. I want, at this juncture, to tell the Minister for Education, Science and Technology that, over the last few years, the Ministry has been sending some money to boarding schools. Those boarding schools are not operational and yet, the returns that the Ministry gets indicate that the schools are existing. It is high time the Ministry set up an investigative committee to find out how the money has been siphoned illegally by the District Education Officers and headteachers of the respective boarding schools, not only in the pastoral areas, but all over the country. It has been happening and it might be happening even now. In Marsabit, specifically, two boarding schools which have not been operational over the last four or five years are indicated in the records of the Ministry. The Ministry sends money every other year.

With those few remarks, I beg to support.

Prof. Kibwana: Mr. Temporary Deputy Speaker, Sir, thank you very much. Mr. ole Ntimama is so much interested in supporting this Motion and I am sure he will get a chance.

I would like to support this important Motion as amended because I really think it assists the Government in terms of the stated Government policy on free basic education. One of the most critical things that the NARC Government has done, in terms of showing that it is true to its election pledges, is to operationalize free basic education. The draft of this Motion is to say one thing; that, if you want education in pastoral areas to be meaningful, you must provide for boarding facilities. The moment that point is grasped then this Motion becomes very important.

Mr. Temporary Deputy Speaker, Sir, in supporting this Motion, myself and the Government are simply saying that, making basic primary school education boarding, is equal to supporting free

basic education and it is in this line that I fully support this Motion.

As has been stated, every year North Eastern Province has the worst results in terms of Standard VIII and Form IV examinations. The reason for that is obvious. The way the children are educated does not accord to the pastoral way of life. Therefore, when those extra facilities are made available, and the existing boarding facilities are enhanced, we are going to have a situation where more children are able to study under good conditions and, therefore, do well as other children in other parts of the country.

Mr. Temporary Deputy Speaker, Sir, I had an occasion to go to school with Dr. Godana, who came from a pastoral area. I remember that during some of the holidays, he was unable to trace his family because it would have moved to another location when he was in school. He would come back to school feeling very sad. He would say that he was unable to find his family. But because he was in a boarding school, he was able to study, join the university and be the first Kenyan to obtain a First Class Honours in Law at the University of Nairobi.

(Applause)

To make it possible to seriously pursue education policy for pastoral areas, it would be necessary for the Ministry of Education, Science and Technology to establish a sub-department to deal with education in Arid and Semi-Arid Lands (ASALs) and pastoral areas. This is because the Government should monitor this situation.

In terms of the extra boarding facilities which will be made after tomorrow's Budget, it is easier to establish patterns of pastoral exodus and know when people move out of a particular area and where they move to. This will enable the Government to build schools in places where those people have moved to. Even though we have dropped the idea of establishing mobile schools for reasons which have been very ably stated, we can, at least, locate boarding facilities in all places where people move to.

Mr. Temporary Deputy Speaker, Sir, to make our people change their lifestyles for the better, in the long run, or maybe in the medium run, we must emphasise subsistence pastoralism. We must also de-emphasise subsistence settled agriculture because we should promote agriculture [**Prof. Kibwana**]

which paves the way for industrialised agriculture. It is for that reason that I think education is one very critical factor in ensuring that we promote lifestyles which earn a lot of money for our people. It is an open secret that North Eastern Province and contiguous districts, including portions of Eastern and Coast Provinces, have been marginalised. For a long time, our Constitution did not apply to North Eastern Province and contiguous districts. There was a perpetual emergency regime and even lack of full citizenship. So, in order to rehabilitate this part of Kenya, which had been marginalised by colonialists and even our Independence Government, it is good to now emphasise the provision of education, water, infrastructure and promote agriculture. This is the reason why the Government policy of ensuring that there is a special fund for North Eastern Province and contiguous districts is something which is very important. I do hope that tomorrow's Budget will address this aspect.

I worked in North Eastern Province, and there were times when I was asked: "How is Kenya?" People asked me this question because they really felt that they were not genuine Kenyans. This was because Kenya did not provide for them sufficiently. Therefore, they felt that they needed much more and were not true Kenyans. So, it is important to pursue policies like this one which seek the re-integration of North Eastern Province to the rest of Kenya.

At the Bomas of Kenya, there was a lot of talk about districts, provinces and tribes which did not feel that they belonged to Kenya. The only way to cure this problem is to make sure that people are provided for in terms of education, economically and so on, so that they do not depend on their

tribes, districts or provinces.

(Applause)

This is how we can cure this problem.

