

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 25th July, 2007

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No.398

NON-PAYMENT OF BENEFITS TO MR. SANG'S DEPENDANTS

Mr. Sambu asked the Minister for Transport:-

(a) whether he is aware that Mr. Dominic Kipkemboi Sang worked as a clerk RB II with the Kenya Railways Corporation Limited from 11th July, 1991 to 8th July, 2000 when he passed away;

(b) whether he is further aware that his dues and benefits have not been paid to his next of kin to date; and,

(c) when the dues and benefits of the deceased will be paid to his next of kin.

The Assistant Minister for Transport (Mr. Githae): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that Mr. Dominic Kipkemboi Sang worked as an accounts clerk Grade RB II with the Kenya Railways Corporation at the Regional Accountant's office, Nakuru.

I am also aware that he worked for the corporation from 11th July, 1991 to 8th July, 2000 when, unfortunately, he passed away.

(b) I am aware that his dues and benefits have not been paid to his next of kin to date. The deceased worked for Kenya Railways for eight years and nine months and had not completed the requisite ten years of continuous service in order to qualify for pension.

The next of kin is, therefore, to receive a death gratuity that is calculated based on the service rendered and salary at the time of his death. In this case, a sum of Kshs248,280 is due to his legal dependants.

Mr. Sambu: Mr. Speaker, Sir, why has he left out part "c" of the Question?

Mr. Speaker: Mr. Assistant Minister, when will you pay Kshs248,280 to the dependants?

The Assistant Minister for Transport (Mr. Githae): I am sorry, Mr. Speaker, Sir.

(c) The dues and benefits of the deceased have been computed and will be paid to his next of kin as soon as the District Commissioner, Nandi, provides a bank account number to the Public Trustee through which the amount should be channelled.

Currently, all the corporation's retirement dues are disbursed through electronic fund transfer in line with the ongoing concessioning programme funded by the World Bank.

Mr. Sambu: Mr. Speaker, Sir, I want to thank the Assistant Minister for this straightforward answer. I would only like to know whether I can use this as authority to ask the

District Commissioner and the dependants to come together and visit offices of the Kenya Railways?

Mr. Githae: Mr. Speaker, Sir, that is correct. The confusion arose when his father also claimed to be a dependant, but that has been sorted out. Therefore, the necessary information has been received and the wife will be paid the amount that I have mentioned. You can use that as authority. Give us the bank account and she will have the money within a week.

*(Capt. Nakitare stood up
in his place)*

Mr. Speaker: Capt. Nakitare, are you not happy, all of you, with the Assistant Minister's reply?

Capt. Nakitare: Mr. Speaker, Sir, I am delighted to hear from the Assistant Minister for the first time, how expeditious he has been in recognising the plight of the people who have been left behind, particularly orphans. I would like to know if he has extended that golden hand to the rest of the employees of the former Kenya Railways and whether Rift Valley Railways will do a better job than our original Kenya Railways for the benefit of its workers.

Mr. Githae: Mr. Speaker, Sir the answer to part "a" of his Question is, yes. The Kenya Railways Corporation has now been funded by the World Bank and almost all the retirees have now been paid. Rift Valley Railways never took over the employees. They have their own employees.

Unless the hon. Member is talking about performance in rail transport, hopefully, they have given us an undertaking that they will improve the services that were offered by the Kenya Railways Corporation.

Mr. Sambu: Mr. Speaker, Sir, I was satisfied, but when the Assistant Minister spoke he said that the wife--- These people come from within my vicinity back home.

The body was buried home and we never saw a wife. Who is this now claiming to be the wife? We thought the father was the legal dependant?

Mr. Githae: Mr. Speaker, Sir, the man was married and the name of the wife is Ms. Jane Makoko, ID No.103377986. It is very important that we advise Kenyans to be updating their nomination of beneficiaries. You will find that somebody is married, he marries another wife, but he does not update the beneficiaries on the nomination form. It is very important that these forms are updated as and when there is a change in the legal marriage status.

Mr. Speaker: Next Question.

Question No.406

CONSTRUCTION OF COLD STORAGE
FACILITIES AT NYANDIWA BEACH

Mr. Speaker: Is Mr. Syongo not here? The Question dropped!

