

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 11th July, 2006

The House met at 2.30 p.m.

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

PRAYERS

NOTICES OF MOTION

ESTABLISHMENT OF PILOT
POVERTY INDEX FOR DROUGHT-
PRONE REGIONS

Mr. M.Y. Haji: Mr. Temporary Deputy Speaker, Sir, I beg to give Notice of the following Motion:-

THAT, in view of the devastating effect of the famine-induced drought that affected the Northern, part of Eastern, Coast and Rift Valley Provinces that occasioned major losses of human life and livestock late last year and early this year; aware that during the mourning of our colleagues who died in the plane crash, this House in unison made a firm appeal to the Government to initiate a marshall plan for the development of the affected regions through the current Budget; noting that the Government has not factored these concerns in the current Budget; aware that the allocation of CDF is based among other things on the Poverty Index of the Constituency and that the current CDF allocation to constituencies is based on past indices; this House urges the Government to urgently set up a Pilot Poverty Index with a view to matching the current needs and problems affecting the constituencies in those regions.

STREAMLINING OF COURSES
OFFERED IN UNIVERSITIES/
TERTIARY INSTITUTIONS

Mr. Oparanya: Mr. Temporary Deputy, Speaker, Sir, I beg to give Notice of the following Motion:-

THAT, aware that the high level of under-employment and unemployment among our university and middle level training institution graduates arises partly from offering of courses that have a diminished job market or mis-marched with the country's job market demand; this House urges the Government to streamline the courses offered in our colleges to ensure that only those courses that are market-driven and well marched with the country's development needs are the ones that can be offered.

IMPROVEMENT OF SANITATION
FACILITIES IN POLICE AND
PRISON CELLS

Mr. Oparanya: Mr. Temporary Deputy Speaker, Sir, I beg to give Notice of the following Motion.

THAT, affirming that the Government is committed to the rule of law and the rights of its citizens; concerned that police and prison cells have not for a long time been expanded to accommodate suspects arrested for various crimes; cognizant of the fact that under the Kenyan Constitution nobody is guilty until proven otherwise; aware of the need to safeguard health and dignity of the suspects during their stay in police or prison cells; noting that such people are forced to relieve themselves in buckets, a system that was started by the colonial masters and considering that convicts in prison now enjoy modern facilities; this House urges the Government to outlaw the use of buckets in police and prison cells and introduce proper sanitation facilities.

The Temporary Deputy Speaker (Mr. Poghisio): Hon. Members, it is Question Time. You all know that Question Time will end not later than 3.30 p.m. We will try and go through the Questions as quickly as possible. Please just ask your Question. Let us not build up the Questions so much that they take more time.

QUESTIONS BY PRIVATE NOTICE

NEGLECT OF UNACCOMPANIED
PATIENTS AT GOVERNMENT HOSPITALS

Mr. Kombe: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister for Health the following Question by Private Notice.

(a) Is the Minister aware that an unidentified African male patient staggered into the casualty section of Coast Provincial General Hospital on 16th May, 2006 at 6.00 a.m. but remained unattended until 1.30 a.m. on 17th May, 2006?

(b) Could she update the House on the condition of the above patient?

(c) What steps has the Minister taken to ensure that unaccompanied patients, too ill to speak, are given due care instead of being neglected leading to avoidable death?

The Assistant Minister for Health (Dr. Kibunguchy): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware. The patient that the hon. Member is referring to was admitted on 17th May, 2006, at 08.00 hours. However, on 16th May, 2006, there was one unidentified male patient who was unaccompanied and treated at the casualty No.21707 among the total number of 29 patients seen after midnight but not before 8.00 a.m.

(b) Records show that the patient was put on malarial treatment after a blood test showed presence of malarial parasites. While on treatment, the patient was, however, reported to have been unco-operative, and at some point refused to be examined. The patient failed to respond to treatment and was thus started on antibiotics. However, the patient passed away on 21st May, 2006 at 17.50 hours as doctors struggled to save his life. At the time of death, the doctors were querying *meningoencephalitis*.

(c) It is neither the practice of the Ministry nor that of the Coast General Hospital to neglect

patients. However, whenever an issue of neglect of patients occurs, cases are handled within the disciplinary framework provided in the Civil Service Code of Regulations. Currently, my Ministry has introduced a triage nurse service whose role is to regulate traffic in casualty for purposes of ensuring that patients get the necessary assistance in good time and thus take care of unaccompanied patients who are very ill.

Mr. Kombe: Mr. Temporary Deputy Speaker, Sir, from that answer, it appears the Assistant Minister is talking of another unidentified patient. The patient I found at the Coast General Hospital at around 9.00 p.m. had been left on the corridor in a stretcher. I left the hospital and on coming back at around 11.00 p.m., the body of the patient had been taken to the square where they keep dead bodies. I managed to take a photograph of the body using my mobile telephone at around 12.47 p.m.

The Temporary Deputy Speaker (Mr. Poghisio): Could you ask your question, Mr. Kombe?

Mr. Kombe: I am building the question, Mr. Temporary Deputy Speaker, Sir. At round 1.00 a.m. I found the clinical officer in charge. I took him to where the patient was. Now the patient---

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Kombe! Ask your question! This is question and answer time.

Mr. Kombe: Mr. Temporary Deputy Speaker, Sir, I asked the clinical officer what had happened to that person and he told me that, that was a dead body. We went to him---

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Kombe! Sit down! Do you want to reverse roles with the Assistant Minister? You cannot double up as the Questioner and also the Assistant Minister. Question Time is where you get information by asking Questions and not by narrating that information to the House. Please ask your question so that you can get an answer.

Mr. Kombe: Mr. Temporary Deputy Speaker, Sir, why did the officers in charge wait until a politician went to the hospital in order to attend to the patient?

Dr. Kibunguchy: Mr. Temporary Deputy Speaker, Sir, I think the House appreciates how difficult it is to answer a Question like this one. On that particular day, there was only one patient who was unidentified. That patient eventually passed away on the 21st May, which is about four days later. We are not aware of the patient that the hon. Member is talking about. The way the story is flowing---

Mr. Muiruri: On a point of order, Mr. Temporary Deputy Speaker, Sir. I would like to seek the Chair's guidance. The Assistant Minister is talking about a dead body and an unidentified patient. The answer must be based on the identity of that person. Can this Question not be answered without the Questioner or the Assistant Minister referring to the name of the patient? There is some confusion because the Assistant Minister says that one patient came at 6.00 p.m., another one 8.00 p.m., and another one on 15th, May.

The Temporary Deputy Speaker (Mr. Poghisio): What is your point of order? Proceed, Dr. Kibunguchy!

Dr. Kibunguchy: Mr. Temporary Deputy Speaker, Sir, that really, is the dilemma that I also find myself in. On this particular day, there was only one patient who went to the Coast General Hospital who was unidentified. This is the patient we struggled to treat, but eventually passed away on 21st of May. I am totally unaware of the patient the hon. Member is talking about.

The Temporary Deputy Speaker (Mr. Poghisio): In any case, Mr. Kombe, are there reasons why no one wants to identify their different patients?

Mr. Kombe: Mr. Temporary Deputy Speaker, Sir, I was disappointed by the way they identified patients. They said there was an African male patient. I wish I could process this photograph and table it.

Hon. Members: Table it! Table it!

The Temporary Deputy Speaker (Mr. Poghisio): Order! Order!

Mr. Kombe: Mr. Temporary Deputy Speaker, Sir, this is one of the many cases that I have witnessed in the Coast General Hospital. Apart from the one who passed on, I had taken there another patient at 9.00 a.m., but he was attended to at 3.00 p.m.

The Temporary Deputy Speaker (Mr. Poghisio): Order! Mr. Kombe, could you, please, take your sit? You are now using Question Time to debate, argue and give information. That is not what Question Time is all about!

Could you, please, ask your last question?

Mr. Mukiri: On a point of order, Mr. Temporary Deputy Speaker, Sir. You did not give a chance to the House to follow up the Question.

The Temporary Deputy Speaker (Mr. Poghisio): Well, the Question has taken longer than it was due. It is now only a matter of Mr. Kombe asking his last supplementary question.

Mr. Kombe, could you, please, ask your last supplementary question?

Mr. Kombe: Mr. Temporary Deputy Speaker, Sir, I have no further question!

The Temporary Deputy Speaker (Mr. Poghisio): Since Mr. Kombe has no further question, we will now move on to the next Question.

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Speaker, Sir. This is a very important matter because many people are suffering in our health facilities. Therefore, I think we should exhaust this Question, so that we get a clear direction as to what to expect in our health facilities.

The Temporary Deputy Speaker (Mr. Poghisio): Thank you, Mr. Angwenyi, for the information!

We now move on to the next Question by Mr. Ndolo!

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

The Temporary Deputy Speaker (Mr. Poghisio): You had your chance to ask your supplementary question!

Mr. Kombe: Mr. Temporary Deputy Speaker, Sir, before I finished asking my supplementary question, another hon. Member stood up on a point of order.

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Kombe! I gave you a chance to ask your last question, but you did not have one!

We now move on to the next Question by Mr. Ndolo!

Mr. Kombe: Mr. Temporary Deputy Speaker, Sir, an hon. Member had stood on a point of order!

The Temporary Deputy Speaker (Mr. Poghisio): So, what is your last question?

Mr. Kombe: Mr. Temporary Deputy Speaker, Sir, what steps will the Assistant Minister take to ensure that patients at the Coast General Hospital are not left alone to die?

Dr. Kibunguchy: Mr. Temporary Deputy Speaker, Sir, I would like to say the following about all hospitals in the country, and not just the Coast General Hospital.

The Temporary Deputy Speaker (Mr. Poghisio): Order! I thought you gave that information when answering part "c" of the Question?

Next Question by Mr. Ndolo!

SALE OF NCC HOUSES IN HAMZA

Mr. Ndolo: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister for Local Government the following Question by Private Notice.

(a) Is the Minister aware that Nairobi City Council houses at Hamza, in Makadara Constituency, have been sold to a private company known as Rwaikamba and Rwathia Trading

Company Limited?

(b) Is he further aware that residents have been given six months to vacate, so that the houses can be demolished to enable the said company construct new ones?

(c) What actions has the Minister taken to address the situation?

The Assistant Minister for Local Government (Mr. Shaaban): Mr. Temporary Deputy Speaker, Sir, I seek the indulgence of the House to answer this Question on Thursday. I need some more facts on it because it is very important to the House.

The Temporary Deputy Speaker (Mr. Poghisio): What do you have to say, Mr. Ndolo?

Mr. Ndolo: Mr. Temporary Deputy Speaker, Sir, I have no problem with that.

The Temporary Deputy Speaker (Mr. Poghisio): The Question is deferred to Thursday afternoon.

(Question deferred)

ORAL ANSWERS TO QUESTIONS

Question No.004

APPOINTMENT OF ZONAL QUALITY ASSURANCE OFFICERS IN SAMBURU DISTRICT

Mr. Lesrima asked the Minister for Education:-

(a) whether he is aware that there are no Quality Assurance Officers in 12 zones in Samburu District; and,

(b) what plans there are to appoint Zonal Quality Assurance Officers or inspectors in the affected zones.

The Assistant Minister for Education (Mrs. Mugo): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) I am aware that there are no Quality Assurance and Standards Officers in 12 zones in Samburu District. The zones are manned by Teachers Advisory Centre (TAC) Tutors.

(b) The Ministry is in the process of declaring about 674 vacant posts for Quality Assurance and Standards Officers to the Public Service Commission for advertisement and subsequent competitive interviews. Once the exercise is over, and the results released, the officers will be posted to fill the vacant positions in the country.

Mr. Lesrima: Mr. Temporary Deputy Speaker, Sir, some of these TAC tutors are P1 teachers. Is the Assistant Minister satisfied that the P1 teachers can inspect the quality of the work and performance of graduate, approved graduate and S1 teachers in primary and secondary schools? Is it not really irregular that employees of the Teachers Service Commission are misused by the Public Service Commission?

(Loud consultations)

Mrs. Mugo: Mr. Temporary Deputy Speaker, Sir, the consultations are very loud!

The Temporary Deputy Speaker (Mr. Poghisio): Order, hon. Members!

Mrs. Mugo: Mr. Temporary Deputy Speaker, Sir, as I admitted, we have a shortage of Quality Assurance and Standards Officers. This came about because the only source of these officers is the serving staff. When the teachers' salaries were adjusted, under the Teachers Service Commission, and became higher than those of the officers from the Public Service Commission,

many of them opted to remain teaching. This is because they were offered the opportunity to choose. That is why some of the TAC tutors, as the hon. Member says, have been reduced to do supervisory jobs. However, now we are about to overcome that problem because we have been allowed by the Directorate of Personnel Management (DPM) to recruit a number of officers under, not lower than Job Group M. This will enable more teachers with the right qualifications to apply for these positions, so that they can supervise the schools.

(Loud consultations)

The Temporary Deputy Speaker (Mr. Poghio): Order, hon. Members! Again, consultations are getting louder and the Assistant Minister's voice is drowning!

Could you, please, give due attention to what she is saying, so that you can follow up her reply?

Mrs. Mugo: Thank you, Mr. Temporary Deputy Speaker, Sir.

However, I do want to add here that all those teachers, including the P1 teachers, have been given in-service training to be able to carry out the responsibility of the TAC tutors. However, that is about to come to an end very shortly.

Mr. Kagwima: Mr. Temporary Deputy Speaker, Sir, I would like to know from the Assistant Minister whether the terms that she has referred to have been improved to such an extent that they will attract teachers with high qualifications. Could she be kind enough to tell us what the terms are, so that we get assured that she will do what she has told us?

Mrs. Mugo: Mr. Temporary Deputy Speaker, Sir, that is outside the Question. I did not come prepared with that information. As I said, the lowest job group for this position will be "M." That means many serving teachers will be attracted to apply for these positions because the salaries of civil servants have been improved also.

Mr. Rotino: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister knows very well that we have a shortage of Quality Assurance and Standards Officers all over the country. In West Pokot District, for example, we do not have even one officer. She has not told us how many officers the Ministry is planning to recruit.

Mrs. Mugo: Mr. Temporary Deputy Speaker, Sir, I have given the House the number of TAC tutors who will be recruited. We hope that, that number will be enough to go round the country.

We requested the Directorate of Personnel Management (DPM) to allow the Ministry to recruit more, but we were allowed to recruit 678 TAC tutors.

Mr. Lesrima: Mr. Temporary Deputy Speaker, Sir, could the Assistant Minister consider compensating the P1 teachers who have been performing duties of quality assurance officers because they may not qualify for confirmation when the Ministry recruits the TAC tutors?

Mrs. Mugo: Mr. Temporary Deputy Speaker, Sir, the Ministry will look into that matter when it arises. Those teachers are already on a certain Job Group.

Question No.220

LAND DEMARCATION IN
KAITI CONSTITUENCY

Mr. Ndambuki asked the Minister for Lands:-

(a) whether he could inform the House how many locations have been demarcated in Kaiti Constituency; and,

(b) when title deeds for the demarcated areas will be issued.

The Minister for Environment and Natural Resources (Prof. Kibwana) **on behalf of the Ministry of Lands:** Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) Demarcation is going on in ten locations. Within the ten locations, 13 adjudication sections have been declared.

(b) Five out of the 13 adjudication sections are already registered while the remaining eight are at various stages of land adjudication process.

Mr. Ndambuki: Mr. Temporary Deputy Speaker, Sir, I thank the Minister for the answer he has given to this House. However, some of those areas were demarcated as early as 1975 but have never been issued with title deeds. Could the Minister tell the House when the title deeds will be ready? Could he also tell the House what is holding the issuance of the title deeds?

Prof. Kibwana: Mr. Temporary Deputy Speaker, Sir, the title deeds for the five areas, namely Kilala, Nzuuni, Utati, Kivani and Kauti are available. There is a problem that the entire country faces. If some people object to the adjudication exercise that has been done in a given area--

(Loud consultations)

The Temporary Deputy Speaker (Mr. Poghiso): Order, hon. Members! Order, at the back! Again, there are two ways to go about this matter. If you want to consult, you can go to the back and consult quietly. You can also withdraw from the Chamber so that we can follow the proceedings.

Mr. Minister, proceed!

Prof. Kibwana: Thank you, Mr. Temporary Deputy Speaker, Sir. I have said that there is a problem that the whole country faces. If we declare adjudication sections, complete the necessary works and somebody objects, we have to wait until those objections are sorted out before registration is done. Some sections had those objections. Until we change the law so that it can allow for the areas without objections to be registered, the registration process will continue to delay. The Ministry of Lands will seek leave of the House to change the Land Adjudication Act at an appropriate time so that the areas with objections can wait while those without objections can be registered.

Mr. J.M. Mutiso: Mr. Temporary Deputy Speaker, Sir, you have heard the Minister say that there are about eight locations that are in various stages of being demarcated or are in the process of being issued with title deeds.

Mr. Temporary Deputy Speaker, Sir, could the Minister confirm to this House whether the Lands Office in Kilome, which also serves some parts of Kaiti Constituency, has enough offices where the officers can operate from? The lands officers in that area do not keep records because they lack proper filing system. Could the Minister confirm whether there is a structure where those officers can operate from in order to sort out the land adjudication problem?