Mr. Temporary Deputy Speaker, Sir, North Eastern Province was abused a lot by the former regime. I think the former regime thought that ignorance was power and, for a long time, the people of this province did not enjoy free and fair elections. With the NARC Government introducing positive policies on free basic education and boarding facilities in North Eastern Province, the people of this region will appreciate a true Government. I am sure that in the next general election, the situation will change dramatically. Therefore, I wish to support the Motion.

*(Several hon. Members stood
up in their places)*

I have not finished my contribution! I still have got some time left!

(Laughter)

Mr. Temporary Deputy Speaker, Sir, I wish to support the Motion. I would also like to recommend to hon. Gumo to buy new glasses, because he sometimes has problems with reading. I think the way he amended the Motion was very good, as it can be practical and implementable. It is my sincere hope that within the coming Budget, this Motion will be accommodated so that there are extra boarding facilities and there is enhancement of the existing ones because that is the only way we are going to meaningfully support free primary education in Arid and Semi-Arid Lands (ASAL) areas. Finally, we also need to provide lunch for children in ASAL areas because many of them--

The Temporary Deputy Speaker (Mr. Wetangula): Your time is up.

Proceed Mr. A.M. Mohamed.

Mr. A.M. Mohamed: Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to thank the previous speaker and the others who contributed to this Motion, who really supported the Motion and brought out the issues of concern, particularly to the people in nomadic and pastoral areas. In particular, I wish to commend Prof. Kibwana for being the ambassador of the nomads in Kenya and other disadvantaged communities.

Mr. Temporary Deputy Speaker, Sir, you know the importance of pastoralists, particularly in the economy of this country. We have so many cattle, goats, and other things that contribute to the economy. But this is not possible due to many factors. Illiteracy is very high in these areas, and not only is it actually high, but it has really disadvantaged the people of these areas, even after having been independent for the last 40 years. The result of illiteracy in this area has been very bad, leading to very poor standards of living. Secondly, these areas are endemic with poverty, and this is always associated with illiteracy. As Prof. Kibwana said, our people have no access to education. Just before elections, nobody was concerned about their education, and due to their illiteracy, they ended up voting unwisely. Unemployment is also very rampant. When people are illiterate there is nowhere to take them. There are many more problems than that, including banditry, tribal clashes, and tribalism itself. All these problems emanate from illiteracy and ignorance.

Mr. Temporary Deputy Speaker, Sir, hon. Sasura has clearly put it, that it is the work of the Government. There is no need of referring to a mistake that was done by the KANU Government before. We would like to urge the NARC Government, that seems to be so serious with its work, to act now. All that they are telling us perhaps are the good things, but we have not yet seen the actions,

particularly concerning the free primary education. There is very little they have done in our areas. There is no need of singing and saying that NARC has provided this and that. You have done very little towards the provision of education in nomadic areas. The nomads need to have proper boarding schools. This should translate into adequate funding, equipment like beds, mattresses, food and well-paid support staff. What is happening right now, especially in my home district of Wajir, is that we have less than 500 students. This has been the situation for the last 20 years. Enrolment has been going down due to poor equipment and facilities in schools. If we are going to talk about free primary education or basic education, then boarding schools must be fully equipped and funded. It is very amazing that in our area, less than 20 per cent of school-age children attend school. What is even worse is that only 5 per cent of those who enrol in schools complete secondary school education. Out of these, less than 0.1 per cent make it to university.

We are saying that education in ASAL areas as well as in other disadvantaged areas, such as Kuria District, should be taken seriously. Resources which have been allocated to those areas in the past were wasted. In Kenya, if you have not attained university level of education you are despised. So, as far as education in ASAL areas is concerned, we have attained nothing. I can, therefore, say that we are not yet independent.

Mr. Temporary Deputy Speaker, Sir, as a result of all these anomalies, we have performed very poorly in education. You have witnessed the poor results recorded by our children in national examinations. Is this really justice? The other day, while at the Bomas of Kenya, we discussed the rights of Kenyans. The right to education is clearly provided for in the Children Act, but you realise that children in ASAL areas have been denied that right; they have no access to education. The few children who access education do not complete their studies.

So, what we want from the National Rainbow Coalition (NARC) Government, which appears to have won the hearts of the donor community, is to see its money flowing into ASAL areas. After about 10 years, the Government should tell us that so many students from those areas have made it to university. The affirmative action that we have always wanted for women should now be extended to disadvantaged communities such as pastoralists and other people who have been previously neglected. The Government should cease to blame the previous regime for our backwardness.