(Question dropped)

Question No.094

REPAIR OF KILGORIS-NYANGUSO-
KISII ROAD

Mr. Bett asked the Minister for Roads and Public Works:-

- (a) whether he is aware that Kilgoris-Nyanguso-Kisii Road is in a serious state of disrepair; and,
- (b) what plans he has to bring it to a serviceable condition.

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

(a) I am aware that the Kilgoris-Nyanguso-Kisii Road is in a serious state of disrepair.

(b) Arising out of "a" above, my Ministry has already awarded a contract for total rehabilitation of the road to M/s H.

Young and Company Limited at a cost of Kshs1,873,743,671.81.

The rehabilitation works have commenced and are expected to be completed by 28th June, 2009.

Mr. Bett: Mr. Speaker, Sir, I want to thank the Assistant Minister for a comprehensive and precise answer. This road serves an area that is of economic importance to this country. Nyaribari Chache, where the Minister comes from, produces a lot of bananas. If this road is not properly done, it will deny this country bananas. There is a lot of maize which is grown in Trans Mara and if this road is not done, it will not serve us well. Is the Assistant Minister satisfied with the duration of the construction works? It will take two years to do the work; from now to 2009. The timeframe appears too long for that project.

Eng. Toro: Mr. Speaker, Sir, this road has been given priority in consideration of bananas and maize. It is quite a long road; it is 53 kilometres long and you can see that a large amount of money has been allocated towards this project. I am satisfied and confident that M/s H. Young who happens to be one of our best contractors will finish the road in exactly two years.

Mr. Angwenyi: Mr. Speaker, Sir, while we are grateful that the Ministry has awarded this contract to this firm of M/s H. Young, they have been preoccupied for the last one year with constructing a camp. When will they finish constructing the camp and start constructing the road?

Eng. Toro: Mr. Speaker, Sir, the first priority for a road contractor is to have a camp and have the resident engineer's premises and offices so that they can be able to finish with the preliminaries. At the moment, they have already started working. The engineer's office is about 80 per cent complete. Out of the total works, they have already done 1 per cent. This means that they are mobilised now and they have started working. The issue of the camp is history. They are already working.

Mr. Omingo: Mr. Speaker, Sir, the fact that the Minister comes from that region and does not---

Mr. Speaker: Order! How many times will I tell this House to stop personalising matters? Indeed, yesterday, when the Minister was answering a Question, he clearly said that he is not fixed to that office and that with or without him the Government machinery will continue. Let us not personalise issues!

Mr. Omingo: I am sorry, Mr. Speaker, Sir. I was saying that it is a confirmation that we are not greedy to take all the money. Could the Assistant Minister confirm that there are inroads that are networked within the towns along that road? Now that the Assistant Minister has confirmed that his Minister is not greedy and has not taken all the money, could he confirm that some towns like Ogembo and its environs will get some diversions to improve the road network there because the people of the area have been very patient as the Assistant Minister has said?

Eng. Toro: Mr. Speaker, Sir, the hon. Member started by saying that the Minister comes from that area. I do not come from that area. I come from Murang'a. Whatever works that will be done when this road is being constructed are contained in the tender document. If he cares to do so, he can check to find out exactly what is contained therein. When we are doing the construction, we

make sure that all the shopping centres along the project are taken care of. We make sure that no marketplace is left in a dusty condition.

Mr. Bett: Mr. Speaker, Sir, I hope that as these constructions are undertaken, the National Environment Management and Co-ordination Act will be followed. You will find that they are picking areas where they are removing the murrum and leaving them agape posing danger to the public and creating environmental hazards. Could the Assistant Minister assure the House that the relevant law on environment will be properly followed in the construction of this road and other roads in the country?

Eng. Toro: Mr. Speaker, Sir, I can confirm that it will be followed. This month, for the information of the hon. Member, our senior engineers, especially design engineers, have been undergoing a course mounted by the Ministry of Environment and Natural Resources so as to be in touch with what the environmentalists want when we are constructing roads. Most of our engineers have already undergone that course.