Prof. Kibwana: Mr. Temporary Deputy Speaker, Sir, I will be happy to answer that Question when it will be asked separately. Obviously, that question is not related to the Question the hon. Member for Kaiti has asked.

The Temporary Deputy Speaker (Mr. Poghiso): Order, Mr. Minister! That is a harmless question. Basically, is there an office on the ground to accommodate those officers? That information should be made available.

Prof. Kibwana: Mr. Temporary Deputy Speaker, Sir, you will appreciate the fact that, that is really a different Question. I cannot confirm either way because I have been asked that question just now. Of course, if it is asked separately, I will know the state of that office in terms of the

records they have and whether there is a proper roof. At this juncture, it is not humanly possible for me to know the parts of this country that lack offices and those that have.

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. Minister! All supplementary questions are asked separately. You should expect some hon. Members to ask various questions, like this specific one in relation to Kilome. You can get that information later on and give it to the House. I do not want to pressurise you to give that information now if you do not have it. However, it is the kind of question that you expect to be asked when a Question about land is asked in a particular district.

Mr. Minister, could you give your comment?

Prof. Kibwana: Mr. Temporary Deputy Speaker, Sir, the hon. Member is asking a question about another area. If he asks that Question separately, I will answer it. However, as of now, it is not possible for me to know the state of that office because I was not prepared to answer such a question.

Mr. J.M. Mutiso: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Minister in order to say that this is a separate Question when we know very well that demarcation involves documentation? The Lands Office in that area serves Kilome and Kaiti. Those areas share the same officers and structures. This is an obvious question. Could he just answer the question?

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. J.M. Mutiso! I guess the Minister has said that he will get the information. In any case, you seem to have the answer. So, why do you ask a question, and yet you already have an answer?

Mr. J.M. Mutiso: Mr. Temporary Deputy Speaker, Sir, I am sorry for interrupting you. I do not have the answer. I have said that out of the objections that seem to persist, it appears as if there is a linkage between the structure and the objections. That is what I want the Minister to clarify. Some of those objections date back to 1970. Could he explain that?

The Temporary Deputy Speaker (Mr. Poghisio): That is a totally different Question! Mr. J.M. Mutiso, you know the answer. Is Kilome not your constituency?

Mr. J.M. Mutiso: Yes, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Poghisio): So, you know those offices?

Mr. J.M. Mutiso: Mr. Temporary Deputy Speaker, Sir, from outside.

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Ndambuki, ask your last question or another hon. Member can ask!

Mr. Ndambuki: Mr. Temporary Deputy Speaker, Sir, you have heard the Minister say that the delay in the issuance of title deeds has been occasioned by the objections that have been filed. He has set up tribunals and those people no longer work because they are not paid.

If the Minister wants to speed up the exercise, could he make arrangements to pay the tribunal officials so that they can start working? He has also mentioned some areas whose title deeds are ready and yet those documents are in Nairobi. Could he arrange for the title deeds to be sent to Makueni District so that people can collect them from there?

The Temporary Deputy Speaker (Mr. Poghisio): Mr. Ndambuki, which question do you want to pursue?

Mr. Ndambuki: Mr. Temporary Deputy Speaker, Sir, both of them.

The Temporary Deputy Speaker (Mr. Poghisio): But you can ask only one question at a time!

Yes, Mr. Minister!

Prof. Kibwana: Mr. Temporary Deputy Speaker, Sir, we shall arrange for those title deeds to be taken to Makueni District where they can be collected more easily.

Question No.264

TERMINAL DUES FOR MR. JOSEPH M. NGULA

Mr. J.M. Mutiso asked the Minister for Labour and Human Resource Development:-

(a) whether he is aware that Mr. Joseph M. Ngula ID/No.24381424 was an employee of Sunset Hotel of P.O. Box 43665 Nairobi and that he was dismissed from service on 22nd May, 2005; and,

(b) what measures the Ministry took to ensure Mr. Ngula was paid his terminal dues and any other benefits he was entitled to vide the joint meeting of 8th August, 2005 at Nyayo House Labour office (Ref. MI/TU/ NRI/RJT/05/1).

The Assistant Minister for Labour and Human Resource Development (Ms. Mwau): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) I am aware that Joseph Ngula was employed by Sunset Hotel of P.O. Box 43665 Nairobi in May, 2000, as a cook. His services were terminated on 22nd May, 2005, for allegedly refusing to proceed on leave which was due.

(b) After being forced to go on leave, he reported the matter to his union (Kenya Hotels and Allied Workers Union) Nairobi Branch in June, 2005. The union took up the matter and in turn filed a dispute with my District Labour Officer, Nyayo House. A meeting between the management and the union was held on 8th August, 2005 whereby the management was directed to pay Mr. Ngula Kshs9,150 for wages and pending leave. The union was not satisfied with the ruling of the labour office and reported the trade dispute to me in accordance with Section 4 of the Trade Disputes Act, Cap.234 of the Laws of Kenya on 31st August, 2005. Under the powers conferred to me by Section 7 of Cap.234, I appointed an investigator on 1st March, 2006. The investigations are under process and, once finalised, I will give my recommendations for payment of Mr. Ngula's terminal dues in accordance with the parties' Collective Bargaining Agreement.

(Loud consultations)

The Temporary Deputy Speaker (Mr. Poghiso): Order, hon. Members! I wish you could listen to yourselves. Could you be quiet the way you are now so that we can hear the Assistant Minister? We cannot hear once everybody consults loudly. Could you maintain silence?

Proceed, Madam Assistant Minister!

The Minister for Labour and Human Resource Development (Ms. Mwau): Mr. Temporary Deputy Speaker, Sir, I have finished!

Thank you.

(Laughter)

The Temporary Deputy Speaker (Mr. Poghiso): Yes, Mr. J.M. Mutiso!

Mr. J.M. Mutiso: Mr. Temporary Deputy Speaker, Sir, let me thank the Assistant Minister for that answer, but that is not the fact. The fact is that the employer, Sunset Hotel, was trying to illegally terminate the contract of Mr. Ngula under the pretext that he was absent from duty without a reasonable cause.

Mr. Temporary Deputy Speaker, Sir, I have a letter from a lawyer acting on behalf of Sunset Hotel, who alleges that the contract of Mr. Ngula was terminated because he absconded from duty.

The Temporary Deputy Speaker (Mr. Poghisio): Order, Mr. J.M. Mutiso. You should not say that you have a letter with you! You should either lay it on the Table or you do not mention it at all! Nobody is demanding that the letter be laid on the Table, anyway. If it is a genuine letter, lay it on the Table.

(Mr. J.M. Mutiso laid the letter on the Table)

Mr. J.M. Mutiso: It is now a year since August, 2005. Why has the process of determining the rights of Mr. Ngula taken such a long time? How much more will he wait for the outcome of the tripartite agreement?

Ms. Mwau: Mr. Temporary Deputy Speaker, Sir, my Ministry has recommended that an investigation be done and this investigation has not yet been finalized. As I speak now, we have the report with us but it has to be finalized by the Industrial Relations Officer, the Labour Commission and then it will come to the Ministry for approval. Labour disputes take a lot of time because the laws have gaps.

So, we hope that when we pass the laws which are before this House, it will be easier to deal with the gaps governing labour disputes. The law does not actually give the timeframe within which labour disputes must be resolved. But soon, the investigation report is going to be approved by the Ministry and then we will answer his Question.

Capt. Nakitare: Thank you, Mr. Temporary Deputy Speaker, Sir. Could the Assistant Minister tell this House when this person will be paid his dues?

Ms. Mwau: Mr. Temporary Deputy Speaker, Sir, I have just said that we are yet to finalize the investigation and then approve the report.

As soon as this is done, Mr. Ngula will be paid his dues.

The Temporary Deputy Speaker (Mr. Poghisio): Last question, Mr. J.M. Mutiso!

Mr. J.M. Mutiso: Mr. Temporary Deputy Speaker, Sir, could the Assistant Minister look into the issue of Mr. Ngula again because if we are to go by the facts she has presented here, it means that the investigation was based on the wrong premise?

The Temporary Deputy Speaker (Mr. Poghisio): Could you put it in the form of a question?

Mr. J.M. Mutiso: Could the Assistant Minister look into the whole issue of the termination of Mr. Ngula's employment again to ensure that the correct facts have been taken into account?

Ms. Mwau: That is why we have actually ordered for a fresh investigation. As I said earlier, we will look at the new dimension that has come up.

Question No.270

TERMINAL DUES FOR
MR. JOSEPH MUSYOKA

Mr. C. Kilonzo asked the Minister for Labour and Human Resource Development:-

(a) why Mr. Joseph Musyoka and four others were declared redundant by Timber Sizers Limited,

(b) why the Labour Office in Nairobi stopped handling their case even after they perused the company records and established that the workers were to be paid a

total of Kshs110,406.25; and,

(c) when Mr. Musyoka and the others will be paid their terminal dues amounting to Kshs110,406.25.

The Assistant Minister for Labour and Human Resource Development (Ms. Mwau):
Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) The five employees of Timber Sizers Limited; Mr. Silvester Ogutu, Mr. Joseph Musyoka, Mr. Daniel Ndolo, Mr. Benard Otieno and Mr. John Ochieng were declared redundant because the company was closing down. It, therefore, did not require their services.

(b) The Labour Office in Nairobi handled this matter to its conclusion and at no time did it stop the process. At no time did the department claim Kshs110,406.25 for onward payment to the affected workers.

(c) Mr. Joseph Musyoka and the four others were paid terminal benefits, including notice pay, leave days and severance pay totalling to Kshs85,432.75 as "outlawed" below:-

	<u>Kshs</u>
(i) John Ely Ochieng	31,320.00
(ii) Daniel Ndolo	9,975.00
(iii) Joseph Musyoka	11,812.00
(iv) Benard Otieno	19,162.50
(v) Sylvester Ogutu	<u>13,162.50</u>
Total	<u>85,432.25</u>

The employer deposited the total amount with the Labour Office on 1st December, 2003, and the claimants were paid in January, 2004.

Thank you, Mr. Temporary Deputy Speaker, Sir.

Mr. C. Kilonzo: Thank you, Mr. Temporary Deputy Speaker, Sir. I want to believe that the Assistant Minister meant to say "outlined below" and not "outlawed below".

Nevertheless, it took two years for those people to get paid. What action is the Ministry taking to penalize employers who delay payments to workers who are no longer in their employment?

(Loud consultations)

Ms. Mwau: Mr. Temporary Deputy Speaker, Sir, I did not hear the first part of his question because hon. Members are consulting loudly. Could he repeat his question?

The Temporary Deputy Speaker (Mr. Poghisio): Order, hon. Members! The Assistant Minister did not hear the question. Could you repeat your question, Mr. C. Kilonzo?

Mr. C. Kilonzo: Mr. Temporary Deputy Speaker, Sir, it took two years for those people to get paid. What action is the Ministry taking to penalize or to punish those employers who delay payments or dues to employees who are no longer in their employment?

Ms. Mwau: Mr. Temporary Deputy Speaker, Sir, I have just said that the laws which govern labour disputes need to be consolidated and the gaps therein filled. There are a lot of gaps as to how much time the employer is given to finalize the disputes and pay the employees in time.

Mr. Temporary Deputy Speaker, Sir, so, as soon as those laws are passed, we will know the timeframe because that is the issue at the moment here. We will be bringing amendments to this House and we hope that hon. Members will pass them so that these disputes are dealt with fast to ensure that workers are paid in time. Some of these workers actually die while waiting for their disputes to be resolved.

Mr. Ndolo: Thank you, Mr. Temporary Deputy Speaker, Sir. Could the Assistant Minister confirm or deny that there is a scheme by the labour officers, especially here in Nairobi, where they

collaborate with the employers to deny the workers their benefits? What is she doing to ensure that, that issue is sorted out and those officers are disciplined?

Ms. Mwau: Mr. Temporary Deputy Speaker, Sir, I would like to ask hon. Members to produce evidence to the effect that labour officers collaborate with employers to ensure that labour disputes are not resolved and, therefore, aggrieved employees are not paid.

Mr. Temporary Deputy Speaker, Sir, once we get such evidence, we will deal with the officers concerned.

Mr. C. Kilonzo: Mr. Temporary Deputy Speaker, Sir, I have proper evidence. These people were paid only after this Question was brought to this House.

Could she, therefore, take action against the officers handling this particular case?

Ms. Mwau: I will do so, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Poghisio): Next Question, Mr. Rotino!

Question No.387

REHABILITATION OF ROADS
IN EASTLEIGH AREA

Mr. Rotino asked the Minister for Local Government:-

(a) whether he is aware that roads in Eastleigh area in Nairobi are in a bad state; and,

(b) what plans the Ministry has to rehabilitate the road network in the area.

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

(a) I am aware that many roads in Eastleigh area in Nairobi are in a bad state.

(b) The Nairobi City Council is currently rehabilitating Eastleigh Second Avenue, Third Street, Seventh Street, Fifteenth Street and General Waruinge Street at a cost of Kshs92 million.

Mr. Temporary Deputy Speaker, Sir, earmarked for repairs from the Fuel Levy Fund are Eastleigh Eighteenth Street and Mfududu Street.

Under the District Roads Committee (DRCs) Fund, the following roads are earmarked for rehabilitation: Sergeant-Major Kamukonde Road, Juja Road, Wood Street Access Road, Seventeenth Street and Section Three Access Road.

Mr. Rotino: Mr. Temporary Deputy Speaker, Sir, this Government waits until a Question is brought to this House and then they act. This Question has been on the Order Paper for more than a month. It was after the Question appeared on the Order Paper that the Ministry started to repair roads in Eastleigh area.

Mr. Temporary Deputy Speaker, Sir, it is good that the Assistant Minister hails from the community that lives in Eastleigh area. When did the Nairobi City Council start repairing roads in that area? When does it expect to finish the work?

Mr. Shaaban: Mr. Temporary Deputy Speaker, Sir, we did not start repairing those roads after the hon. Member brought this Question to the House. Work on the roads under construction started way back in 2004, while the Question was brought to this House only three weeks ago.

Ms. Abdalla: Mr. Temporary Deputy Speaker, Sir, as Mr. Rotino said, this Ministry started acting only after the Question had been raised in the House. Could the Assistant Minister confirm who the contractor for Eastleigh Second Avenue Project is?

Mr. Temporary Deputy Speaker, Sir, when the Assistant Minister was first appointed to that office, he went to Eastleigh and promised to take action against the contractor for delaying the works on that road. Why has he not done so?

Mr. Shaaban: Mr. Temporary Deputy Speaker, Sir, it is true that there has been delay in the construction of the said road. The contractor on site is M/s Nyoro Construction Company. The delay in the works on that road has been occasioned by relocation of several infrastructural facilities, including sewerage and water lines. However, the contractor is supposed to complete that road by the end of this month.

Mr. Muriithi: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister should take this matter seriously. When talking about the deplorable state of roads in Eastleigh area, we should not forget the roads in Makadara, Bahati, Ziwani, South C and South B estates.

Whenever there is fire outbreak in Eastleigh area, or some other form of emergency, the police cannot access the scene because the roads are impassable. What is the Assistant Minister doing to ensure that the public is well looked after and that roads in the said areas are reconstructed as soon as possible?

Mr. Shaaban: Mr. Temporary Deputy Speaker, Sir, there are already a lot of road construction projects going on within the City of Nairobi. The City Council is already putting in a lot of effort to put back the road network in Nairobi in place.

Mr. Temporary Deputy Speaker, Sir, as I said, a lot of road projects in Eastleigh area are already ongoing.

Many of the roads are being evaluated to ensure that they are passable.

Mr. Raila: Mr. Temporary Deputy Speaker, Sir, I wish to thank Mr. Rotino for asking the Question on behalf of the Member for Kamkunji Constituency.

(Applause)

The Assistant Minister needs to take the House very seriously. We live in Nairobi. I do not know where the Assistant Minister comes from. I do not know where the road works the Assistant Minister has referred to are located.

Mr. Temporary Deputy Speaker, Sir, the status of roads in Eastleigh area is terrible. Only Juja Road, which was done by the Ministry of Roads and Public Works, is passable.

The Temporary Deputy Speaker (Mr. Poghisio): Ask the question now!

Mr. Raila: Mr. Temporary Deputy Speaker, Sir, could the Assistant Minister confirm or deny that the Nairobi City Council has abandoned its responsibility of road construction and maintenance to the Constituencies Development Fund?

Mr. Shaaban: Mr. Temporary Deputy Speaker, Sir, I deny that the Nairobi City Council has abdicated its duty of putting up and maintaining infrastructure within Nairobi area. As everybody here is aware, there are many road construction works going on in many parts of the city. So, the hon. Member should appreciate that effort.

With regard to Eastleigh area, I have already mentioned the roads currently being reconstructed as Second Avenue, Third Street, Seventh Street and Fifteenth Street, among others.

Mr. Rotino: Mr. Temporary Deputy Speaker, Sir, I would like the Assistant Minister to visit Eastleigh estate in person and confirm what he has told this House. How much money has the Ministry set aside for road maintenance in Eastleigh area? It is one thing to construct a road and another to maintain it.