With those remarks, I support.

Mr. ole Ntimama: Mr. Temporary Deputy Speaker, Sir, this is a very important Motion. However, it will only remain important if it is implemented by the Government upon its passage. This House has passed many Motions which were very similar to this one but, for years, they have been gathering dust on shelves.

I want to say at the outset that we had better have a good start. Definitely, most parts of this country have lagged behind in terms of development. However, pointing a finger at the NARC Government at this point in time is being unfair. For sure, the NARC Government came to power only about six months ago. So, the hon. Member who attempted to blame the NARC Government for lack of development in his home district should have asked himself what the former Government has done for the last quarter of a century.

Dr. Godana: On a point of information, Mr. Temporary Deputy Speaker, Sir.

Mr. ole Ntimama: I do not need any information for God's sake!

(Laughter)

Mr. Temporary Deputy Speaker, Sir, I was going to say that we must try and approach things as they are with a lot of fairness and balancing to everybody, as it is. The problem of all these marginalised groups; the pastoralists, the nomads, the hunter-gatherers and the fishermen has been there because of the unfair allocation of resources. There has been unfair and inequitable allocation and

distribution of resources for the last 40 years. Some of the pastoralists, like us and my friends across there, know we have been discriminated and marginalised. We know we have not shared in the Kenya cake all this time. Something must change from now onwards.

I have a lot of hope that the NARC Government is serious. I have heard the President talk about the pastoralist areas. I hope in the Budget tomorrow, something is going to be done to make sure that certain resources are allocated to these pastoralist and nomadic areas. If it is not going to happen, then what are we doing?

Mr. Temporary Deputy Speaker, Sir, it will look like we are not citizens of this country. The distribution and allocation of resources must be to everybody; even to the furthest corners of this country and to the poorest people. How do you raise the standards of the people if you do not allocate resources to them? Development is a human right. It is also a constitutional right for everybody. If we do not get development, which includes all these things, then one day some people are going to consider themselves as not really belonging to this country.

The hon. Member who spoke has been a Kenyan for all this time and he should not point a finger at the NARC Government. We are still in Kenya. All of us are going to battle together to see that the resources are allocated fairly and equitably. This will ensure economic and development equity. If you look at the pastoralist areas, the hon. Member who moved this Motion said that pastoralists and nomads occupy about 80 per cent of our land.

I can tell you, even in our very simple way, if you do a little survey; if you looked for a market outlet for livestock and livestock products in this country, you would probably have the foreign exchange earning that would compete with coffee and tea. A bad thing is happening; even the Kenya Meat Commission that we were all looking up to has been killed and vandalised. All the land that is supposed to hold livestock has been sold to individuals. It is a serious matter.

If we look at education today, definitely it is a big achievement for Kenya to have free and compulsory primary education. But in some of these pastoralist areas, it is still a myth. Nobody has told them what is happening. Nobody has the mood to give that information. The situation is still the same. How can the situation change if education officers cannot travel to some of these places? There are no roads, not even cattle tracks, in some of these areas. How do you get the information to these children? There are no telephones to make communication possible. So, the only way that we can come out of the deep dungeons of slavery is through education. If we do not get education, then we will be kept down and trampled on in those deep dungeons of poverty and ignorance.

It is a fact that illiteracy goes hand in hand with abject poverty. This encourages many things, like diseases, famine or hunger. How do we get out of these problems when we are part of it? If we are really serious with a Motion like this, we should see results. The only result is by shifting resources, both financial and human resources, into some of those areas. It is not only for education purposes alone. As a matter of fact, even if the Minister had to introduce mobile schools, how do we move a huge mobile team with books, equipment and teachers if there is no road? It is actually another myth. You just cannot. Maybe he is right that mobile schools did not work in those areas because you cannot even move at all.

We should recognise that every citizen of this country has a human right and constitutional right to have equal share of the resources of this country. That is what happens in many other areas of the world. You will see that the Government tries very much to raise the standard of those people.

But what has happened with the British Government? What has happened to the other two successive African governments? This is why I say we have hope and personally, I hope that something will happen, considering the statements that have been made by the President himself and the indications that we are looking at. I think these people should point a finger at some of them because for a quarter of a century, we have all been here and nothing has happened. We have talked and screamed that we should get these allocations of resources and we got nothing.

I am glad the hon. Member across there talked about the girl-child. Without the development of the girl-child, that community will never develop. We have been told by many people, like Aggrey of Achimota, that we have to educate a woman if we really want to educate the society. If you look at our girl-children all over this century, the worst hit are women from pastoralist areas. They suffer very much.