Question No.173

APPOINTMENT OF ESTATE AGENTS' REGISTRATION BOARD

Mr. C. Kilonzo asked the Minister for Lands:-

- (a) whether he is aware that the Estate Agents' Registration Board has not been operational over the last one year and a half;
- (b) whether he is further aware that this has encouraged non-genuine estate agents to fleece the public of millions of shillings;
- (c) whether he is also aware that lack of a board has curtailed professional growth since no new estate agents have been registered since 2005; and,
- (d) when he will appoint the board.

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

(a) Yes, I am aware of the absence of an operational Estate Agents' Registration Board since the end of 2005.

(b) I am not aware that non-genuine estate agents are fleecing the public of millions of shillings.

(c) I am also not aware that lack of the board has curtailed professional growth since 2005.

(d) The names of the new board members have now been submitted to the Government Printer for gazettelement.

Thank you.

Mr. C. Kilonzo: Mr. Speaker, Sir, I am surprised, because in part "a" of the Question, the Assistant Minister has been aware that, since 2005, there has been no board in place. In part "b" of the Question, he is not aware that most people have been fleeced by quack agents. In part "c" of the Question, the Assistant Minister says that he is not aware that the lack of a board has curtailed the profession's growth. I understand that Ministers have signed performance contracts. Why does it take two years just to appoint a board? Why is it taking that long?

Mr. Kamama: Mr. Speaker, Sir, I want to state that the Estate Agents' Registration Board has not been operational, as I said, since the end of 2005 because the appointment could not be made due to a legal requirement under the Estate Agents Act, Cap.533, Schedule 1(a) to (e). I want to point out that Schedule 1(e) states:-

"One member shall be a nominee of the Attorney-General and who the Minister shall appoint among others."

So, the Attorney-General's nominee was not forthcoming despite repeated reminders until early this

year. We have now received the name, and we have forwarded all the names to the Government Printer. They will be appointed very soon and the board will be operational.

Mr. C. Kilonzo: Mr. Deputy Speaker, Sir, I am glad that the Assistant Minister was very frank. Does it mean that the Attorney-General, for two years, could not fulfil his duty to just nominate one name?

Mr. Kamama: Mr. Speaker, Sir, I have stated earlier that we gave the Attorney-General's office so many reminders. We got this information very late. I think I have said that we have done the needful

Thank you.

Question No.276

IMPORTATION OF CLOTH MATERIALS FOR
DISCIPLINED FORCES

Mr. Mwanicha asked the Minister of State for Defence:-

- (a) what the total value is of cloth materials imported into the country for use by the disciplined forces;
- (b) from which countries these materials are imported; and,
- (c) what steps he is taking to ensure that the materials are manufactured locally.

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

(a) The total value of clothing materials bought during the Financial Year 2006/2007 by the three disciplined forces is Kshs80,210,925.

(b) The disciplined forces have been tendering for the supply of clothing materials for their uniforms locally.

(c) The current Government is keen to ensure that these materials are manufactured locally. However, textile manufacturing requires very huge capital investment, thus putting off many local firms. Consequently, plans are underway to revive some of the textile manufacturing industries such as Rivatex and Kicomi through privatisation. This will not only ensure that these materials are manufactured locally, but we will reduce our expenditure on clothing materials.

Mr. Mwanicha: Mr. Speaker, Sir, the answer I have and the answer the Assistant Minister has read out are totally different. So, we are not reading from the same script. However, be that as it may, if you look at the one year of import, and then you extrapolate that to several years, definitely billions of shillings are being spent. The Assistant Minister is also aware that it is difficult, or is expensive, for individual manufacturers to set up plants for this kind of clothing. These are purchases for the Government forces that are done every year. What is he doing to ensure that those jobs we export by using imported materials--- We can create those jobs here by re-opening Kicomi, Rivatex, Yuken and Mountex, all of which were closed down.

Mr. Munya: Mr. Speaker, Sir, in part "c" of my answer, I have already said that the Government is in the process of re-opening those textile industries by partnering with the private sector. Indeed, for Rivatex, I think the Government has already entered into an arrangement where a private investor is taking over the factory. I am told that it is going to be opened very soon. So, those are the efforts made, and I have said that in part "c" of my answer.