Mr. Shaaban: Mr. Temporary Deputy Speaker, Sir, I have already visited Eastleigh and inspected the roads I have mentioned. That is why I have told the House that work on them will be completed by the end of this month.

Mr. Temporary Deputy Speaker, Sir, as I mentioned earlier, some roads are being repaired through the Fuel Levy Fund. These include Eastleigh Eighteenth Street and Mfududu Street.

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

Minister has not answered my question. I asked how much money the Ministry has set aside for road maintenance in Eastleigh!

Mr. Shaaban: Mr. Temporary Deputy Speaker, Sir, the money that the Ministry raises for road maintenance through the Fuel Levy Fund is expended, in the case of Nairobi, through the Nairobi City Council.

Mr. Temporary Deputy Speaker, Sir, the reconstruction of these roads, which is estimated to cost Kshs92 million---

The Temporary Deputy Speaker (Mr. Poghio): Order! Order, hon. Members! Really, if the Assistant Minister had the answer to that Question in writing, he would have looked at his book and come up with all the amount of money involved. So, really, that is asking him to go back to his books and look for the figures. I am sure, he can get that information, but that would be a different Question.

Hon. Members, that brings us to the end of Question Time.

The remaining three Questions by Eng. Nyamunga, Mr. Ojaamong and Mr. Mwanicha are deferred to tomorrow.

Question No.392

STALLING OF CONSTRUCTION
WORKS ON ROADS E220/E1121

(Question deferred)

Question No.029

MEASURES TO ADDRESS
CORRUPTION IN JUDICIARY

(Question deferred)

Question No.081

RESETTLEMENT OF MITEITEI
LAND CLASHES VICTIMS

(Question deferred)

The Temporary Deputy Speaker (Mr. Poghio): Next Order!

COMMITTEE OF SUPPLY

*(Order for Committee read
being the First Allotted Day)*

MOTION

THAT MR. SPEAKER DO
NOW LEAVE THE CHAIR

Vote 01 - Ministry of State for Administration and National Security

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, I beg to move that Mr. Speaker do now leave the Chair. I am honoured once again to stand in this august House, to move the Vote for the Ministry of State for Administration and Internal Security.

Mr. Midiwo: On a point of order, Mr. Temporary Deputy Speaker, Sir!

The Temporary Deputy Speaker (Mr. Poghio): The Minister has hardly said anything!

Mr. Midiwo: Mr. Temporary Deputy Speaker, Sir, yes, I know that, but I wanted to stand on a point of order before he says anything.

Mr. Temporary Deputy Speaker, Sir, on several occasions in this House, when discussing issues concerning the Ministry represented by the Minister, we have constantly and persistently called for his resignation. That happened when he raided the Standard Group premises, when he was associated with the alleged "mercenaries", and on several other occasions. The Minister---

The Temporary Deputy Speaker (Mr. Poghio): Order, hon. Members!

(Applause)

You need to look at the Order Paper properly. The Motion in discussion is; "THAT, Mr. Speaker do now leave the Chair." It has nothing to do with the Minister as a person. It is a Vote for the Government. Let us not personalise it. It does not belong to anyone. We will deal with it and its subject.

I do not think I will allow any more points of order.

(Applause)

Could we allow the Minister to move the Vote!

Maj-Gen. Nkaiserry: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for us to allow the budget of a Ministry, which has been declared the most corrupt, to be moved in this House?

Mr. Temporary Deputy Speaker (Mr. Poghio): Order, hon. Members! I do not understand why there is so much excitement because no one has accepted the Motion.

Mr. Temporary Deputy Speaker, Sir, the Minister has to move the Motion first, then the Floor will be open for debate. You will then have an opportunity to say all that. This is a normal parliamentary procedure. Please, allow the Minister to move his Vote.

Minister, please, proceed!

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, during the debate of this Vote in the 2005/2006 Financial Year, hon. Members expressed concern that it was bloated, as it had too many functions.

Mr. Temporary Deputy Speaker, Sir, the Government has responded to the contributions of hon. Members and has rationalised the Ministry. The Department of Cabinet Office, Ministry of Special Programmes and that of Immigration and Registration of Persons have been removed and assigned separate Votes. That will enhance the efficiency in service delivery for the benefit of people.

For the purpose of this debate, the Vote for Provincial and Internal Security covers the following departments: The Provincial Administration; the Kenya Police, including the Criminal Investigations Department (CID), and the General Service Unit (GSU); Administration Police; Government Press; and, finally the National Campaign Against Drug Abuse (NACADA).

Mr. Temporary Deputy Speaker, Sir, before I present the financial details in my Ministry's

Vote, for this financial year, I would like to mention some of the core functions, achievements and challenges as well as policy priority and programmes that will be put in place during the Financial Year, 2006/2007.

Mr. Temporary Deputy Speaker, Sir, the rationalisation of the Ministry of State for Administration and Internal Security has the following five core functions: One is the organisation and coordination of Government business at the grassroots level, secondly, maintenance of public safety, law and order; thirdly, printing and distribution of Government documents; fourthly, campaign against drugs and substances abuse; fifth is the maintenance of national and international boundaries and finally, coordination of State functions.

As I pointed out last year, in carrying out its core functions, my Ministry is faced with many challenges which include: Inadequate transport facilities for security operations, inadequate training facilities, inadequate housing for police officers, threats of terrorism and other forms of international crimes, porous borders, proliferation of small arms and cattle rustling and banditry, drug trafficking and substance abuse and conflict over resources, especially land and water.

Mr. Temporary Deputy Speaker, Sir, in spite of all those challenges, the Ministry has continued to discharge its responsibilities to ensure existence of security, peace, law and order which are a prerequisite for social economic and political development.

Mr. Temporary Deputy Speaker, Sir, allow me now to highlight some of the main activities and achievements realised in the recent past and the programmes we intend to undertake in the 2006/2007 Financial Year.

The Provincial Administration, with its extensive infrastructure from provinces to sub-locations, is the most visible organ through which the Executive arm of the Government cascades to all Kenyans. It coordinates all the other Government departments in the districts and also provides the most effective mechanism for resolution of social conflicts, as well as dissemination and articulation of Government policies through participatory *barazas* with the local people.

It also advises the Government on matters emanating from the grassroots on various issues, including security and matters of law and order.

Mr. Temporary Deputy Speaker, Sir, my Ministry is undertaking reforms in the Provincial Administration in a bid to make it more responsive, effective and efficient in offering services to *wananchi*. Already, District Commissioners, District Officers, chiefs and assistant chiefs have been retrained and re-orientated to enable them render customer-focused and friendly services.

In addition, my Ministry has developed a customer care management system which will be launched in the course of this financial year. It entails the introduction of complaint boxes and customer care desks which will be manned by officers trained in public relation skills.

Mr. Temporary Deputy Speaker, Sir, during the financial year, the proposed 38 new districts, which were recently gazetted, are expected to be operationalised. However, my request for an additional budgetary provision for the proposed districts has not been granted. I will, therefore, be requesting for additional funds in the course of the year to cater for the seed capital to start off those districts.

Mr. Temporary Deputy Speaker, Sir, currently, survey work is going on in the proposed districts where leaders have resolved key issues such as boundaries, names and headquarters. Indeed, there are about seven districts which are yet to agree on the three fundamental requirements. I request them to finish that before the survey is completed.

Mr. Temporary Deputy Speaker, Sir, I wish to report that, over the last financial year, crime in urban areas and along major highways has, generally, been on the decline. That can be attributed to the changes that we have introduced in crime management, and the resources that the Government has committed for that purpose.

I wish to assure this House that the structure that has been developed to reduce crime in

those areas will continue to be strengthened during this financial year, through the acquisition of modern equipment and skills development training programmes that have been planned.

Mr. Temporary Deputy Speaker, Sir, across the border crime continues to be a major challenge. We, however, believe that the on-going multi-sectoral Government development programme in the North-Rift, North Eastern and Upper Eastern, whose components include disarmament, peace initiatives and the use of the military to implement development projects will result in reduced incidences of that type of crime.

In addition, police visibility in crime prone areas has been enhanced through deployment of additional officers, and the provision of equipment to both the regular and Administration Police forces.

Mr. Temporary Deputy Speaker, Sir, since crime occurs within a social environment, the provincial and district security committees will continue to conduct public campaigns on security awareness, in order to elicit public support in combating the menace. The police forces are now adopting modern technology and a new policing practice in crime management. As a consequence, milestone breakthroughs have been achieved in crime detection and prevention.

(Microphone failure)

---and operation equipment due to budgetary constraints. Those equipment include arms and ammunition, which are essential and critical tools for police operations. To redress the situation, an amount of Kshs604 million has been factored in the Budget for the Administration Police. A further Kshs630 million has been factored for the Police Department to mainly cater for the upgrading of the communication systems for the Presidential Escort, and for the purchase of modern calibration equipment for the Motor Vehicle Inspection Unit to replace the outdated equipment, which were installed in the 1960s.

The current police telecommunication network is based on the old analogue technology. That system is obsolete and insecure. The department is already experiencing difficulties in sourcing spare parts for its maintenance, as it is already being phased out of production. To upgrade that system, over Kshs3.5 billion will be required. But due to budgetary constraints, the department has, therefore, embarked on a phased upgrading programme starting with the Presidential Escort Network, whose manufacturer had warned that key components such as batteries are no longer in production.

Mr. Temporary Deputy Speaker, Sir, I wish to reiterate the need for this country to acquire a forensic science laboratory. As I stated last year, the successful investigation and prosecution of crimes require the collection, preservation and forensic analysis of evidence, which are crucial to the administration of justice. Due to lack of forensic laboratories, many cases requiring forensic investigation such as DNA analysis, have remained unresolved and innocent people may have been denied justice due to our inability to undertake scientific analysis of specimens.

In addition to the forensic laboratory, a new finger printing identification system is urgently needed. The Criminal Investigation Department (CID) officers are still using the old manual system, which is time-consuming and impacts negatively on efficiency and effectiveness of the police in finalising investigations, and supporting the other processes in the criminal justice system. Hon. Members, a total of Kshs1.5 billion will be needed to finance both the establishment of the forensic laboratory and procurement of a new finger printing system.

During the 2005/2006 Financial Year, my Ministry was allocated Kshs738 million for the purchase of motor vehicles for security agencies. With that allocation, the Ministry was able to buy 293 assorted vehicles, mostly Landcruisers and Land Rovers. The vehicles have been distributed to various districts and police stations on the basis of priority in terms of vulnerability of those areas.

In the current year, a provision of Kshs478 million has been made for that purpose. We expect to procure 130 assorted vehicles which will be distributed to areas which did not benefit from last financial year's purchases.

Mr. Temporary Deputy Speaker, Sir, I wish to draw the attention of hon. Members to the fact that the amount allocated for the purchase of vehicles for security agencies is minimal when compared to the actual needs. The Police Department alone requires over 3,000 vehicles.

I would, therefore, wish to seek the support of hon. Members in influencing the re-allocation of the released vehicles to my Ministry under the implementation of the New Government Transport Policy. This will assist in bridging the existing shortfall within the force.

As part of the on-going reforms, my Ministry has embarked on a vigorous programme of enhancing the capacity of our security agencies by increasing the number of police officers countrywide through double intake for both the regular and Administration Police. In the current financial year, Kshs338 million has been allocated for the expansion of training facilities at the Kenya Police Training College, Kiganjo, the Administration Police Training College, Embakasi, and GSU College, Embakasi. This will enhance the capacity of the three institutions to cater for the increased number of recruits and the training of serving officers.

Mr. Temporary Deputy Speaker, Sir, housing continues to be a major challenge to the performance of our security forces. In the 2005/2006 financial year, an allocation of Kshs483 million was made to both the Kenya Police and the Administration Police for the acquisition and construction of police houses. With these funds, my Ministry managed the following: -

1. Acquisition of 239 housing units from Kenya Breweries in Kisumu and Ruaraka at a cost of Kshs230 million.
2. Acquisition of 60 houses for Administration Police at Mlolongo in Athi River, at a cost of Kshs140 million.
3. Leasing of 896 housing units for regular police and 127 housing units for Administration Police.
4. Renovation of a number of police and Administration Police lines in various parts of the country.

In the current financial year, my Ministry has been allocated a total of Kshs1.8 billion for acquisition of police houses. To fast-track the process, my Ministry, in consultation with the Ministry of Finance, Ministry of Lands and Ministry of Housing, and Ministry of Roads and Public Works, the Attorney-General and other relevant Government departments, will develop a framework for acquisition of police houses through the concept of Build and Transfer or what is commonly known as "BT".

Most of these houses will be based on police land, with designs and supervision being undertaken by the Ministry of Roads and Public Works. The contractors will be expected to carry out the works on turnkey basis, upon which they will receive full payments. This way, we will enhance our absorption rate for development funds and ensure a speedy acquisition of houses for our officers.

A further amount of Kshs200 million has been provided to cater for renovation of existing police lines. Unfortunately, my request for allocation of Kshs149 million for renovation of Administration Police lines has not been given in this financial year. This scenerio will mean that the condition of existing Administration Police lines will continue to deteriorate. This is a setback to our determination to provide adequate housing for the Administration Police. We will, however, continue to knock the door.

Mr. Temporary Deputy Speaker, Sir, inspite of these efforts, majority of our police officers continue to live in dilapidated housing units that include mud houses and unit huts which they normally share on a ratio of 1 to 4. There is need to substantially increase the budgetary provision

in the coming financial years if the impact of these efforts is to be felt across the country, given that the shortage is in excess of 40,000 units.

Mr. Temporary Deputy Speaker, Sir, the emerging trends in drug trafficking clearly shows that we are not only a transit route, but a destination. In view of this, my Ministry is currently undertaking measures to curb the vice which is affecting our national productive capacity and destroying the future of our youth. I am glad to report that His Excellency the President recently appointed the National Campaign Against Drug Abuse Advisory Board to strengthen NACADA in the discharge of its mandate. This will, however, call for supplementary allocation within the current financial year to meet its financial obligations.

Mr. Temporary Deputy Speaker, Sir, to cope up with rapid technological changes in the printing industry, and to improve quality and efficiency, there is need to adopt the enhanced computer-aided printing technology. The Kshs150 million that has been allocated under the Development Vote will be used for the procurement of four colour processors and pre-press photo composition machines, software, colour printers with high resolution and other accessories and to undertake networking for computer-aided printing.

My Ministry requests this august House to approve a gross budget of Kshs29,191,772,415 of which Kshs26,109,523,455 is in respect of Recurrent Expenditure and Kshs3,081,748,960 is in respect of Development Expenditure. The gross provision for this year compares favourably with the gross allocation of Kshs27,733,151,281 for the last financial year. This represents an increase of 5.6 per cent.

The net allocation for Recurrent Expenditure for my Ministry amounts to Kshs25,638,093 while the Appropriations-in-Aid amounts to Kshs471,430,453. The allocation will fetch an increase of Kshs2,618,996,936 compared to the year 2005/2006 net provision of Kshs23,019,096,065 for the departments that now constitute my Ministry's Vote.

The funds are provided under the following sub-heads. The Recurrent Expenditure as shown in the General Administration and Planning; Kshs796 million, minus Kshs411 million. The amount required is Kshs2,850,427,834 for the current Financial Year, an increase of roughly Kshs333,020,742. The allocation for the Administration Police Services has also gone up by Kshs1,233,516,979.

Mr. Temporary Deputy Speaker, Sir, the net allocation for the Recurrent Expenditure is distributed among Personal Emoluments, Operations and Maintenance of service. In the Development Vote, the net allocation for the Development Expenditure is Kshs3,081,748,960, which compares favourably with last year's allocation of Kshs1,580,089,420. For the departments that now remain under this Vote, the Development Vote has, therefore---

The Temporary Deputy Speaker (Mr. Poghisi): Mr. Minister, your time is out!

The Minister of State for Administration and National Security (Mr. Michuki): Mr. Temporary Deputy Speaker, Sir, I beg to table this speech here, so that the hon. Members can see it in its entirety.

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

*(Mr. Michuki laid the document
on the Table)*

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Temporary Deputy Speaker, Sir, I beg to second this important Motion and to remind ourselves that the duty of building this country is on each one of us. If it is on issues of corruption, let the agents of corruption not be the first to cast the stone. Let those who are under investigations not be the ones to say who is corrupt and who is not.

Mr. Temporary Deputy Speaker, Sir, we are a reforming nation where most people are actually not only under suspicion, but under investigation. Unless if, consciously as a nation, we each play our part, we shall not be able to eradicate corruption. It is not enough to shout at the top of one's voice while engaging in corrupt activities. On issues of security, the primary duty of ensuring that there is security is the Government's and that is why funds are being sought. However, hon. Members also have a duty to contribute towards this nation being secure. You cannot become inciters and war-mongers and then say that there is insecurity.

(Applause)

Mr. Temporary Deputy Speaker, Sir, we need to take responsibility as national leaders and support our law enforcement agencies, so that people both in and out of this House who flout the law, can be dealt with without fear or favour. I would want to encourage the law enforcement agencies, especially the police, to take action on any inciter and any war-monger irrespective of their status. Let everybody bear responsibility for their utterances and their actions and then we can make this nation secure.