I beg to support the amendment.

Dr. Godana: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this very important Motion. We do know that from a strictly technical point of view, Private Members' Motions are hortatory and are not technically binding. I presume that the unanimous goodwill that I see on both sides of this House will give the message to the Ministry of Education, Science and Technology, that this a matter on which there is so much moral pressure that they will all rise to the letter.

The subject of pleading for better educational policies and infrastructure in the nomadic areas of this country has become a song. A song which has been heard since Independence; that has to be repeated because the response has not been positive. I say this because sometime back, I read in a beautiful book by a British freelance journalist of Irish extraction, Mr. Kazl(?) who visited this country during the colonial period, a few years after World War II. In the book, entitled: *"Last Chance in Africa"*, there is a chapter on NFD, consisting of present day North Eastern Province and the contiguous districts of upper Eastern. The chapter opens with a sentence which reads:

"There is one half of Kenya about which the other half knows nothing, and worse, cares even less".

The statement is as true today as it was when Northern Kenya or NFD then, plus the Maasai districts at that time were referred as closed districts.

Mr. Temporary Deputy Speaker, Sir, I would want to plead with hon. Members on both sides, particularly my colleagues on the other side, let us not, even with a light touch, reduce this to a matter of KANU or NARC policies. This is because for all the period that mattered, everybody was in KANU and all the people who made decisions about allocating resources in terms of development, planning, and budgets in the 1960s, 1970s, 1980s and 1990s are all in the Government now. We would want to appeal for a change of heart on our part, as Mr. Ntimama said; let us approach this issue anew and as Kenyans. Those who come from those districts are entitled to say that the rest of Kenya *vis-a-vis* the nomadic areas have not been fair to the nomadic areas. As a beginning of a better deal for these areas will be the recognition of the fact that because of the unique circumstances of life, it is not possible to effectively deliver services, including education, within the safety jacket of planning for sedentary populations.

As we said in the last Session of Parliament, it is not possible to talk of free primary education for pastoral areas unless we provide boarding facilities to primary schools. In my constituency, there are 15 primary schools. For the last 14 years, the local communities have built an average of one school with dormitories, classrooms and laboratories with minimal assistance from outside. On average, we have built one school every one-and-half years. Indeed, that is why I said the rest of Kenya has not been fair to us, both in the colonial period and after Independence. The upshot is, no single school in Marsabit District can claim to have been built by the Government.

(An hon. Member heckled Mr. Godana)

The hon. Member who is heckling me is trying to divert issues. He is a very intelligent person. He remembers what I said here, that this is not a matter of reducing this matter to KANU or NARC Government. All Kenyans, particularly those of you who are in the majority, were there reaping the benefits of favourable treatment from the Ministry of Planning and National Development.

(Applause)

Let us face it; really, this is an issue which we should look at across the party lines. For Heaven's sake, are we one country? I recall when Mr. Ntimama some years back became a very hot champion of Maasai interests. He organised a seminar where all Maasai elites were invited. They asked him about the future of the Maasai, and he told them that it was very bleak, indeed. He might not recall, but I went for a Harambee in his constituency once. He told me that when he joined Parliament, Narok Secondary School had only six Maasai students. I also knew this from a District Education Officer (DEO) who served in that district, that in all the teachers training colleges, only six Maasai students were admitted at that time. Obviously, a plea for affirmative action is not a plea for special favours. If we are one country, really, we have to acknowledge the fact of historical injustice and say for once, let us get on with it. I had doubts when the statements were made here, but I have to confess that I am now convinced for reasons best known to me, that His Excellency the President, hon. Mwai Kibaki, is sincere in wanting to make a departure from that policy. We do hope the technocrats who will allocate resources will not surprise or disappoint us tomorrow. The promise was made and I am convinced that the President would want to see the closure of the gap in development levels in northern Kenya; the pastoral districts and the other marginalised areas as one of his legacies. I hope the mandarins in the Treasury will not let him down. For this reason, therefore, I do support the call for boarding primary schools.