Mr. Ndambuki: Mr. Speaker, Sir, I would like know which materials are imported, because most of the time the armed forces wear khaki and it is locally available. Is it shirts? What is it? Could the Assistant Minister tell us which one it is?

Mr. Munya: Mr. Speaker, Sir, I have a very long list of items that the disciplined forces use. The major one is a product called "gabardine material".

An hon. Member: What?

Mr. Munya: Gabardine material!

Mr. Billow: Mr. Speaker, Sir, I agree with the Assistant Minister that these things are tendered for and procured through advertisements. However, while I welcome the Government's effort to revive Kicomi and Rivatex, which is very important, I also think that this country already has the capacity to produce very high quality textiles, and export them to some of the world's best markets, including the United States and Europe. Could the Assistant Minister tell the House whether, indeed, the Government should not make it a policy to procure supplies for security forces from local manufacturers, as Government policy, as happens in other countries, as a way of encouraging the industry?

Mr. Munya: Mr. Speaker, Sir, I have already said that we actually tender for these materials locally, but because most of the materials are not available in Kenya, the suppliers import them. However, I have already said that the Government is making an effort to ensure that the main textile manufacturing industries that have the capacity to produce these specialised materials are revived. Already, Rivatex is on the verge of being opened to produce these materials.

Mr. Mwanicha: Mr. Speaker, Sir, it is gratifying to know that the Government, in its pursuit to increase the number of jobs in the country, especially for the youth, is in the process of going into partnership with private investors for the opening of KICOMI, Rivatex, Mountex, Yuken Textiles *et cetera*. For example, KICOMI was a big employer in Kisumu. If, indeed, the Government is serious, how much money has it put aside for this revival?

Mr. Munya: Mr. Speaker, Sir, the Questioner is now going a bit too far from the original Question. The original Question is asking how much we spend on uniforms for the disciplined forces. He is now asking me about the budget for the revival of the textile factories. I can channel that Question to the Ministry concerned, so that we can get an answer later. I do not have an answer to it.

Mr. Mwanicha: On a point of order, Mr. Speaker, Sir. It is right for the Assistant Minister to re-direct the Question to the concerned Ministry, but the House needs to get an answer. With your indulgence, when can we get that answer?

Mr. Speaker: That is not relevant as far as the question of supply or acquisition of the materials is concerned. I think he has done his bit. If you want to know from the Ministry of Trade and Industry when these factories are going to be revived and at what cost, please, do so. I would also like to know.

Question No.385

PROVISION OF FREE SANITARY
TOWELS TO SCHOOL GIRLS

Mr. Rotino asked the Minister for Health whether she could consider providing sanitary towels to primary and secondary school girls free of charge.

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

At the moment, my Ministry does not have adequate resources to provide every girl with sanitary towels free of charge. Currently, the Ministry is only able to provide the 1.2 million women who deliver annually with one packet each, at total cost of Kshs50 million. However, since the duty on sanitary towels was removed during the 2005/2006 Financial Year, this has not yet brought the cost of these towels down.

In view of the above, it will be more appropriate for the Ministry of Education to take up this issue as one of the strategies of keeping girls in school, by providing, at least, five packets per term per poor girl as part of the school kit.

Mr. Rotino: Mr. Speaker, Sir, I was prompted to ask this Question because of the problem we are facing in the Arid and Semi-Arid Lands (ASALs). The rate of the girl child dropping out of school is very high. Girls drop out of school because of this problem.

Yesterday in the media, the Minister for Health said that there would be free maternal care. Women will not be paying any maternity fees. The Ministry is providing Kshs50 million to women who are delivering.

*(Mr. Mwiraria was applauded
as he entered the Chamber)*

Mr. Speaker: The Chair joins the House in congratulating Mr. Mwiraria!

Mr. Rotino: Mr. Speaker, Sir, could the Ministry consider diverting this Kshs50 million to primary and secondary schools to help the girls, since women will now get free maternity care?