I have listened to my colleague when he was moving the Motion and I have heard the areas the Ministry covers and the amount of money that is required. I would like to urge those in the Ministry to ensure that they exercise due diligence when applying the funds. They should also ensure that they are cost-effective and efficient in the use of resources.

Although not all the amount of money that the Ministry had requested for has been given for the renovation of the Administration Police (APs) houses, enough money has been given for the renovation of the police houses and for the acquisition of more housing. They need to go back to their Estimates, after all, they are only Estimates, and use that money efficiently. As I urge this House to give this money to this Ministry, I would urge the officers in the Ministry to use it efficiently. Perhaps, if you exercise due diligence and efficiency in the use of these funds, they may spread over to the issue of the police lines.

I have found that the prices that we have been using are not always cost-effective. With a little bit of innovative thinking and approach, it is possible for each Ministry to save money and make their Budget go a little further. This happened last year in the Ministry of Water and Irrigation and it should happen in other Ministries. Let us all try to save our hard-earned taxpayers' money and make sure that it circulates and is of benefit to our people.

Mr. Temporary Deputy Speaker, Sir, I would like to again urge the police to become innovative in crime management and look for ways of policing each other. Unless we do that, there will be many officers who put in a lot of effort; a good day's work, and there will be a few or several who engage in corrupt practices and the perception will be that no work goes on and there is a lot of corruption.

I personally think that the security situation in this country has improved compared to how we found it, but more needs to be done. I also think that services are being rendered in a more efficient manner than before, but a lot still needs to be done. Even on issues of corruption, we have seen officers being arrested in all areas, but a lot more needs to be done to remove the perception of corruption and the culture of impunity. It is not only in the Police Force or in the Office of the President that these things are happening. It is also within---

Maj-Gen Nkaiserry: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Minister in order to mislead this House that security in this country has improved when an Officer Commanding Police Division (OCPD) was killed by criminals and a Minister car-jacked?

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Temporary Deputy Speaker, Sir, it is very disheartening that the Standing Orders of this House are flouted by

hon. Members who should know better. I would urge that Standing Order No.88(3) be utilised and hon. Members who raise frivolous points of order be named, so that they can wait for their opportunity to debate and not display cavalier attitude when others are debating.

Mr. Temporary Deputy Speaker, Sir, the insecurity that is remaining is as a result of incitement by people inside and outside this House.

The Temporary Deputy Speaker (Mr. Poghismo): Order! While you are right in saying which Standing Order needs to be used, the Standing Order remains in force. Nobody has stopped anyone from raising or making use of that Standing Order. It is still in place and it can still be used.

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Temporary Deputy Speaker, Sir, I alluded to it. This is my time for debate. Personally, I will try to invoke it when the time calls for it but for now I am very busy with the debate. However, I thank you for reminding me about it. I was only alerting my colleagues.

I want to say that the responsibility of maintaining security is on warmongers wherever they are found. I am urging the police that once we pass this Vote they should utilise all the available means at their disposal to track down all those who break the law and cause insecurity by being warmongers and inciters.

(Applause)

Mr. Temporary Deputy Speaker, Sir, wherever they are found, they should be rooted out and taken to courts of law so that this country operates on the basis of the rule of law and so that the high and mighty all come within the law. It is not right that we sit here as lawmakers and we also double as lawbreakers. We would not be helping this nation in any way. We would be destroying the nation while enjoying funds that are given by the taxpayers.

Mr. Temporary Deputy Speaker, Sir, I want to support the work that is done by this Ministry but call for acceleration of reforms like in any other sector of the Government. Reforms are not just in Government Ministries.

We, as Kenyans, must also reform the way we conduct ourselves and business and as hon. Members of this House, let us respect our oath of office so that we can be able to serve Kenyans.

With those very many words, I beg to second.

(Question proposed)

The Temporary Deputy Speaker (Mr. Poghismo): I will give the the Shadow Minister for Administration and National Security the chance to respond. Maj-Gen. Nkaisserry, are you ready?

Maj-Gen. Nkaisserry: Mr. Temporary Deputy Speaker, Sir, I will give the official response tomorrow since I have just come from official duty outside the country.

The Temporary Deputy Speaker (Mr. Poghismo): It is okay. You do not have to do it. Proceed, Mr. Billow!

Mr. Billow: Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to oppose in principle the awarding of Kshs29 billion to be under the stewardship of this Minister. I oppose that Kshs29 billion of the taxpayers' money will be under the stewardship of the Permanent Secretary, Office of the President and Ministry of Administration and National Security.

Mr. Temporary Deputy Speaker, Sir, we do not reward failures. This Government, more than any other regime in this country, has come up with what they call performance contracts for civil servants. If we cannot evaluate the performance of Ministers themselves and Ministries then we will be cheating ourselves.

If there is any Ministry that has failed singularly to perform in this country, it is this Ministry headed by this Minister. If there is any Minister who has failed in this country, it is this Minister. This House, in Motions of Adjournment that have been debated, has clearly said and appealed to the appointing authority that this Minister has no business running this Ministry. That is why I feel giving Kshs29 billion to this Ministry is indeed going to be a very sad thing.

Mr. Temporary Deputy Speaker, Sir, what are its failures? The Kshs55 billion of Anglo Leasing--

The Temporary Deputy Speaker (Mr. Poghiso): Order, Mr. Billow! I would like, from the very outset to say that you should be careful how you phrase your presentation because it appears you are personalising it and dealing with the Minister directly. If you want to do that, bring a Substantive Motion to this House to censure the Minister but if you are contributing to this Vote, do not personalise issues.

Mr. Billow: Thank you, Mr. Temporary Deputy Speaker, Sir. It is just that Votes are for Ministries which are headed by individuals and we have to come out clearly that when we do not support a particular Ministry's Vote, there are reasons why we are doing so.

Mr. Temporary Deputy Speaker, Sir, this is the Ministry which more than any other was involved in the Anglo Leasing scam in which fictitious contracts worth Kshs55 billion were signed. This is the Ministry that was responsible for the raid at the *Standard* newspaper offices and embarrassed and ridiculed this nation in the eyes of the other people in the rest of the world.

This is the Ministry under the Minister who came to the Floor of this House to defend two suspected mercenaries that they are international businessmen even when he--

The Minister of State for Administration and National Security (Mr. Michuki): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Member to forget that I did not defend such people that he has in mind?

Mr. Billow: Mr. Temporary Deputy Speaker, Sir, I think the Deputy Leader of Government Business just mentioned here that frivolous points of order are not allowed in the Standing Orders.

(Applause)

Mr. Temporary Deputy Speaker, Sir, the Minister for Trade and Industry made it very clear that those people are not international investors. The Minister of State for Administration and National Security came here on the Floor of this House and told us that they were investors and they were in the country legally.

Today, Kenyans are embarrassed because of those two people. This is the Ministry which was responsible for that saga.

Mr. Temporary Deputy Speaker, Sir, I might agree that general insecurity may have gone down but conflicts in every part of this country have been on the increase. The same Minister or the Ministry has been giving conflicting information. The other day a Ministerial Statement was issued here by this Ministry pursuing a policy of disarmament.

Last week, the same Ministry was busy dishing out dozens of guns to different communities. What is the policy of this Government with regard to fighting insecurity?

(Applause)

Mr. Temporary Deputy Speaker, Sir, this is the Ministry that must lead by example. It is the Office of the President. It carries a very important name and it must lead by example. It is therefore an embarrassment to everyone in this country when this Ministry is voted as the most corrupt one

in the country. It was voted, not by an NGO but by the public watchdog in this country as the most corrupt Ministry.

(Applause)

Mr. Temporary Deputy Speaker, Sir, why would this House want to give Kshs30 billion to such a Ministry? Why would this House allow the stewardship of this Ministry to continue spending Kshs30 billion when it is voted the most corrupt Ministry? I think we have to come out clearly.

Whatever this Ministry does is going to be contagious because everybody looks up to it as the Office of the President. It is feared! I am glad in this year's Budget, the Minister for Finance has "unpacked" it and removed most of the departments. However, still, it is the Ministry that is revered and feared by every other person in the Government. So, when it is not straight, wayward, full of problems and it is not being managed properly, it is going to have a negative impact on all the other Ministries. That infection will spread to all the other Ministries and this is the concern.

Mr. Temporary Deputy Speaker, Sir, the Minister mentioned about districts. The creation of new districts was not done on the basis of what this country needs in terms of its priorities and so forth. These were created on political basis as concerned the referendum. Even now as we speak, in the by-elections which are going on, the Government is spending resources. People are being given Government of Kenya (GOK) vehicles in the guise of private number plates. The same Ministry is the one that is doing all this. We cannot allow this kind of thing to continue. This is a very important Ministry. It represents the name of the President and it must be managed well. Out of the 30 million people in this country, there are people who can manage it well. I think we need to manage this Ministry in a manner that will attract the respect of Kenyans.

Mr. Temporary Deputy Speaker, Sir, another source of conflict is the boundaries. I think this Ministry should do something to make sure that the problems of boundaries between various districts and constituencies which are the bone of contention in most of these regions are addressed as a matter of principle. It is something that can be done. Every time there is a conflict somewhere, you find that there is a problem of boundaries and that is something that can be addressed by the Administration, which it is not doing.

Mr. Temporary Deputy Speaker, Sir, the Minister, in his speech, said they will put up the forensic science laboratory. I am opposed to that idea. We have a serious problem in this country with the security forces. The security forces cannot even investigate the most mundane thing that can be investigated in this country. We do not require a forensic science laboratory to investigate or verify, for example, whether the Armenians, indeed, committed a crime at the airport. There are many crimes which can be verified, which are not being investigated properly because of problems of administration and management. Everyone in this country knows that there was conflicting instructions within the police system. The Commissioner of Police was giving one set of instructions and the Director of CID was also doing the same. All these was playing out to the gallery in the public. Nothing came from the Minister to try and resolve that problem, at least in public. It is important that we have a system that flows in one direction. When it comes to security institutions, both the Commissioner of Police and the Director of CID must be seen to be pulling in one direction. We cannot have a security situation which is personality-oriented, or built around individuals with one individual having a centre of power and another having the same centre of power. That will be a recipe for chaos in this country. This is why it is important we do something about the Office of the President.

Mr. Temporary Deputy Speaker, Sir, in conclusion, if we want to address some of the problems on the ground, it is important that hon. Members are considered for inclusion in the

district security committees. This matter has been raised by hon. Members on several occasions.

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

The Minister for Roads and Public Works (Mr. Nyachae): Thank you, Mr. Temporary Deputy Speaker, Sir. I will not take a lot of time. I stand to support the Motion after listening carefully to the statement made by the Minister concerned in presenting the case to this House, so that we can allocate money for the Office of the President.

There are many needs that have been mentioned. However, the debate on this Motion is just for two days. We should spend time to debate these issues, so that they are handled accordingly by the Ministry. We should offer views. Hon. Members say there is corruption in the Office of the President. We are not complaining about such statements because we know that corruption is prevalent in this country. We will not take this as a negative comment because all Kenyans of good will would like to see corruption eliminated.

Issues of political personalities are not in the interest of what we are discussing here. We must leave that aside and discuss important issues, for example, housing for the police officers and their morale. We do not expect them to work like donkeys, which we push right, left and centre. Their morale must be right. They must have good housing and transport in order to perform.

Mr. Temporary Deputy Speaker, Sir, hon. Members have talked about insecurity, but it is not created by the police officers. However, it is created by people in this country who are giving police officers and the Office of the President headache. Let us join hands rather than complain. The unfortunate thing about this country, and I am sorry to say, is that we turn every issue that requires to be tackled into politics instead of turning it into a management issue. We must think about managing this country correctly. We must change our approach to issues in running the affairs of this country. One thing we need to understand is that criminals are not only found in Kenya. Every country has got criminals. Every country has corrupt people and those countries are dealing with them. It is only the degree that is different. In our case, the degree is serious. We must handle it.

Mr. Temporary Deputy Speaker, Sir, we are now criticising the Provincial Administration. Some hon. Members are complaining about the creation of new districts. Some hon. Members went to request for the creation of these districts and now they are turning around saying they do not want the new districts. If some of us do not want those districts, they should go to their people, let them hold a meeting, let the Press cover that meeting and say what they want. If they do not want a new district, they should say so. The rest of us want these new districts. We do not want some hon. Members to speak here on our behalf because some of us want those new districts.

Hon. Members are criticising the Provincial Administration. One of the reasons why we lost the referendum is because there was a clause in the proposed new Constitution on the removal of the Provincial Administration. The people rejected that issue all the way to the ground. Now we need the Provincial Administration. If you need the Provincial Administration, give it support.

Mr. Temporary Deputy Speaker, Sir, hon. Members are talking about giving the Minister money. It seems we do not understand how a Government is run. We are not giving the Minister the money. The Minister is coming here as a politician to present a case for the Office of the President. He is not the Accounting Officer. The Accounting Officer is a different person. He is a civil servant. The Minister will not sign a single cheque for the money we will vote for the Office of the President. He has no right to do so, under the laws we made in this House.

So, we are not giving Mr. Michuki any money. We are voting money for the Office of the President and the Accounting Officer will handle it. So, if we have scores with Mr. Michuki or any other politician in the Office of the President, we should bring the case separately, the Standing

Orders are very clear on this, and battle it out. But let us discuss the management of the affairs of this country.

Mr. Temporary Deputy Speaker, Sir, I do not understand why any hon. Member would wish to oppose this Motion. If you oppose this Motion who will run this country? Do you know the Constitution of this country? The institution of a State passes through the President and it is his office which is asking for money, and then you say you are opposing the Vote for the Office of the President!

Hon. Members: Election! Election!

The Minister for Roads and Public Works (Mr. Nyachae): Some hon. Members are calling for an early general election and they have just been told that 114 of us will not come back to this House. Let us wait for the people to decide who will come back and who will not. I know I have digressed and I apologise for that, but let us handle this matter very carefully.

Mr. Temporary Deputy Speaker, Sir, Mr. Billow has opposed the setting up of the forensic science laboratory. If we want to deal with crime and investigate it, unless we have a forensic system we will never get to the bottom of the sophisticated crime in the world now. Every country is using a forensic system in investigating criminals because criminals are always one step ahead. There is no country which does not have a forensic system. Mr. Temporary Deputy Speaker, Sir, in Kenya, we delayed the setting up of this system because there were questions raised about tenders. Questions about tenders are different from having the forensic system. Let us have the system, but this should be done in a most open manner. The system must be in place if we want to deal with modern crime. That is a reality that we cannot escape.

Mr. Temporary Deputy Speaker, Sir, I do not want to say much, but let us understand that there is no angel running any Government. Since Independence, there has never been a Government of angels. The last Government of my colleagues, on the other side, with whom I was with, know we were not angels. They know what we did!

(Applause)

You cannot run away from this fact. The Government of President Kibaki is also not run by angels. We will always have weaknesses somewhere in the way it is run. Weaknesses are bound to be there in any Government. That is why we have Parliament to oversee Government functioning. If there was perfection in Government affairs, we would not be here as Parliamentarians.

With those few remarks, I beg to support.

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

I am also opposing this Motion, although I have nothing against my friend, the Minister of State for Administration and Internal Security, Mr. Michuki. There are some issues that we should address very carefully, if we are to become a nation which is respected by other nations in the world. The hon. Member who was on the Floor talked about enhancing the morale of our police force. But how do we enhance the morale of our police force, when two foreigners were masquerading as deputy commissioners of police? These foreigners were ordering everybody right, left and centre, and caused havoc at our international airport. Indeed, do we have a country to speak of? This was a serious matter!

Mr. Temporary Deputy Speaker, Sir, in fact, Kenya can be termed as a pariah nation by other nations. We are bound to have travel advisories slapped against us by other governments. Our airports are bound to be downgraded from being international airports. All these irregularities happened at an airport that is within the ambit of the Ministry we are supposed to give money now. That is why I am opposing this Motion. Such an incident is unheard of. There is no country

anywhere in this world, where foreigners can do what they want to do and then go scot free.

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

*(The Temporary Deputy Speaker
(Mr. M'Mukindia) took the Chair)*

Mr. Temporary Deputy Speaker, Sir, let me also say that I support the fact that the National Agency for the Campaign Against Drug Abuse (NACADA) is being given more power by creating an advisory board to help it. The question of drug abuse is relevant to the future of this country.

Mr. Temporary Deputy Speaker, Sir, it is important that we empower organisations such as NACADA. We read in the newspapers the other day that a Standard VIII boy was drugged using food. We know that there are many cases of cocaine coming into this country. This country is becoming a destination for drugs. So, we must fight this evil from the word go. We must do this to protect our people. Drug peddlers always target our youth. It is important for us to have institutions that will fight drugs and drug addiction. I hope that the Government side will support the Tobacco Control Bill when it is brought before the House.

I now wish to comment on the issue of new districts. I once again wish to say that I have nothing against the Minister in charge of this Vote. The same Minister brought a Motion to the last Parliament through which he opposed newly created districts. It is now the Government that is creating more districts. Where shall we get money to fund operations of the newly formed districts? We do not want districts that will create divisions among our people. If I were in this Government, I would encourage bigger allocations for the existing districts to offer better services to our people. Creation of more districts will only divide our people into clans. This is something this Government should have avoided, if it was not practising the politics of convenience. I pray that the Government reconsiders the issue of creating more districts.