Mr. Temporary Deputy Speaker, Sir, we will not get a fair deal until the policy planners both in the Ministry of Planning and the Ministry of Education, Science and Technology accept that this is an area which call for a sub-set of policies and a special sub-super-structure. We need a commission for pastoral districts. Indeed, a neighbouring country, Ethiopia - I have a long border with them - has under the new constitutional arrangement established the National Commission for Pastoral Communities Development (NCPCD). The NCPCD reports annually on the state of progress of closing the gap to the National Parliament. This is why we are calling for an NCPCDD because our people have seen this in Ethiopia, and feel we should do the same. This is why we are calling for it already in the Constitutional Review Conference, which we hope will resume in August. We hope Kenyans and hon. Members of Parliament here, if we are all genuine about the sympathy to the areas which have been left behind will come forward and support us.

In addition, Mr. Temporary Deputy Speaker, Sir, I would want to plead with the Minister for Education, Science and Technology, and I hope he will take it back to his senior, that because of the same standard educational programme and examinations, but very different environment of learning, our pupils are disadvantaged when they sit for national examinations. However, when they get the opportunity to enjoy the same classroom environment, they excel like any other students in the country. I say this because right now, I am facing a shortage of primary school teachers in my constituency. Many of the primary school teachers who had graduated with poor grades and could not go for diploma courses, have found their way into private universities like Daystar and Catholic to pursue degree courses. They are coming out with honours degrees yet the Ministry of Education, Science and Technology has kept on raising the level of primary school teachers intakes. Last year, it is a pity that with a cut-off point at Grade "C", there were hardly any primary school teachers intakes from the pastoral districts of North Eastern Province, upper Eastern and some parts of Maasailand. I would want to plead that, really, affirmative action be done at this level. In any case, many of the teachers from the rest of Kenya will find it difficult to travel to some of the most remote areas, where they will not see a vegetable for the three months they will be there, or where they will see a vehicle coming to such areas once a week in two weeks. Obviously, local people are the ones who should be challenged to take up that responsibility. I hope, this time, the Ministry will really hear our pleas.

Mr. Temporary Deputy Speaker, Sir, the issue really of education is just part of the problem of development in the North Eastern Province. We have gone to a stage where in schools in the up-market areas, for example, in the City, pupils are introduced to computer education at an early age.

We would want our own children to get the same opportunity. Some of us are trying, through our own efforts, to get computers for our schools with solar power back-up. However, unless you have the telephone service, you cannot make it. We cannot get the internet there, because the telephone service does not reach most of northern Kenya. Yet, Somalia, a neighbouring country without a government, has the latest telecommunication facilities in every village. Indeed, a mobile phone is now free in Mogadishu. You do not buy it. It is distributed free by the trading companies. They only buy the talk cards.

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

Mr. Kagwe: Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to support the Motion because I do believe that the plight of the semi-arid or pastoral areas is not just for those who live there; it is a national issue. One of the reasons why Kenya has taken a seemingly democratic stand in the world today and why we are an example in Africa, is because we have an educated mass of people. It is because we have people who can argue and debate the way we are doing today. Those who say that education is expensive as the old adage says, should also consider the expense of ignorance. Ignorance is a recipe for disaster, war, disunity and continuous complaints by some of our communities about their equality as far as this nation is concerned.

Mr. Temporary Deputy Speaker, Sir, I do believe that we agreed to diffuse hostilities and killings amongst some of our people so that they can feel they belong to this country. One of the ways of solving that problem is for them to become educated. There is a question of the chicken and egg. What comes first? Does progress come and education follows, or does education come and then progress follows? I suggest that education comes first and then progress follows. For that reason, I think we should go further than what we are saying today. We should go further and say that in some of the areas where we deliberately locate some of the education facilities, we have got to go to those areas--- I have in mind, for example, the location in those areas of teacher training facilities so that the teachers who are trained there can also work in the same areas, particularly those who come from those areas. However, I am also suggesting that we should go further than that. Even our university colleges should locate some of their facilities in those areas. For example, research institutions that can be taken there by the University of Nairobi, Moi University and so on should be taken to the farthest parts of this country so that even there, there can be elements of the larger education structure of Kenya.

Mr. Temporary Deputy Speaker, Sir, I fear that even as we discuss here, and those who have spoken have said so, we might debate on this issue for five years from now having done nothing. There must, therefore, be concrete proposals about the implementation programme. The implementation system is the most important discussion we can have *vis-a-vis* this debate. Therefore, the Government cannot come round and say that we do not have the money to address a very critical issue. If we have got money to address our defence in terms of buying aircraft and tanks, this is even more important than external defence because we are talking about internal defence and stability. Therefore, I am suggesting that there must be deliberate sourcing, internally and externally, of money that is going to be used for this purpose.