Mr. Temporary Deputy Speaker, Sir, the issue of establishing a forensic science laboratory is an important issue. I want to agree with the previous speaker who said that we opposed construction of a forensic science laboratory on the basis of a bad tendering system, which led to the Anglo Leasing scandal. But we need a forensic science laboratory in this country.

I have had the honour of chairing a parliamentary committee that investigated the death of the former Foreign Affairs Minister, the late Dr. Robert Ouko, and I know that, with a proper forensic science laboratory, we would have solved cases such as the death of the late Dr. Ouko. I want, therefore, to support wholeheartedly the idea of having a forensic science laboratory.

I know the Ministry of the Special Programmes and the Cabinet Office have been separated. This is a good move. The question of tackling corruption is also very important. We will not get anywhere if the person in charge of making sure that the cookies pot is guarded is the same person who puts his fingers into the pot. Nobody should access the cookies because they are very sweet.

Corruption is endemic in our society. The Office of the President is the one responsible for law enforcement. If there is corruption in that office, then we will not get anywhere in the fight against corruption. That is why we must oppose this idea of giving money which will be used corruptly.

With those few remarks, I beg to oppose.

Mr. Khamasi: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute to this very important Motion. I want to declare that my intention is to support this Motion.

The Office of the President (OP) is the lead Ministry in this country, and everybody expects it to do the best. It must set standards for all other Ministries. Whenever the Controller and Auditor-General publishes his audit report year in, year out, this Ministry is the biggest culprit. The way in which most security contracts are awarded by the OP leaves a lot to be desired. Billions of shillings have been spent buying nothing, yet we go on crying about not having enough funds to undertake development projects! Improprieties always happen in the OP.

Mr. Temporary Deputy Speaker, Sir, the OP has too many departments. Some of its departments are completely irrelevant to its functions. We have said time and again that it is worth thinking very seriously about moving elsewhere, some of these departments. They should be transferred to the relevant Ministries. It is important for this exercise to be undertaken. I know that, as of now, the OP has tried, but we want more of its departments to be moved to the relevant Ministries.

As my colleagues have said, provision of security is the principal function of the OP. From what we have been reading in the Press, this country is becoming insecure by the day. But statistics from the OP show otherwise.

One wonders, who do we believe in this matter? Do we believe the people who are affected by crime or the people in the OP who produce statistics? This matter needs to be looked into.

This brings us to the question of how we have handled our security agencies. In fact, the real people who are dealing with crime in our rural areas are village elders, assistant chiefs, chiefs and DOs. How are these people equipped for security work? How are they equipped? They are very poorly equipped. I think that we really need to look at this matter. We should not be crying about the police officers being given vehicles and so many other things. At least, it is important to know what a chief and an assistant chief are going to be equipped with. Now that we are reducing the number of vehicles in our Ministries, most of which were being misused, we should ensure that the funds raised out of those vehicles are used to buy motorcycles for chiefs and assistant chiefs. Perhaps, we will then realise a considerable decline in crime in the rural areas. Chiefs and assistant chiefs have been neglected, and yet they are the first to receive reports on crime. So, I suggest that once the Minister for Finance provides the money that will be raised from the sale of these vehicles that are being used haphazardly, that consideration should be made.

Mr. Temporary Deputy Speaker, Sir, our police force still has lots of problems. I would like the Minister to know that even as we talk today, if a crime is reported at a police station, police officers still ask for *pesa ya mafuta*. Even in this Kibaki administration, police officers still ask for *pesa ya mafuta*. This ought to be a thing of the past! It should not be heard of at all. In any case, when they are given *pesa ya mafuta*, they only go around hunting for *chang'aa* and *busaa* brewers, and yet there are very serious crimes going on in the countryside. We need to retrain our police officers so that they can understand what they are there for.

Mr. Temporary Deputy Speaker, Sir, disaster preparedness in this country is a very serious matter. We have had disasters in this country, time and again. When they occur, we engage ourselves seriously and vow that never again shall we be caught with our pants down and that we shall always be ready. However, every time disaster strikes, it gets us off guard.

Recently, there was an inferno at Libra House situated along Mombasa Road. We showed that we are not yet ready to deal with disasters. This is a very important matter that is being dealt with by the Office of the President. We must have the unit responsible for disaster preparedness actually ticking. We shall not be surprised when another disaster strikes and we find ourselves in the same position that we are in.

When there was a bomb blast at the United States Embassy here in Nairobi, many people died and many others were injured. We had to call for aid from abroad. When a building collapsed downtown, we had to call for support from abroad. We stood there watching helplessly, and yet we have experienced disasters before and we know what they are. It is important that we just do not

give lip service to this matter. We must give it serious consideration; in fact, proper allocation in terms of money, so that whenever a disaster strikes, we are able to respond effectively.

Mr. Temporary Deputy Speaker, Sir, with regard to the new districts that were proposed, it is true that some people genuinely required new districts. It should not be a condemnation on the part of the Government to ask us who asked it to give us districts. Some of us asked for new districts and we really need them. Therefore, all we are asking for now is sobriety and fairness in the way the new districts are going to be carved out from the existing ones.

The voice of the people must be heard. We must listen to what the people say with regard to how they want the new districts to be formed. It should not be an imposition from the Office of the President. We, therefore, want to ask the Minister not to be driven by the influence of a few individuals in some districts. If he does that; I better warn him, he will be treading on very dangerous grounds. Mr. Minister, go by the will of the people. That is why the Government is there.

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

The Temporary Deputy Speaker (Mr. M'Mukindia): Hon. Raila!

Mr. Raila: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity---

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

The Temporary Deputy Speaker (Mr. M'Mukindia): Order, Mr. Kipchumba! Are you questioning the wisdom of the Chair?

Mr. Kipchumba: On a point of order, Mr. Temporary Deputy Speaker, Sir. Given that I am on the Opposition side, the practice is such that the Chair should give a chance to hon. Members from KANU and LDP so that a balance is achieved in the House.

The Temporary Deputy Speaker (Mr. M'Mukindia): Order, Mr. Kipchumba! Are you questioning the authority of the Chair? Would you, please, retract that?

Mr. Raila!

Mr. Raila: Mr. Temporary Deputy Speaker, Sir, let me state that I am opposing this Motion and with good reasons. The Minister is requesting for Kshs28 billion to finance his programme for this year. This is the Ministry that is in charge of security, but I think it can be rightly described as the "Ministry of Insecurity." This is because the insecurity in the country is rising by the day. When a country reaches a stage where a Cabinet Minister is carjacked, and yet he has armed security officers with him, then something is terribly wrong. When a police officer is found murdered and his body mutilated, then we begin to ask the question: What has happened to our security forces? Part of this country is under a kind of civil war.

Mr. Temporary Deputy Speaker, Sir, if you go to the northern part of this country, you will realise that there is a state of insecurity. People are being killed almost on a daily basis, and yet nothing is being done to help the situation. In fact, if I were the Minister, I would be ashamed to come before this House to ask for this kind of money, knowing very well that I have failed as a Minister.

Mr. Temporary Deputy Speaker, Sir, I was very amused to listen to hon. Nyachae speak here. He made pedantic attempts to defend the Ministry by saying that money is not given to the Minister; rather, it is the Accounting Officer in the Ministry who signs cheques. That is an admission that Ministers in this Government are redundant. Why does the Permanent Secretary, who is the Accounting Officer, not come to ask for money here in this House if at all the Minister will advance the argument that it is not him, but his Permanent Secretary who is supposed to be

given money? The political responsibility rests squarely with the Minister and that is why we have a political Government. Why do we have to go for elections every five years and then come back only to abdicate our responsibilities and let civil servants run things the way they want? There would be no need for Kenyans to go for elections every five years if they knew that, in fact, it is the bureaucrats, who are appointed by the stroke of a pen, who are in charge.

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to say that Permanent Secretaries are not responsible, and yet, last year, when he was the Minister for Roads and Public Works, he said that he was being frustrated by Permanent Secretaries?

Mr. Raila: Mr. Temporary Deputy Speaker, Sir, I am talking about a *situation de facto*.

(Laughter)

Hon. Members: What is that?

Mr. Raila: Mr. Temporary Deputy Speaker, Sir, corruption has increased several fold. If you look at the corruption index which was released by the Kenya Anti-Corruption Commission (KACC) last week, this Ministry is top on the list. It is interesting to note that the report cites the Office of the President as leading in corruption. It is followed by the Provincial Administration, Department of Immigration, the Police and others. Why should this be the case? That is the reason why we wanted a devolved system of Government, which that side has been consistently opposing. The over-concentration of power in the hands of a few people is directly responsible for increased corruption in our system. The Minister tried to bring insecurity in my own constituency, in a village called Kibera.

Mr. Temporary Deputy Speaker, Sir, I have minutes of a meeting chaired by the Minister, supposedly to talk about rent arrears in Kibera. Some tenants had refused to pay rent. Kibera residents pay their rent regularly. That is not even the responsibility of the Minister. There is a Minister who is in charge of housing! He is responsible for such kind of issues. That has nothing to do with the Minister, and yet he has the impudence to convene a meeting in his office, supposedly to talk about insecurity in Kibera, and that people have refused to pay rent. Then, he sends policemen to come and purport to set up a police post in the only open space in Kibera, where people meet when they want to talk about funeral arrangements, prayers and so on.

Mr. Temporary Deputy Speaker, Sir, this same Minister is on record as describing himself as a snake, and that if he is rattled---

The Minister of State for Administration and Internal Security (Mr. Michuki): On a point of order, Mr. Temporary Deputy Speaker, Sir. Have you got a Motion before you to discuss me? Is it in order to be discussed in this manner without a substantive Motion?

The Temporary Deputy Speaker (Mr. M'Mukindia): Mr. Minister, the way you have framed your point of order is wrong. You know how to frame a point of order.

Mr. Raila, you are not in order! Please, desist from speaking about the character of an hon. Member.

Mr. Raila: Mr. Temporary Deputy Speaker, Sir, I am not describing the character of an hon. Member; I am talking about his actions. I am perfectly in order, according to our Standing Orders, to talk about the actions of an hon. Member, and not the conduct!

The Temporary Deputy Speaker (Mr. M'Mukindia): Order! No, Mr. Raila! If you wish to discuss the conduct of a Minister or an hon. Member, bring a substantive Motion to the Floor of this House.

Mr. Raila: Mr. Temporary Deputy Speaker, Sir, Kenyans woke up one morning to something very bizarre - the raid on The Standard Newspapers premises and Kenya Television

Network (KTN). That was the most despicable act. Two days later, everybody was shocked to hear an hon. Minister of Government saying: "If you rattle a snake, you must expect to be bitten by it." We thought that we were a Government of human beings, and not reptiles. All I said has come to pass. I was accused of owing some people some money, and that I had refused to pay them back. That is why I was concocting some lies about certain individuals. I went and recorded a statement with the police and all that has been said is in my statement.

Mr. Temporary Deputy Speaker, Sir, regarding the new districts, I want to say that this country does not need new districts. New districts are not going to put food on anybody's table. This country does not need new districts, and if they want, we could go for a referendum and we shall defeat them again!

(Loud consultations)

The Temporary Deputy Speaker (Mr. M'Mukindia): Order! Hon, Members, you are not allowed to dispute somebody's argument. Every hon. Member is free to express his opinion and you must allow Mr. Raila to do so quietly.

Mr. Raila: Mr. Temporary Deputy Speaker, Sir, the new districts were some of the incentives that were given during the campaigns on Referendum, so that the people could vote in favour of the draft Constitution! But it was soundly rejected by the people of Kenya. I stand here to speak, without fear of contradiction that, if we went for referendum on the issue of the new districts, we shall beat them again!

(Applause)

Mr. Temporary Deputy Speaker, Sir, what this country needs is a new Constitution, where the criteria of creating districts will be properly defined and agreed on by the people of Kenya. It should not be left to the whims of individuals sitting at the Office of the President and deciding: "I am going to give you a new district if you are going to be with me." That is corruption! These people are used to corrupt methods in doing things. They are not logical or methodical. They are mercenaries.

Mr. ole Ntimama made a statement, and instead of reasoning with him about what he said-- He is an hon. Member of Parliament! If there is something that is of concern to him, then somebody should find out why. The hon. Minister has been trying to harass Mr. ole Ntimama by sending police to arrest him, ordering him to record statements and issuing threats. If there is anybody who should be charged in this country, it should be the Minister of State for Administration and Internal Security! He should be charged with high treason, considering the kind of things that are coming out in the Kiruki Inquiry about the *mamluki*! The Minister is a big shame to this Government and the President! He was a colonial administrator called *Kimendeero*, because he was one of those homeguards!

The Temporary Deputy Speaker (Mr. M'Mukindia): Order! I think I have to repeat again that, if you want to speak about the conduct of any hon. Member or Minister, you need to bring a substantive Motion. So, please, desist!

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

An hon. Member: Who are you?

The Temporary Deputy Speaker (Mr. M'Mukindia): Order! Mr. Muiruri!

Mr. Muiruri: On a point of order, Mr. Temporary Deputy Speaker, Sir. You heard Mr. Raila refer to Mr. Michuki as *Kimendeero*. Is that parliamentary language? Would you order him to apologise? What does *Kimendeero* mean? *Kimendeero* is an insult! He mentioned it!

The Temporary Deputy Speaker (Mr. M'Mukindia): Order, Mr. Muiruri! Please, have your seat. I did not hear it. I will check in the HANSARD and if, indeed, he said something like that, I will come back tomorrow and take action.

The Assistant Minister for Planning and National Development (Mr. Serut): Mr. Temporary Deputy Speaker, Sir, I support the Vote of the Office of the President for the following reasons:-

Mr. Temporary Deputy Speaker, Sir, first of all, it is a service Ministry in the sense that, if it fails to deliver services to Kenyans, there would be a lot of insecurity. We cannot afford to live in a state of insecurity. Even if the Minister in charge has committed any crime, Kenyans should not be denied security. Kenyans need security. By opposing this Motion, it translates into denying Kenyans security.

Mr. Temporary Deputy Speaker, Sir, I want to congratulate that Ministry for the following reasons: It has improved the image of the police force through reforms. If you go to a police station today, you are handled as a human being. I also congratulate that Ministry for undertaking reforms in the Administration. The administrators, starting from the Provincial Commissioners (PCs) down to assistant chiefs, have changed. Their attitude towards Kenyans has tremendously changed. When an hon. Member stands in this House and says the Minister should apologise to Kenyans, I think he is mistaken. If we want him to do so, we can ask him, maybe through a censorship Motion in this House, but not when we want to pass the Vote of the Ministry for purposes of improving services.

Mr. Temporary Deputy Speaker, Sir, I want to congratulate the Ministry for the vehicles that it has provided to the police force. In every corner of this country, there is, at least, a serviceable vehicle to provide services to Kenyans. However, I would urge that the Ministry goes ahead to ensure that it provides new vehicles to the rural areas because most roads are impassable.

Mr. Temporary Deputy Speaker, Sir, an hon. Member talked of internal conflicts. If there are any internal conflicts in this country, they are artificial. These conflicts are caused by hon. Members in this House who, every weekend, either become professional funeral hecklers, or move from one constituency to the other in the name of seeking presidential votes. I think it is not yet time for the general elections. Let hon. Members concentrate on development and wait for the general elections, and see if Kenyans would want an agenda of internal conflicts.

Mr. Temporary Deputy Speaker, Sir, before undertaking anything, I think there is normally what we call "needs assessment."

What we should be doing as hon. Members is to look at the success and failures of the Office of the President. Where it has failed, we should be able to point it out.

Mr. Temporary Deputy Speaker, Sir, if need arises, there should be a policy change. This Ministry is receiving over Kshs29 billion. Out of this, only Kshs6 billion will go towards development. Out of the Kshs6 billion, Kshs1.8 billion will go towards housing for the police. I wish Kshs26 billion went to housing projects for the police. If you go to Pangani Police Station, for example, you will sympathise with the police officers who are living in those houses.

I want also to congratulate the Office of the President for having improved the salaries of the police force, including the Provincial Administration. They are now able to feed themselves comfortably up to the end of the month. The police force has also improved in terms of reduction in corruption. The entire Office of the President could have been rated number one when it comes to corruption, but I realise in my constituency that there is a tremendous reduction in the number of corruption cases which are reported to me, as the area Member of Parliament.

Mr. Temporary Deputy Speaker, Sir, I want to talk about rent in Kibera. We all know that it is in public domain that some hon. Members of this House have been inciting the residents of Kibera not to pay rent. That alone becomes insecurity! The Minister in charge of Internal Security, therefore, has a right to intervene. I want to urge that anybody who incites tenants not to pay rent,

should be arrested, whether he is a Minister or Member of Parliament.

We are not in a political rally so as to heckle one another. We will all have time to speak our mind. The Office of the President has decided to keep the Government Printer which is a central institution. It serves all the Ministries. Therefore, I do not understand why this particular institution is housed in the Office of the President. I want to propose that the Government Printer be made a semi-autonomous institution for purposes of serving all the Ministries, instead of it being managed from the Office of the President.

Mr. Temporary Deputy Speaker, Sir, I want to talk about errant police officers. Whereas I congratulate the Ministry for the reforms in the police force, I would like to urge that when cases of errant police officers are reported, especially in the rural areas, prompt action should be taken against them, so that the public have confidence in the Government. There are a few cases that I have noted in my constituency, where police officers commit crimes, but, at the end of the day, the public does not see prompt action being taken against them.

Mr. Temporary Deputy Speaker, Sir, there was a recent case where police officers broke into houses and took away television sets. They were arrested while in possession of the television sets, but I was shocked to learn that an inquiry into the case is being conducted. What inquiry do we actually conduct on a police officer who has broken into a house and stolen a television set, and he is found in possession of it? He should be charged for breaking into the house, with an alternative charge of being in possession of a stolen television set!

There is also the issue of the transfer of police officers. I want to speak specifically about Mt. Elgon District. Whenever a police officer becomes an errant elsewhere, Mt. Elgon has become a dumping district. I want to request that errant police officers should not be transferred from one station to another. They should be sacked. That will serve as a lesson to other police officers, and we will end up with a disciplined police force.

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

Mr. Muturi: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to say a few words about the Vote of the Office of the President.

As the Minister in charge was moving this Vote, he was so graphic. He explained and, indeed, captured what every Kenyan appreciates or understands the Office of the President to be. He said that the Provincial Administration, in particular, epitomises the Government. He said from himself, the Permanent Secretary, the Provincial Commissioners (PCs), District Commissioners (DCs), District Officers (DOs), chiefs and assistant chiefs, the Government is felt at the grassroots level. Indeed, he was right. Mr. Temporary Deputy Speaker, Sir, as rightly discussed by the Minister, the Ministry of State for Administration and Internal Security is the epitome of the Government. So, when you come and read a report by a Government agency, the Kenya Anti-Corruption Commission (KACC), that rates this Ministry as the most corrupt, the converse becomes the reality of the Kenyan society; that the Government is, therefore, corrupt. It is that same office which epitomizes the Government. Indeed, the Minister explained very well that when you see the Ministry of State for Administration and Internal Security, you see the Government.

Indeed, all other Ministries, in some sense, have to consult that particular Ministry. Therefore, when you read that it has been rated as the most corrupt Ministry, then we have reason to start shivering. We have reason to start questioning the seriousness or the sincerity of the various public pronouncements from this Government that it is serious in the fight against corruption. Is there something wrong within the Government? In this respect, the Government must now be understood in the manner in which the Minister described, to mean the Office of the President. If, indeed, there is a problem, has it has been diagnosed? Can it be diagnosed? If it can be diagnosed, can we look for a cure?

Mr. Temporary Deputy Speaker, Sir, I would not want the Minister to feel let-down by that

report. I think he should take it positively because the Government agency that has come up with that report has no reason to paint the Government in that bad light. This is something that poses a big challenge and, therefore, the Minister should go back to the drawing board. He should not worry about those who may be opposing this Motion, because we will give him the money.

But as we give you more than Kshs29 billion---

The Minister of State for Administration and Internal Security (Mr. Michuki): On a point of information, Mr. Temporary Deputy Speaker, Sir.

Mr. Muturi: No, no, no! Not as yet.

Mr. Temporary Deputy Speaker, Sir, even as we give the Minister money, we want him to go and do deep soul searching within the Ministry. He should find out what is ailing the Government year in, year out. I do not think we will be helping the Government by coming here and making holier than thou statements like "Those who break the law or incite will be arrested and investigated". Those kind of empty threats are not going to help! I heard those statements in this House this afternoon. We need to ask ourselves questions.

Mr. Temporary Deputy Speaker, Sir, if the Ministry of State for Administration and Internal Security is a reflection of the Government, then something must be very wrong, not just with the individuals in the Government, but also within the Kenyan society. This does not just happen with the chiefs, assistant chiefs and policemen; it means that the Kenyan out there has a problem.

Mr. Temporary Deputy Speaker, Sir, so, if the Ministry of State for Administration and Internal Security is the epitome of the Government, what lessons do you draw from these reports? What actions, if any, are in the pipeline? Can we see a provision within the Budget that goes to address this problem?

Mr. Temporary Deputy Speaker, Sir, the Minister talked about the Government Printer. I agree with the proposal by one of the speakers that it is high time that place was made an autonomous body. It is high time it was de-linked from the Office of the President, just like we did to the National Security Intelligence Service (NSIS). I do not think there should be any problems about that.

I can recall a time in the past when we talked about some highly costly equipment that was bought for the Government Printer and which, to my knowledge, has never been commissioned. I heard the Minister say today that they want to buy new ones. Once again, we are waiting to hear about money that went to waste. I agree that there is need for us to move along with technology, but it will be a disaster that we have never heard about the commissioning of that equipment which was bought for the Government Printer and now we are talking of buying new ones. It could be something that is straight but, perhaps, in the not too distant future, I believe that the Public Accounts Committee (PAC) is likely to be addressing that issue.

Mr. Temporary Deputy Speaker, Sir, I want to urge the Minister to look into the issue of recruitment into the police force, administration police and things like those. I am one of the people who have said in this House that it is not the business of hon. Members to go to the office of a Minister to tell him: "Help me through this". I do not consider it my business! Is it not possible for the Minister to devise systems which will be foolproof, so that the people who go out there to recruit do not interfere with the process? Year in, year out, when there is recruitment, we always hear complaints. Is it not possible for that situation to be arrested?

Mr. Temporary Deputy Speaker, Sir, the Community Policing Programme is a very good idea and it is laudable. But what surprises me is that when you go to the districts, you do not hear of any resources which have been allocated for those activities! We get letters asking us to contribute money to launch community policing activities and things like those. If we are going to encourage those kinds of requests by writing to businessmen, obviously, when they fund those

activities, they will, in return, expect certain favours when they engage in criminal activities, or when they commit other illegalities. There is no magic about this issue. It is not rocket science. You should expect it to happen. If you do not allocate resources for those activities and you write to businessmen appealing for their help, they will be very happy to write cheques to the District Commissioners (DCs), Officers Commanding Police Divisions (OCPDs) and the likes, but you will also pay for it. It is not going to be for free. They are not going to become Government angels overnight.

Mr. Temporary Deputy Speaker, Sir, let me turn to the issue of the National Agency for the Campaign Against Drug Abuse (NACADA). In my view, the NACADA should not be in the Office of the President. I do not know what it is doing there. What has NACADA done? What are its results since its establishment? We need to review the mandate of NACADA. When you go to some areas where *miraa* is grown, you will find primary school kids engaged in that business. What NACADA does is like what we used to see in the National AIDS Control Council (NACC); creating awareness seminars. We cannot live in seminars!

Mr. Temporary Deputy Speaker, Sir, is it not possible that we can now move away from seminars and go to implement what we have resolved in those seminars? I suspect that we might be living in an era where the country may be on auto-pilot.

With those few remarks, I beg to support.

The Minister of State for Defence (Mr. Karume): Asante sana, Bw. Naibu Spika wa Muda, kwa kunipa nafasi hii ili nitoe maoni yangu. Naunga mkono mambo haya yote kwa sababu nikiangalia kazi inayofanywa na Wizara hiyo, pengine wamepewa pesa kidogo kwa sababu tunajua kuwa kuna upungufu wa pesa katika Serikali yetu. La sivyo, tunajua kuwa wangepewa pesa nyingi zaidi kuliko hizo walizopewa.

Bw. Naibu Spika wa Muda, ukiangalia kwa makini, utaona kwamba ile kazi inayofanywa na Wizara hii ni ya maana sana. Kuanzia vijijini wanakoishi wananchi wa kawaida, hapo mbeleni, kulikuweco na malalamishi mengi sana. Unywaji *chang'aa* ulikuwa umeenea kila mahali. Watu walikufa kwa kunywa *chang'aa* kupindukia, na kwa njia zingine nyingi kwa sababu machifu hawakuwa na nidhamu. Hawakuwa wakizingatia mambo hayo. Shughuli waliyokuwa wakifanya zaidi ilikuwa kunywa pombe na kupokea hongo.

Hivi sasa, ukiwauliza akina mama hali ilivyo kule vijijini, watakwambia kwamba Serikali imewasaidia sana. Hata wale mabwana ambao hawakuwa wakirudi makwao kwa sababu ya kunywa *chang'aa* kupindukia, wakati huu hufika nyumbani mapema. Wanaweza hata kula chakula kwa sababu hawanywi *chang'aa* kupindukia. Huo ndio ukweli. Viongozi wanafanya mikutano mara kwa mara katika sehemu wanazowakilisha Bungeni. Zamani, hata mikutano haingeweza kufanyika vizuri kwa sababu ya ulevi wa *chang'aa*.

Bw. Naibu Spika wa Muda, kufuatia juhudi ya Serikali ya kuleta nidhamu miongoni mwa machifu na polisi, hali ya usalama nchini imeimarika. Ni vigumu kumaliza uhalifu kabisa, lakini ukilinganisha hali ya usalama wakati huu na wakati uliopita, utaona kwamba hali hiyo imeimarika kwa kiasi kikubwa. Tunafahamu kwamba bado watu wanauawa na kuibiwa. Hata hivyo, ukiwauliza wananchi kuhusu hali ya usalama nchini kwa jumla, watakwambia kwamba, ingawaje hali hiyo haijaimarika kikamilifu, visa vya uhalifu nchini vimepungua maradufu.

Kwa hivyo, ni bora tuseme ukweli, kama kazi nzuri imefanywa. Hivyo basi, ningependa kuchukua nafasi hii kumpongeza Waziri mwenzangu anayehusika na maswala ya usalama kwa kazi nzuri aliyofanya, akishirikiana na maafisa wake. Ninawaomba Wabunge wenzangu waangalie kwa makini ili waweze kuona maendeleo yaliyopatikana katika sekta ya usalama. Ukilinganisha hali ilivyokuwa hapo awali na hali ilivyo sasa katika Utawala wa Mikoani, utaona kwamba kuna madiliko makubwa.

Bw. Naibu Spika wa Muda, hata wananchi wanafurahia jinsi Serikali ya NARC

inavyofanya kazi. Wakulima katika sekta zote hulipwa marupurupu yao kwa wakati unaofaa. Shughuli katika sekta ya utalii pia zimeimarika. Kama mnavyojua, sekta ya utalii ilikuwa imesambaratika. Wageni kutoka nchi za nje hawakuwa wakiitembelea nchi hii kwa sababu hali ya usalama ilikuwa mbaya sana. Wabunge wenzangu watakumbuka kwamba hoteli nyingi katika sehemu za pwani za nchi hii zilikuwa zimefungwa. Wafanyikazi katika hoteli hizo walifutwa.

Lakini wakati huu, hoteli zimejaa wageni. Hoteli zingine zimepanuliwa. Hoteli mpya zimejengwa nchini na watu wanapata ajira. Hilo ni thibitisho kwamba hali ya usalama nchini imeimarika. Kama hali ya usalama ingekuwa mbaya kama zamani, hakungekuwepo na maendeleo kama hayo. Wageni hawangefurahia kuizuru nchi hii. Kwa hivyo, ni bora tufurahie hatua tuliyoipiga katika kuimarisha hali ya usalama humu nchini.

Bw. Naibu Spika wa Muda, wale Wabunge wanaosema kwamba hawataiunga mkono bajeti ya Wizara hii wanakosea, kwa sababu, pesa hizi zitatumwiwa kutoa huduma kwa wananchi. Waziri na maafisa wake hawatazitemia pesa hizi kwa mahitaji yao ya kibinafsi. Kama tunavyojua, Serikali ya NARC haijali ni mfuasi wa chama gani au mtu kutoka jamii gani atakayefaidika na pesa hizi.

Wanaofaidika na mpango wa elimu ya bure nchini ni watoto wote wa Kenya. Serikali haiwabagui watoto kwa misingi ya kikabila au kisiasa. Sisi hatusemi eti eneo fulani la uwakilishi Bungeni lisifaidike na hazina ya CDF kwa sababu wakazi katika sehemu hiyo wanaipinga Serikali. Hiyo inaonyesha kwamba Serikali hii inatoa huduma nchini kote bila mapendeleo.

Bw. Naibu Spika wa Muda, hapo zamani, hata mtu angejua kwamba kijana fulani mtaani alikuwa mwizi, hakuthubutu kwenda kupiga ripoti katika kituo cha polisi. Wale waliothubutu kufanya hivyo walikuwa wakihangaishwa na wahalifu. Nyakati hizo, ungetoa ripoti juu ya mhalifu fulani kwa polisi, siku ya pili ungeulizwa na mhalifu huyo: "Jana ulienda kufanya nini katika kituo cha polisi?" Hiyo ni kwa sababu wakati huo, hapakuwa na nidhamu miongoni mwa maafisa wa polisi.

Sasa kuna urafiki na ushirikiano kati ya polisi na wananchi. Hata idara zingine katika Afisi ya Rais zimeimarisha hali ya uwajibikaji katika utoaji wa huduma kwa umma. Zamani watu walikuwa wakifikiri kwamba wanajeshi wetu hulinda mipaka ya nchi yetu peke yake. Lakini wakati huu ukiangalia, utaona kwamba wanajeshi wetu pia hufanya shughuli za ujenzi wa taifa. Kwa mfano, kufikia sasa, katika Wilaya ya Pokot Magharibi, wanajeshi wamechimba visima 14 na mabwawa 13 ya maji. Idara ya Ulinzi pia imewajengea wakazi wa wilaya hiyo zaidi ya shule 60. Tunafanya hivyo kwa sababu tunawatambua wakazi wa sehemu hiyo kuwa Wakenya.

Bw. Naibu Spika wa Muda, Idara ya Ulinzi inataka kuongeza idadi ya vifaa vya kuchimbia visima katika Mkoa wa Kaskazini Mashariki na pia kutengeneza barabara, licha ya kuwepo kwa Wizara ya Maji na Unyunyizaji Mashamba na Wizara ya Barabara na Ujenzi. Kwa hivyo, utaona kwamba Serikali inafanya kazi ya maana sana kwa wakati huu. Kwa hivyo, ningependa kuwaomba ndugu zangu katika Bunge hili waache kuibinafsisha bajeti hii, na badala yake wazingatie shughuli za maendeleo zitakazofanywa kutumia pesa hizi. Kwa hivyo, ningependa kuiunga mkono Hoja hii na kuwaomba Wabunge wenzangu wafanye hivyo ili tuweze kujadili bajeti za wizara zingine, ili wananchi waweze kupata huduma.

Bw. Naibu Spika wa Muda, nikitamatisha mchango wangu kwa Hoja hii, ningependa kumkumbusha Waziri wa Haki na Sheria, ambaye anasimamia vita dhidi ya ufisadi, jambo fulani: Uchochezi na kunyakua mali ya watu wengine kwa mabavu husababisha vita na mauaji. Kuna watu fulani katika nchi hii ambao wamezoea kulisha mifugo yao katika mashamba ya watu wengine bila ya ruhusa ya wenye mashamba hayo. Watu hao huwa hawataki kuulizwa ni kwa nini wao hufanya hivyo. Kama tunavyojua, katika nchi hii, kila mtu ana mali yake.

Kwa hivyo, ningependa Waziri alizingatie jambo hilo. Ukienda katika sehemu ya Naivasha, ukielekea Nakuru na Gilgil, utaona ng'ombe wanalishwa katika mashamba ya watu binafsi. Inafaa kila mtu akae kwake. Katika nchi hii, hakuna mtu ambaye ana nguvu zaidi ya sheria ya nchi.

Ukivunja sheria, haijalishi kama wewe ni Mbunge au Waziri; inafaa uchukuliwe hatua ya kisheria.

Kwa hivyo, mtu akiwachochea wananchi waanzishe vita ili wauane, inafaa achukuliwe hatua ya kisheria, kwa sababu Katiba ya nchi hii inawahudumia Wakenya wote bila ya ubaguzi.

Kwa hayo machache, ninaiunga mkono Hoja hii.

Mr. Musila: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. I support this Motion and want to say that the Office of the President is very important. In fact, it is the father and mother of all Ministries. I talk about the Office of the President, with all utmost humility because I have a lot of respect for the President and the Minister of State for Administration and National Security. However, I want to say that the Office of the President has not provided the necessary leadership in the management of resources in Government and in other matters, including corruption.

The Office of the President is always the first culprit when it comes to matters of over-expenditure of allocated funds. The Office of the President leads in all manner of misdeeds. I am saying this with humility because I have worked in the Ministry for over 25 years. However, having said that, I must frankly say that the Ministry leads in all manner of misdeeds, but I will name only four. The first one is corruption. Recently, the Kenya Anti-Corruption Commission (KACC) ranked the Office of the President number one in corruption compared to all other Ministries. I think that should not be taken lightly because all manner of financial scandals originate from the Office of the President; whether we are talking about the Goldenberg scandal or the Anglo Leasing scandal. They all originated from there. I think we could do better in improving the image of the Ministry.

The second issue I want to talk about is tribalism. People have talked about tribalism taking place in the Ministry. I think the Office of the President should set a good example and ensure that there is no tribalism in matters of recruitment.