Mr. Temporary Deputy Speaker, Sir, here I even imagine a situation where we can create a deliberate tax if necessary, to certain categories of education material, certain categories of the country or even across-the-board tax that addresses the issue of pastoral areas and specifically education in those areas. Why do I say this? I say so because those areas or individuals that are able throughout the history of development, like John Lock said, have always provided the least requirements for the least able. If we do not deliberately put that in brackets, we shall be continuously discussing this issue and

making zero progress.

Mr. Temporary Deputy Speaker, Sir, therefore, I support the Motion completely and I say that we move on to the implementation stage.

Prof. Oniang'o: Mr. Temporary Deputy Speaker, Sir, education is my docket and I am happy to contribute to it. First, I want to thank and compliment hon. Wario for bringing this Motion forward. I reluctantly support the amendment because education can be mobile. You can have teachers being mobile and so on. **The Temporary Deputy Speaker** (Mr. Wetangula): Are you aware of the Motion, Prof. Oniang'o?

Prof. Oniang'o: Yes, I am aware, Mr. Temporary Deputy Speaker, Sir. I was just clarifying.

I want to support this Motion because I believe that pastoralists are Kenyans like any other Kenyans. There has been an issue of equity, a feeling that pastoralists have been short changed, and that they are not part of this country. Like what hon. Kagwe said, it is not just an issue of pastoralists. That is why I kept wondering when you were going to come to the non-pastoralists to speak on this issue.

Mr. Temporary Deputy Speaker, Sir, I think pastoralists are Kenyans who need to catch up with the rest of Kenyans, and I believe they feel that they need to be integrated among the rest of Kenyans. They are Kenyans who have values that make Kenya proud. They have a lifestyle that, maybe, needs to be improved without compromising their cultural values. I do not think modernity means discarding all your cultural values. As I mix with my pastoralist friends, I marvel, as a teacher, when I see the performance being exhibited in this House by people from the pastoralist areas; when I see at the Bomas of Kenya, the women who have managed to come to that level making their contributions with confidence. Indeed, it makes me believe that when given an opportunity, any Kenyan can make it.

Mr. Temporary Deputy Speaker, Sir, that is, in fact, the strength of this country's education system which we tend to forget. We should make sure that whatever we put in place gives every Kenyan an opportunity and makes sure that every Kenyan feels that they belong to this country, and they can access the education we have here. We do not want the NARC Government to sit on its laurels. They have pledged to support the pastoral community and if this has to be visible, we have to see it. Lip service only is not going to work. Just as hon. Godana said, many of us just get to be told, but we do not get to these areas to realise the very harsh environment the pastoral communities operate in. We do not even get to understand the inadequacies of the facilities that are actually there. Therefore, I believe that the implementation aspect is critical just as the monitoring and tracking aspect is. I would like to see that every quarter of the Ministry for Education, Science and Technology to come and tell us to what extent they are meeting their pledge in terms of addressing the inequities and the inequalities in education in the pastoral areas.

I think the teacher pupil ratio is critical. It is not just a question of having a number of boarding schools, it is also a question of addressing how many teachers we have per the population of the children. Therefore, we will need to have this kind of information as well as information on a gender basis to see to what extent the facilities we have in place are benefitting both boys and girls. It has been said that because of over-emphasis on the girl-child, in fact, the boy child in the pastoral area is suffering the more. So, we would like this kind of information to come to us as well.

Mr. Temporary Deputy Speaker, Sir, we would like to see true affirmative action in the pastoral areas. We cannot have a national indicator or a national criterion for putting people in training colleges when such colleges do not exist in the pastoral areas, and when we are well aware that the conditions faced in the pastoral areas make it impossible for many of the children in those areas to meet those criteria. I want to support strongly the issue of affirmative action for these areas. So, really, it is a question of equity and I believe there are modern strategies we can put in place to make sure that, in fact, education is well accessed in those areas, that strategies like distant education are put in

place.

Mr. Temporary Deputy Speaker, Sir, I would wish to warn that these strategies are not going to be cheap! We cannot say that we are spending Ksh140 per head, while, maybe, in the pastoral areas, it is Ksh1,000. That is not going to work. We have to calculate and make sure that we have adequate resources so that there is equitable access to education. I believe that the issue of boarding schools is critical. They already do exist, but there is also the issue of equipping those boarding schools. So, we have to make sure that we do a proper record of what exists and what is needed so that we can rectify that.

I want to support the whole idea of having a Parliamentary Standing Committee to monitor pastoral education. I want to recommend that the Ministry of Education, Science and Technology assures us that they have a monitoring/tracking system to tell us every quarter what they are doing about it. I want to support the whole idea of a commission on development in the pastoral areas.