My colleagues have already alluded to recruitment in areas like the armed forces and the police. I want to commend the Commissioner of Police for cancelling the recruitment results where it was clear that tribalism was involved.

Thirdly, there is obvious discrimination in distribution of resources in districts. This is particularly the case in ASAL districts which have continued to be marginalised during the last 43 years, since Independence. I believe the Office of the President should ensure that such marginalisation does not take place. Fourthly, I want to say that the crime rate has continued to increase. Since it is covered under the docket of the Office of the President, I would like to say that it is a matter that the Ministry should take up seriously, so that it is reduced. However, let me be fair and commend the Commissioner of Police for the efforts he has taken to fight crime, although a lot still needs to be done. As you may be aware, Kenyans do not feel safe not only in urban areas but also in rural areas. There must be a deliberate effort by the Government to ensure that trafficking of illegal firearms is checked. This will ensure that our people are safe.

*[The Temporary Deputy Speaker
(Mr. M'Mukindia) left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, this being the Ministry under the President himself, I have certain issues to address. The President did not come from Mars. He was elected by your constituents and my constituents. I have a responsibility to point out certain problems which I think the President, as the foremost leader, being in charge of the Ministry, should know. These are

particularly matters that relate to my constituency; my people are hurt. They are hurt because they have no water. One may say that this is not the Vote for the Ministry of Water and Irrigation; that is right. However, it is the President who went round the country four years ago and promised my constituents that as soon as he took over, he would make sure that boreholes were sunk and dams built. However, my people still walk 20 kilometres to look for water, despite the promise. We have not seen any water yet, and I hope that the President will take action. I hope the Minister will take the message to him that we are still waiting for him to fulfil the promise he made four years ago.

I was looking through the Printed Estimates to see the allocations made for the arid and semi arid areas, and saw that Mwingi District has been allocated Kshs6.3 million under the Arid Land Resource Management Programme (ALRMP) for Water. That money can sink only two boreholes. At that rate, I do not think the President will be able to fulfil the promise he made to my people. My people are hurt because they have not had rain in the last four years. The Office of the President is also very slow in distributing food. It seems as if it is waiting until people start dying so that it can resume the distribution of food.

My people are hurt because their children have no teachers, despite the provision of the free primary education. That is a very serious matter. Mwingi District has a shortage of 1,200 teachers. However, come July, we will be given 100 teachers to recruit. That will not help. We have classrooms with over 100 children. I think it is up to the President, whom we elected overwhelmingly, to look into that issue.

My constituents are hurt because thousands of their children are not employed. Many people in my district are not employed, despite the fact that they left high schools many years ago. They do not have their school certificates because they still owe fees balances yet, you know those people cannot afford to pay school fees, owing to poverty. This House played its part and passed a Motion asking the Government to order the release of certificates held by head teachers on account of fees balances. However, nothing has been done to that effect. I hope that this time round, the President will listen to the cry of over 1 million youth of this country, who are languishing in poverty and cannot access jobs because their certificates are held in schools.

Finally, Mr. Temporary Deputy Speaker, Sir, the Office of the President must ensure that destruction of natural resources like forests, water catchment areas, land grabbing and other ills do not happen. I say that because I know that, if the Office of the President was serious enough - there are people on the ground like chiefs, assistant chiefs and district officers - the kind of destruction of natural resources that has continued to happen under the watch of the Provincial Administration would be a thing of the past.

I hope that the Office of the President will continue to provide the necessary leadership, if we are to expect other Ministries to improve on their performance on governance, resource management and other ills that bedevil this country.

With those few remarks, I beg to support.

Mr. Lesrima: Thank you, Mr. Temporary Deputy Speaker, Sir. I also stand to support this Ministry's Budget. I come from a very insecure area and I have no choice but to support this Vote. My constituents have been living under terror. Since 28th March, 2006, we have been attacked by criminals from a neighbouring constituency 43 times. We have lost many lives. About ten schools have been closed and some will never be opened. Agricultural activities have been suspended. Refugees have now moved to urban centres. So, in many ways, development has been suspended.

However, I have to thank this Ministry under the leadership of Mr. Michuki for the support it has given my constituents during those hard times. I have to commend police officers for doing a good job and protecting our people. I must take this opportunity to condemn, in the strongest terms possible, the continuous killing of police officers in the course of their duty with impunity. In the year 2004, we lost an Officer Commanding Police Division (OCPD) in Samburu District. The

culprits are yet to be traced. There is no indication that the culprits are being hunted down and yet, we know where they are. In deed, they have been elevated to statesmen in their communities. Two weeks ago, an Administration Police officer was killed in my constituency at 8.00 p.m. and neither cattle nor property was stolen. He was just killed in cold blood. A General Service Unit (GSU) officer was also killed in the neighbouring Laikipia Constituency and, up to now, there is no indication that the Government is keenly following up the people who have been killing police officers. Once you reach a stage where police officers are being killed with impunity and no action is taken, those are signs of a collapsing State.

Mr. Temporary Deputy Speaker, Sir, let me talk about the Budget. I want to commend the Minister for increasing salaries and allowances for police officers. I notice that in the 2007/2008 Budget, there will be an improvement in the salaries of administration police officers. However, there are certain services which have been neglected for a very long time. I have in mind the Police Dog Unit. Those are extremely useful services but, when you look at the provisions, they are extremely marginal. Those services should be expanded and decentralised. Those dogs serve a very useful purpose.

Mr. Temporary Deputy Speaker, Sir, again, with regard to the Anti-Stock Theft Unit (ASTU), there is very little increase in this area. I am very much concerned because that is the main activity taking place in my area. It is almost like an industry. I want to say that ASTU should be decentralised and located between the communities that are engaged in that activity.

Mr. Temporary Deputy Speaker, Sir, I urge the Government not to deploy the military in cattle rustling related activities. I believe that the role of the military in those areas should be to develop infrastructure. They should help in building roads and providing water. We have, in deed, given our recommendations as to what activities the military should engage in, in the North Rift. When you look at the Budget for the Office of the President, there is no provision for civil activities by the military. The Minister should look at that.

The role of the military should also be to protect the country's boundaries and external deployment by the United Nations (UN) in peace keeping missions. They have performed that task very well over the years. So, we should not involve the military in activities such as disarmament. That should be done by the police.

We need to support the Provincial Administration at the local level. Certain provinces, such as Rift Valley Province, are huge. The Provincial Commissioner, Rift Valley Province, is in charge of a province that extends from Lokichoggio to Loitokitok. Unless he has an helicopter, I cannot see how he can supervise the activities in that province. That will not only help him in his day to day work, but also attend to Ministers who frequently visit the district.

Mr. Temporary Deputy Speaker, Sir, district officers (DOs) do not have vehicles. We have six divisions in my district and not a single DO has a vehicle. Now that the Government is taking away vehicles from Ministers and Permanent Secretaries, some 4WD vehicles can be given to the Provincial Administration. Chiefs also require offices and radio communication.

The District Commissioners (DCs) perform a very important function. I am glad to note that they have recently been given back their work of coordinating district departmental activities through District Development Committees (DDCs), district steering group meetings and leaders meetings. But, when you look at the Budget, you do not see any provision for facilitation. You have chiefs coming to a leaders meeting in a district like Turkana which is 75,000 square kilometres, or Marsabit District which is 69,000 square kilometres.

An hon. Member: It is 77,000 square kilometres!

Mr. Lesrima: Yes! It is 77,000 square kilometres. When chiefs are summoned for leaders meetings, they do not get allowances or night outs. It is a problem for them and their families. The Ministry should look for a way of facilitating the DCs to perform managerial functions.

Mr. Temporary Deputy Speaker, Sir, the resources allocated to National Campaign Against Drug Abuse (NACADA) seem to be static. We are taking the issue of drugs rather lightly. Kenya is becoming a transit nation for drug trafficking. There is a serious challenge of drugs in schools and among our youth. Yet, I do not see an adequate institutional arrangement to help our children. We need to support NACADA. In fact, we even need to establish detoxification centres for our youths. We need to move into schools where students are employed as drug peddlers and arrest them together with the drug dealers.

Mr. Temporary Deputy Speaker, Sir, on community policing, the Kenya Police Reserve in the North Rift play a very important role. They need to be institutionalised. They need to be put under the Provincial Administration. They need to be given a small allowance, even if it is Kshs1,000 per month. In this way, indeed, they will continue working without robbing anybody in the villages. We also need them to be re-organised and trained.

Mr. Temporary Deputy Speaker, Sir, I have not seen any finances allocated to peace-building committees that have been set up by this Ministry. That money should be set aside so that community policing can be effective in those areas.

With those few remarks, I beg to support.

The Assistant Minister for East African Community (Dr. Khalwale): Mr. Temporary Deputy Speaker, Sir, I rise to support this Motion encouraged by the history from the former Ministry of the current Minister. It is well known to Kenyans that when this gentleman was in the Ministry that controls *matatus*, he brought order where there was none. I hope that with the same vigour, hon. Michuki will ensure that the shame of having the Office of the President being listed as the most corrupt, will come to an end. His technocrats are here. I am sure they are not the corrupt ones; but the ones they have left behind.

Mr. Temporary Deputy Speaker, Sir, a country can have the best business infrastructure. It can have the best telecommunications, roads and even human resources. But without security, the economy cannot move. I, therefore, wish to emphasise that as we support this particular Vote, the issue of security must be paramount.

(Applause)

Internationally, Kenya is classified as an insecure State. That is why unknown to us, whenever tourists travel from the UK and US to this country, they are normally given "quiet" travel advisories, purely because of the rate of urban crime, which is a serious problem in Kenya. In the entire East African Community, investors are seriously guided by the rate of urban crime in terms of investing in East Africa. Given that we face competition from Tanzania, Uganda and very soon, Rwanda and Burundi, over 70 per cent of the investors who want to invest in Kenya cite fear of urban crime as the reason they are hesitating to invest in Kenya. When you go to Uganda, the fear is not that big; only at 27 per cent; while in Tanzania it is only at 25 per cent. There is room for the Minister to pull up his socks and ensure that these figures are reduced for us to reap from the open market that we have created in East Africa.

Mr. Temporary Deputy Speaker, Sir, I am reminded that in 2005, the UNDP actually funded a project which was initiated by the Nairobi City Council. This project was deliberately meant to address the issue of urban crime in this country. Probably, when we shall be coming to the Vote of the Ministry of Local Government, both hon. Michuki and hon. Kombo should tell Kenyans what was the blue print of that particular project. How much money was involved? What were the actual projects and activities that were funded by UNDP? What were the successes? We are tired of seeing not just ordinary Kenyans, but also Ministers, being harassed by criminals on our

streets.

It is important that we open up Nairobi at night so that business can take place for 24 hours the way we see it in other major cities like Hong Kong.

Mr. Temporary Deputy Speaker, Sir, in East Africa, Kenya is rated very badly in terms of arms trafficking. In fact, in the entire East Africa where we find around 3.2 million illicit arms, majority of these arms are in the hands of Kenyans. It is time the Ministry in charge of security actually focused on certain notorious areas in Nairobi, for example, Eastleigh. What is wrong with the Minister carrying out a special raid on such places so as to ensure that illicit weapons are removed? When you focus on certain housing areas in Nairobi, you will find that where you find weapons is where you find illicit drugs. Places like Muthurwa, Landhies and Nairobi South C are notorious. In Nairobi South C, for example, majority of the tenants there are single ladies with Nigerian boyfriends. If we carried out a swoop in those places, we would rid this country of serious drug trafficking cartels.

Mr. Temporary Deputy Speaker, Sir, I would like to emphasise that the urban crime that I am talking about is the one that is most dangerous because it discourages investors. In the rural areas, the Provincial Administration is most visible. Programmes which include metropolitan police should be promoted to ensure that much as the Provincial Administration is successful in the rural areas, it should also be successful in the urban areas.

Mr. Temporary Deputy Speaker, Sir, I want to appeal to Hon. Members to ask themselves what roles they are playing in terms of promoting security in this country. I am reminded of three cases where Hon. Members were found in public carrying large amounts of money. Two Members of Parliament were reported carrying Kshs1 million in their handbags in Kisumu. When Hon. Kituyi was carjacked recently, he was found with a whooping Kshs300,000. This is a habit that is actually attracting crooks to attack us. Why should one walk with Kshs1 million in a bag when you can access it through ATM machines and so on?

(Applause)

Mr. Temporary Deputy Speaker, Sir, I am also appealing to Hon. Ntimama to pay a visit to Burundi and Rwanda and see what careless pronouncements by leaders did to those two countries. Even if he is interested in a district being divided in a particular manner, he should not open up the possibility of tribal clashes in a very innocent place like Narok where the people are not interested in anything other than good education and markets for their cattle. This irresponsible talk will not help us Kenyans, neither does it help the image of Hon. Members.

I would like to talk about insecurity in Western Province, in particular. We, the people of Kakamega District, are very proud to say that community policing there has been very successful. But now, the vigilante groups who are members of the community policing are a problem to us as Members of Parliament. They are asking why is it that the Assistant Chief who does not work at night draws a salary yet they do not get anything, not even money to buy batteries for the torches they use at night? We were hoping that since we said these things last year, the Minister would include them in this year's Budget.

There is also a lot of harassment of *boda boda* cyclists, which is the main mode of transport in western Kenya. These little boys cannot do business beyond 8.00 p.m. because of harassment by the Provincial Administration. The Provincial Administration officers should be advised to work together with these people.

In the same breadth, the issue of lack of motor vehicles for our District Officers (DOs) cannot be over-emphasised. It is only Ikolomani and Shinyalu which have never had vehicles for their DOs for as long as the NARC Government came to power. This must be revised because we

are also entitled to this facility. Chiefs and assistant chiefs should be given motor bikes to enable them to police the various areas with speed and attend to particular cases.

Mr. Temporary Deputy Speaker, Sir, having said those very many things about *boda bodas*, let me remind the hon. Members that when we speak about *boda bodas*, some people look at us in Western Province as people who are presiding over a weak economy. If the *boda boda* boys are not going to be allowed to work up to beyond midnight in Mumias, for example, it means that the shifts in Mumias Sugar Company cannot operate smoothly. For those of you who do not understand what Mumias Sugar Company is, I would like to inform you that Mumias Sugar Company has now signed a contract with the Japanese Carbon Finance Ltd., and as result we will be producing 30 megawatts of electricity that we are going to sell to the national grid. For your information, this is as much power as what Uganda requires to make sure its industries function for 24 hours. We need security.

With those few remarks, I beg to support.

Mr. Wario: Asante, Bw. Naibu Spika wa Muda. Ninachukua fursa hii kumshukuru Mwenyezi Mungu aliyeniwezesha kusimama hapa kuchangia Hoja iliyo mbele yetu.

Sehemu ninayowakilisha hapa Bungeni ya Bura iko na kata 12, kata dogo 25 na tarafa tatu. Kati ya kata 12, inne ambazo ziko karibu na barabara ziko na kambi ya chifu, Mkuu wa Tarafa (DO) na zinaendelea vizuri. Kata nane hazina hata askari mmoja. Chifu peke yake ndiyo yuko huko. Niliuliza Swali katika Bunge hili na nikamjulisha Waziri anayehusika kwamba kata nane za Bura hazina hata bendera ya taifa. Hivyo basi, mtoto ambaye alizaliwa 1991 hajawahi kuona bendera ya Kenya. Ukimuuliza yule mtoto ni mwananchi wa kutoka wapi na akwambie yeye ni wa kutoka Somalia, atakuwa na hatia yoyote? Sisi tuko na matatizo mengi.

Bw. Naibu Spika wa Muda, zamani, Bunge, Utawala na Mahakama zilikuwa zinashirikiana kuendesha shughuli ya ujenzi wa taifa. Leo, tunasikitika! Utasema maneno ndani ya hili Bunge, uadhini na upige filimbi, lakini mambo yatabaki vile vile. Kusema nitasema kwa sababu huu ni wajibu wangu. Nikisikilizwa au nisiposikilizwa, wajibu wangu nikutekeleza mambo kwa kusema.

Kata za Balabala, Bua, Saka, Sala, Nanigi, Chewele na Hilimani hazina hata bendera ya taifa. Iwapo Serikali imefilisika, Waziri anafaa kutuambia. Ukienda Tarafa ya Madogo, utaona kuwa ofisi ya DO iko hospitalini. Akina mama kwetu wanaona haya sana kujifungua kwa sababu DO anakaa na baraza lake la wananchi karibu na chumba chao cha kujifungulia. Hii ni dhulumu! DO hana nyumba ya kulala wala ofisi.

Mr. Naibu Spika wa Muda, niliongea kuhusu jambo hili hapa Bungeni miaka minne iliyopita na nikauliza Swali kuhusu swala hili lakini hakuna kitu ambacho kimefanyika.