Mr. Temporary Deputy Speaker, Sir, I beg to support the Motion.

The Assistant Minister for Environment, Natural Resources and Wildlife (Prof. Maathai): Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to support this Motion as amended. It is indeed very necessary for us to demonstrate a commitment to our children. All our children should go to school and the NARC Government has done us proud by ensuring that, indeed, we have implemented the free primary education.

Most of us are here in this House because our parents demonstrated a commitment to us when we were children. Therefore, it is our responsibility at this time to ensure that all our children, no matter where they are in this country, do go to school. So, it is absolutely necessary that the children amongst the pastoral communities are supported by whichever means to ensure that they do go to school.

Two-thirds of our country is either arid, semi-arid or desert. Most of the pastoral communities occupy this rather hostile environment. It is very important that we invest in this part of our country because it is a large part of it. Instead, we have tended to over-exploit the one-thirds where most of the farming communities reside. As a result, this two-third has continued to be lost to deserts and very hostile environment.

As Mr. Kagwe said, you cannot invest if people are poor and are not educated in order to understand how they have to manage that environment. I want to reinforce the fact that pastoralism is a cultural way of life. It is not different from that of farming communities. That is the way that particular group of people evolved into pastoralism and others evolved to become farmers. There is a tendency to think that people move from hunters to pastoral and then farmers. This is not so. Different communities have evolved in different ways according to the environment in which they survive. Therefore, we should not make any effort of trying to change pastoral communities to farmer communities. They must be encouraged to continue that way of life. This is a very important part of our commitment because, as I said earlier, they occupy such a large part of our country.

The President has mentioned his commitment to these parts of our country many times. So, I have no fear of this Motion being implemented. This Motion would also benefit the girl-child. As we know, the girls are much more vulnerable than the boys and they tend to move with the parents much more closely than boys. Therefore, boarding schools would actually be very helpful for the girl-child.

Many of our children are actually under threat from drugs and alcohol in this country. They also suffer, as was mentioned earlier this morning, threats of having roofs blown off by the wind. I would like to call upon their parents and leaders to ensure that we do simple things like planting trees around school compounds and creating wind-breakers. These are very simple activities that can actually be carried out with little assistance from the Government and a lot of muscle power from the communities. These kind of hazards can be taken care of to ensure that our children are well protected.

I just want to re-emphasise again that this is a commitment that must come very strongly from us as the current leaders of our country and demonstrate through actions that we are committed to all children in our country.

With those few remarks, I beg to support.

Mr. Kamama: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance. I wish to support the previous speakers and the Mover of the Motion for this very important issue of free and compulsory education in pastoral areas. I come from such an area. As we all know, all the bad things in this country are associated with pastoral areas, and especially the North Eastern Province, North Rift, and the upper parts of Eastern Province. Most Kenyans refer to North Eastern Province as a place with nothing except problems. Most of those problems are experienced because of very bad policies of the colonial regime, the Kenyatta regime, and the Moi regime. I want to thank the NARC Government for coming up with this policy on free and compulsory education in all our primary schools. It is pure semantics when we talk about free and compulsory education in pastoral areas, if we do not have boarding schools' facilities.

Mr. Temporary Deputy Speaker, Sir, I think you should protect me. There is a lot of interference from the Floor. I want to say that we have very many good things in pastoral areas. I want to point out that those areas have produced some of the best personnel in this country. The Tana River District once produced the Head of Public Service, who is now deceased; West Pokot has produced the best surgeon, the one who operated Mama Akweya; Mandera District has produced one of the best Managing Directors, who is the current Managing Director for Barclays Bank of Kenya. Marsabit and Moyale Districts have produced one of best lawyers, who is Hon. Dr. Bonaya Godana.

Mr. Temporary Deputy Speaker Sir, the area has also produced a Miss. Tourism in this country, a beauty queen and there are very many good things from those areas. The Children Act provides for free and compulsory primary school education, and the Government should take this very seriously because it has been pointed out that this Motion may not be technically binding. The Mover of this Motion should take a step further and come up with a Bill, which will make it technically binding to the Government. I want to point out that the Sessional Paper No.10 of 1965 on African Socialism and Planning in Kenya, pointed out problems like ignorance and diseases. These problems are still in existence in those pastoral areas. If we are addressing problems, we must develop the human resource in those areas by coming up with the best policies of implementing this free and compulsory free education in our primary schools. The issue of mobile primary schools is not applicable. It cannot work in those areas. These issues are human rights issues, and the Government should come up as I said, with a policy and even a department in the Ministry of Education, Science and Technology, that will look into this problem. I think during the next Budget, the pastoralist communities should hold a demonstration. Their MPs, who are about 60 in the House, should boycott the next Budget if this provision is not going to be provided for.