Bw. Naibu Spika wa Muda, angalia Kamati ya Wilaya ya Usalama na utapata kwamba sehemu ninapotoka ni sehemu ya usalama ama utata. Leo shifita wametuvamia na kesho balaa fulani imezuka. Kisha angalia wanakamati wa Kamati ya Wilaya ya Usalama na utapata kwamba Mkuu wa Wilaya, Mkuu wa Polisi na Ofisa wa upelelezi wanatoka sehemu zingine. Wote katika orodha hii ni watu waliokuja kufanya kazi ya mshahara. Baada ya mwaka mmoja au miaka miwili wanaenda zao. Sisi ni wazaliwa. Nikisema hivi sio lazima mimi Ali Wario Mbunge niwe katika kamati hii. Viongozi wa mashinani na sehemu hiyo wanapaswa kuhusishwa kwa sababu wanajua ni sehemu gani ina tisho na ni sehemu gani nzuri ambayo Serikali ijulishwe mapema waweze kuingilia. Lakini ukimwambia Mkuu wa Wilaya kwangu kumevamiwa atakuuliza njia yake iko wapi. Ni lini maswala hayo yatajibiwa?

Wakati umefikia ambapo ulimwengu umetoka katika ule utawala wa kuteremsha maswala kutoka juu hadi mashinani. Maswala ni kutoka mashinani yaende juu, hivyo, basi ni vizuri watu wahusishwe. Viongozi na wananchi wahusishwe ili watoe maoni yao kwa kamati hii. Ni kweli hatuhusishwi katika maswala ya usalama lakini katika sakata ya Anglo Leasing licha ya maswala

ya usalama mabilioni ya pesa zimeibiwa na sisi Wabunge maskini tukienda tunaambiwa haya ni maswali ya usalama na basi bahati mbaya wewe hutakuwa hapa. Mimi ndiye naiongoza sehemu hii. Mimi ni mwananchi na tangu kuzaliwa ninaishi hapa. Nani anajua usalama wa sehemu hii kushinda mimi? Ni Mkuu wa Wilaya ama Mkuu wa Tarafa aliyekuja juzi? Ni wakati wa Serikali kuangalia maswala haya na ikiwezekana wabadilishe sera hiyo.

Bw. Naibu Spika wa Muda, majuzi tulipoenda katika kura ya maoni, chifu wetu waliahidiwa ahadi kubwa kwamba wataongezewa mishahara. Hata mimi niliuliza ndani ya hii Bunge juu ya hii ahadi. Marehemu Mhe. Mirugi hayuko na sisi leo lakini alisimama na akanijibu hapa. Leo bahati mbaya baada ya heka heka za kampeini ya kura hiyo kuenda, mpaka leo hakuna mabadiliko yoyote. Hata leo haiko katika hii bajeti. Ni lini mishahara ya machifu itaboreshwa kwa sababu hiki ni kiungo muhimu? Nilisimama na nikasema haya wakati nilikuwa katika kura ya maoni.

Katika kura ya maoni nilisema kwamba kama kuna mtu ambaye ana fikira za kuondoa machifu fikira zile ni bovu. Bahati nzuri au mbaya, kura ya maoni imekwisha na machifu wetu bado wako. Ni lini mishahara yao itaboreshwa? Ni lini hali yao ya kazi itaangaliwa?

Bw. Naibu Spika wa Muda, tunatatizwa na Serikali kushughulikia maswala ya dharura. Miaka mitatu iliyopita kamati ya dharura ya Nairobi imejulishwa kwamba mto wa Tana utaharibu Garsen karibuni. Waliambiwa hii itakuwa dharura kubwa. Naomba unilinde kwa sababu nasikia mazungumzo kando yangu sana. Miaka mitatu iliyopita ripoti ilitolewa kwa kamati ya dharura kwamba mto wa Tana usipoangaliwa utafagia mji wote wa Garsen. Leo ni miaka minne tangu kwambiwa hivyo na juzi ofisi ya maji imebomolewa. Kamati yetu ya dharura iko Nairobi na kwa mwaka wa nne Serikali inafaa ishughulikie maswala ya dharura. Wakati inapoletewa ripoti kutoka mashinani ni vizuri wale wanaohusika wachukue hatua ya dharura. Ofisi ya maji imekwenda. Mashamba zaidi ya 12 imekwenda. Sasa mji wa Garsen huenda ukaenda wakati wowote. Bado tunangojea "manna" kutoka huko juu.

Bw. Naibu Spika wa Muda, tatizo kubwa ni kwamba watunzi wa sera hawaelewi mbinu za ufugaji. Matatizo mengi na mizozo ya vita inayotoka katika jamii ya wafugaji yanasababishwa na malisho au maji. Wewe utashangaa kwa nini twapigana juu ya jangwa hili? Jangwa hili ndilo kahawa na majani chai ya sehemu hizo. Kwa nini? Kwa sababu ndilo tegemeo la mifugo. Hii nyasi na maji. Kisha maisha yote ya mfugaji kama ni elimu, afya na kadhalika, yamefungamana na ng'ombe au mbuzi huyo. Ili ng'ombe wetu wapate malisho na maji ya kutosha ni lazima tutenge sehemu za malisho na maji.

Kuna wafugaji wengi wanaotumia pesa wanazozipata kutokana na ufugaji wa mifugo kulipa karo ya watoto wao. Tunajua kuwa wafugaji wengi huhama ili wapate malisho bora ya wanyama wao. Ningependa Serikali itenge sehemu za malisho na maji kwa sababu mzazi akihama kutafuta malisho bora, watoto wake huathirika sana. Iwapotutatenga sehemu hizo, basi wafugaji watafaidika na hawatahama kutafuta malisho ya mifugo yao. Tunataka watoto wetu waendeleo na masomo yao. Hata hivyo, imekuwa ni vigumu kwa Utawala wa Mikoa kuelewa maswala haya. Maswala haya ni wazi kabisa. Wakati umefika wa mimi kuchukua panga ili nilinde malisho yangu. Je, wabuni sera za nchi hii watachukua miaka mingapi kuelewa shida za wananchi wetu?

Bw. Naibu Spika wa Muda, Chifu ana mamlaka na uwezo anaoweza kutumia kulinda mazingira yetu. Uchimbaji wa mawe aina ya *Gypsum*, kwa mfano, umekuwa wa kutisha. Kila mwenye pesa anachimba mawe haya na kuharibu mazingira yetu. Mambo haya yote yanafanyika machoni mwa chifu, DO na DC. Hakuna anayeshughulika na mambo haya.

Bw. Naibu Spika wa Muda, mazingira yana lugha ya ajabu na tunahitaji kuyalinda kwa lolote lile. Tusipofanya hivyo, yatatuathiri vibaya siku za usoni. Inafaa machifu wachukue hatua dhidi ya watu wanaokata miti na kuchimba mawe kiholelaholela. Sheria ya---

Capt. Nakitare: Kwa jambo la nidhamu, Bw. Naibu Spika wa Muda. Inaonekana

mwenzangu haelewi kwamba Kifungu 123 cha Chiefs Act kilibatilishwa na Bunge hili. Kwa hivyo, chifu hana uwezo wa kueleza---

The Temporary Deputy Speaker (Mr. Khamasi): Order, Capt. Nakitare! We have been through this before. Please, wait for your turn to contribute to this Motion.

Mr. Wario: Asante, Bw. Naibu Spika wa Muda kwa kunilinda. Capt. Nakitare hana makosa, aliishi sana Amerika!

(Laughter)

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Wario! We have said we should not use offensive language. That is exactly what you are doing.

Mr. Wario: Bw. Naibu Spika wa Muda, iwapo kuishi katika nchi ya Amerika ni makosa, basi mwenzangu anisamehe.

The Temporary Deputy Speaker (Mr. Khamasi): Mr. Wario, your time is up. I will give you half-a-minute to make your concluding remarks.

Mr. Wario: Asante, Bw. Naibu Spika wa Muda, kwa kuniongezea muda wa dakika nusu. Polisi wa ziada katika Wilaya ya Garissa wana bunduki za rasharasha lakini wale wa Wilaya ya Tana River wana zile bunduki zinazojulikana kwa jina maarufu kama "ngoja kidogo"; moja mbele, unasubiri nusu saa kisha unafyatua ya pili. Tunaomba bunduki hizi zisawazishwe katika wilaya hizo mbili.

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

The Assistant Minister for Planning and National Development (Mr. Ethuro): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this important Motion. I support the Motion. I also appreciate what the Minister has done since the NARC Government came to power. We have seen new police stations and the pay of police officers increased. I want to commend him, in particular, for the completion of the district planning unit at Lodwar District, which had stayed incomplete since 1991 when the Norwegians left this country. I think that was efficiency in resource allocation. But while I appreciate what they have done, I wish to say that they have failed in their basic and cardinal responsibility of maintaining security in this country.

Mr. Temporary Deputy Speaker, Sir, in Turkana District the Government has basically absconded its responsibilities to the Kenya Police Reservists and elders, who are members of the local peace committees. There is no reason why I should vote money to this Ministry of Administration and National Security when it is not assuring me of maintenance of security in my constituency. This House lost some of its prominent members in an air crash while they were going for a peace mission. This was as a result of failure by the Provincial Administration to maintain security in Marsabit.

We share international boundaries with other countries. You do not expect our international boundaries to be manned by the local people. Sometimes we even have no people in these places. In the colonial times, the Government made sure that all police outposts were properly manned, complete with police vehicles and radio communication facilities. In case there was a problem they were able to call the neighbouring police post for reinforcement. But this is not happening at the moment. We will keep on harassing the Minister over lack of security along our borders.

Mr. Temporary Deputy Speaker, Sir, in Turkana Central Constituency I have five divisions with a radius of about 200 kilometres. Some hon. Members here represent newly created districts with a radius of 30 kilometres but with five divisions and DOs. I have five divisions but there are no Dos in all of them except in Lodwar Municipality. We cannot be proud, as a country, when we have no Government representation at the grassroots level. Our people cannot have the sense of

belonging to a Government when the person who represents that Government is not on the ground.

It is time we people from northern Kenya told the Minister that it is no longer funny for us to talk of "coming to Kenya" when we are bona fide citizens of the this Republic. Why do our people talk of "coming to Kenya"? It is because when you do not have a district officer on the ground, even the chiefs do not live in their locations. But at the end of the month they get paid for doing zero work. If that is not corruption, then what constitutes corruption?

Mr. Temporary Deputy Speaker, Sir, corruption is not only about the Anglo Leasing that happened at the headquarters of the Ministry. There is also corruption at the grassroots level. How do you expect the Government to be represented when there are no chiefs in the locations? I have told the Minister that the few chiefs who are in employment should go home. Even though the Minister had agreed that they should go home, nothing has happened up to now.

Let us not think that because the Government is a big thing it can do what it wants. The Government has to be managed well. Somebody should be responsible for running Government affairs. There is an attitude in Harambee House that you can only send newly promoted DCs to districts like Turkana and others in the North Rift. Such DCs are often naive, inexperienced and incompetent. They have no idea of the challenges of development and insecurity in those areas. I feel thoroughly embarrassed sometime to serve in this Government. I love it but it does not listen to the cries of my people, even when I take them to Harambee House

Hon. Members: Pole sana!

The Assistant Minister for Planning and National Development (Mr. Ethuro): The Minister and all his officers, who are present here do not listen to our cries. How do you expect chiefs who go without their pay for months to be motivated? When hon. Michuki was appointed to run this Ministry, we were happy because we knew the good work he did in the transport sector. If he can control *Matatus*, why should he not ask his DCs to make sure that chiefs live in their locations and work? He should make surprise visits to their locations to see for himself whether they actually live and work there. I know we have allocated enough money to this Ministry but its problem is lack of co-ordination. If you go to Harambee House, you will see on its wall the writing: "The Office of the President is there to co-ordinate and provide leadership". We should translate that mandate into reality.

Chiefs are told to hold four *Barazas* in a month but they do not do that. If an hon. Member says a chief is not available at his location, no action is taken. If you provide incentives for no action, there will continue to be no action. If you do not provide incentives for lack of action, then there will be action. It is as simple as that.

In Turkana District justice is for hire. If you report a crime the police will demand a bribe from you. When somebody reports a crime, the police will be the first people to purport to be looking for the criminals. However, the same police officers will also demand money from the suspected criminals so that they are not booked in. Even when we intervene as Ministers of Government, nothing much is done. Some police officers even brag that there is nothing that we can do to them. They tell us: "You will serve your term and go, but we are here to stay".

Mr. Temporary Deputy Speaker, Sir, the NARC Government came into power on a reform agenda, therefore, things should not be business as usual. I have always listened to His Excellency the President. He has always urged us to transact Government business with some sense of urgency. However, I really wonder if that message is extended by the senior officers in Harambee House to their juniors. A lot of work still needs to be done and action must, therefore, be taken. I have good examples to give from my constituency: We lost a NARC agent during the last elections - I have repeated that story in this House and I will do so until justice is done. We are now approaching the 2007 General Elections, and yet the perpetrators of that heinous crime are yet to be arrested. Can we really be happy about that? Again, a man was murdered in public. Do you expect

us to be happy? The people who were involved in the crimes seem to have bribed their way out because their cases are being delayed. We are proud of this Government and we really want to serve it. However, when I see what is obtaining on the ground, I get very ashamed.

Mr. Temporary Deputy Speaker, Sir, pensioners are suffering. At the end of every month, you will find so many pensioners lining up at the DC's office. This is because somebody in that office has not taken his work seriously or he or she has eaten the money belonging to the pensioners. The officers there give all sorts of pretexts for the pension not being available. Who is overseeing these things in the Office of the President? He or she is supposed to ensure that services are rendered.

With regard to Kenya Police Reservists (KPR), while I recognise that the Government may not be in a position to deploy enough police officers in some parts of this country, I wonder why it cannot employ sufficient police reservists to assist the police. The Government has now embarked on a disarmament programme. I have been on record with regard to this matter and I would like to repeat it here: That the disarmament programme will serve no purpose.

Mr. Temporary Deputy Speaker, Sir, previous Governments have done over 24 disarmament operations in this country, but they all came to nought. If anything, guns are increasing in numbers. Surely, you do not need rocket science knowledge to know that something does not work. If whatever you want to reduce is increasing, then you must get an alternative.

Our recommendation, as leaders from the affected areas, has always been that the Government identifies the illegal guns. Uganda has been able to do that. All we need to do is to register those guns. The Government is spending a lot of money in mopping up the illegal guns. Why do we not register the guns that people already have? If we do that, we shall be able to boost patrols by the local people in an effort to curb invasions. Also, we need to give these people who have illegal guns incentives so that they can own up.

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

Mr. Salat: Mr. Temporary Deputy Speaker, Sir, I would like to join my colleagues by saying that the Minister has fairly allocated money to the districts in this year's Budget. The only discrepancy I saw was Meru Central, which was allocated Kshs110 million for construction, while Bomet was allocated only Kshs9 million. It is my hope that Bomet District will receive Kshs110 million in next year's Budget. We want to put up a new district headquarters. Insecurity is rising in Bomet District and I would like to ask the Minister to curb it. It is not surprising that the residents of Bomet are believing that the insecurity they are experiencing has something to do with the security personnel. That is because not long ago, a senior police officer in the district lost his gun and up to now, we do not know if that particular gun has been recovered. So, we are wondering: A senior officer lost his gun and insecurity has risen in the district; could there be any relation? I ask the Minister to move in immediately and restore order in Bomet Town.

I have reported to the police and also talked to the Minister about a certain District Officer (DO) who seems to be colluding with criminals! That is because whenever criminals are arrested, they are seen the following day walking freely. I have reported that matter to the Minister and he has promised to take action. I trust that he will do that, so that the people could start believing in the Provincial Administration. People are afraid to go and report criminals because when they do so and the criminal is arrested, he is seen the next day walking freely in the streets. That is a very sad situation! We hope that action will be taken so that the people of Bomet, and Kenyans in general, could have trust in the Provincial Administration.

There is another issue regarding security. Of late, if you read newspapers--- I do not know what is happening between Kenya and Ethiopia. We keep on hearing that there is an invasion. We keep on hearing that Kenyan security forces are engaged in skirmishes with an Ethiopian militia which has invaded our country and so on. We do not want situations where we are not living in

peace. If there is a problem between Kenya and Ethiopia, it should be sorted out! We could end up losing lives.

Mr. Temporary Deputy Speaker, Sir, that also brings us to the question of strangers - the Arturs - who recently made us look like fools. They made us feel that there is something totally wrong with the security of this country. Those people were once defended by the Minister as genuine investors. They turned out to be criminals who disregarded the rule of law in this country.

Mr. Temporary Deputy Speaker, Sir, as we allocate this money, we want it to be put into good use, where Kenyans could know that their lives are secure. What happened has direct implications on the investments in this country. Investors will run away if there is no security to protect their property. People invest where there is security. I have been told that, of late, Kenya Airways is having a lot of problems at Heathrow Airport. Kenyans who go out of this country are scrutinized because of an incident where we allowed strangers to come into this country and made us look like fools. We felt like lesser human beings when people came and drew guns at security personnel at the airport. If it was a Kenyan, that person would have been arrested. But we let strangers to make a fool of ourselves.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Khamasi): Order! The hon. Member for Bomet, you will have five minutes to contribute when this Motion resumes.

Hon. Members, it is now time to interrupt our business. The House, therefore, stands adjourned until tomorrow Wednesday, 12th July, 2006, at 9.00 a.m.

The House rose at 6.30 p.m.