I want to talk about recruitment into teachers training colleges. The policy of admitting only those with a grade of C+ (plus) and above is very discriminatory in ASAL areas. Most of the students in those areas score grades of between D+ (plus) and C- (minus). This, therefore, means that in most of our teachers training colleges, we may not have teachers coming from those areas. I urge the Government to reverse this policy and consider applicants with a grade of D+ (plus) and above, so that we can have teachers from those areas. Getting teachers from areas like Kiambu, Nyeri or Kericho going to Ilret in Moyale or Tibis Primary School is almost impossible. Let us have teachers coming from the areas, whether with D (plain) or a D+ (plus).

I also want to comment on the issue of national commission for the pastoralists development. This is an issue that we should test seriously and one of us should come up with a Bill to this effect. This is because we have been discriminated against by all the former regimes and I think that is why the colonialists came up with the policy of closed districts. They even detained the freedom fighters,

including Mzee Jomo Kenyatta. That is the reason the successive regimes have not taken the problems in those areas seriously. The previous leaders have been allergic to the areas because most of them were detained there. Kenyatta was detained in Kapenguria, taken to Lokitaung, Lodwar and then to Maralal. So, many of the freedom fighters died in Hola and Garissa. That is why there is a deliberate move to sideline those areas.

The NARC Government should be serious on the policy of free primary education. The time they have been in power is too short, but I have confidence that the Government is going to implement this. If it does not, five years is not long and we are going to teach them a lesson.

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

Eng. Muriuki: Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to support this Motion. I have confidence in the NARC Government for the gesture of providing free primary education. However, those who are formulating the programme, took a very ideal situation. Maybe, it was picked from Nyanza or Central Province, where people are settled. The intention of this Motion is to recognise that some people have to move from one place to another.

I am surprised that in the amendment brought, the Mover agreed to remove the word "division". There should be a boarding school in every division.

Mr. Temporary Deputy Speaker, Sir, this Motion is about affirmative action. We have all come from the Bomas of Kenya where we were being told about affirmative action, and everybody focused on how we should have many women as Members of Parliament and also in councils. The concept of the affirmative action should be taken seriously in all aspects of our social and economic life in this nation.

But on the same breath, when we seek affirmative action for children who are unfortunate to have come from nomadic communities, we must remember that there are children who are disabled, both in nomadic communities and other communities. The concept of the affirmative action is the same. When the Ministry of Education, Science and Technology gives Kshs600 per pupil to schools, pupils in the pastoral areas and in the schools for the disabled should be given Kshs5,000 each because they require special facilities. The Ministry of Education, Science and Technology has to consider those children as special. In Ol Kalou Constituency we have a school that is run by a religious body and caters for disabled children. When we requested the Ministry of Education, Science and Technology to support the school, the school was given Kshs633 per child like any other school. The Ministry ought to reconsider that policy.

There are other areas where pupils receive Kshs600 each but there are no classrooms. Where there are classrooms their roofs have been blown off. The National Rainbow Coalition (NARC) Government should consider establishing an emergency fund to cater for disasters in primary schools. The Government may even provide books to schools, but schools have nowhere to keep them. The Government must consider where the books will be kept.

Three years ago, this House passed a Motion which provided for the formation of the Constituency Development Fund. The Government simply ignored that Motion. It did not implement the provisions of the Motion. Therefore, I want to echo hon.

Members who have said that they want to see the Government being serious about implementing this Motion. If the Government is serious about implementing this Motion, there is no use for the Assistant Minister, Ministry of Education, Science and Technology, to move an amendment to the original Motion. He should simply have come here to propose an amendment to the Education Act, so that we put this provision in the Act. That way, we will know, for sure, that the money will be available and that the Government is recognising affirmative action for the disadvantaged children. The Government has to make up its mind as to whether free and compulsory primary education should be provided to all children or to some children only. If it should be provided to all children, then we need

an affirmative action in the Education Act.

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

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Members! Mr. Wario, you will have your ten minutes to respond to the debate on the Motion. Unfortunately, this will be after two weeks because we will have to discuss the Budget Speech first.

Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until this afternoon at 2.30 p.m.

The House rose at 12.30 p.m.