Dr. Kibunguchy: Mr. Speaker, Sir, I would like to state, for the record, before this august House and the country, that after long deliberations, we realised that as a Ministry, we can be able to offer free maternity services to our women in this country. I would like to say that this is a move that will enable our very poor women, the majority of whom do not deliver in our hospitals, to come forth and deliver in our hospitals. I thought that this is something that the hon. Member can congratulate the Ministry for.

Secondly, with regard to the issue of education for the girl child, I think the Ministry of Education will be the right Ministry to handle this Question. The idea is that we want to keep these girls in school. Really, this does not have a direct bearing to the Ministry of Health.

Mr. Angwenyi: Mr. Speaker, Sir, we all know that maternity starts with the use of the sanitary towels. If there was no need to use these sanitary towels, we would never have maternity services in this country. Therefore, this is a health issue.

So, could the Ministry of Health provide sanitary towels to the young females in this country? The process of maternity should start with the provision of sanitary towels in schools.

The Assistant Minister for Labour and Human Resource Development (Ms. Mwau): On a point of information, Mr. Speaker, Sir.

Dr. Kibunguchy: Mr. Speaker, Sir, hon. Mwau, being a lady, might be able to tell us something that we all do not know. So, I would like to allow her to give me the information.

Mr. Speaker: I am sorry, Ms. Mwau, you cannot ask questions! You are an Assistant Minister!

The Assistant Minister for Labour and Human Resource Development (Ms. Mwau): I want to give some information.

Mr. Speaker: Who do you want to inform?

The Assistant Minister for Labour and Human Resource Development (Ms. Mwau): Mr. Speaker, Sir, I want to inform hon. Angwenyi that maternity does not start with sanitary towels.

Dr. Kibunguchy: Mr. Speaker, Sir, I thought that the Assistant Minister was going to give us information that I did not know. However, to respond to hon. Angwenyi, I would like to say that he is wrong in the assertion that maternity starts when young girls start getting their monthly periods.

The process of being an adult woman starts when a girl starts getting her menstrual periods, but maternity starts when a woman gets pregnant. The two must be separated. When we talk about

maternity, we are dealing with women who are pregnant and eventually, they are going to give birth.

Mr. Speaker: In simple language, Dr. Kibunguchy, you are talking about the process of being a mother.

Dr. Kibunguchy: No, Mr. Speaker, Sir. That is not in simple language. The process of being an adult woman---

Mr. Speaker: No! You got it wrong! When you get pregnant, you are in the process of going to be a mother!

Dr. Kibunguchy: Correct. Mr. Speaker, Sir, I agree with you. I agree with that.

Mrs. Mwendwa: Mr. Speaker, Sir, we are directing these questions to the Ministry of Health because the girls need the sanitary towels for hygiene. If they do not have them, they use old cloths and other items. The right place from where sanitary towels should be provided to the girls are dispensaries and health centres.

First of all, I would like to commend the Ministry for what it has done for women. It will make a lot of sense if the same thing is done for the girls, especially in the countryside, where parents do not even talk about sanitary towels with their daughters. In urban areas, parents are educated and they are in a position to buy sanitary towels for their girls.

Just like the Assistant Minister has said, mothers will deliver in dispensaries and health centres in the countryside. Could we have sanitary towels in dispensaries and health centres and not in urban areas?

Dr. Kibunguchy: Mr. Speaker, Sir, I cannot say, yes to that because hon. Mwendwa is discriminating between urban and rural areas. The Government cannot discriminate between the two.

However, I agree with some of the things she has put forward. We are looking at the element of cost and we have said that the cost will be extremely prohibitive for us to enter into a venture like that.

The biggest consideration, when we talk about sanitary towels, is that during that particular period when these girls are getting their menstrual periods, it keeps them out of school. That is the biggest consideration. We are saying that, that should be directed to the Ministry of Education.

Mr. Billow: On a point of order, Mr. Speaker, Sir. You have heard the Assistant Minister say that the cost is prohibitive. Indeed, there are less than 3 million girls in school. At a cost of approximately Kshs1,000 a year, we are talking about less than Kshs3 billion. The Ministry of Health returns to the Treasury each year, well in excess of that amount or more than a third of its budget because of capacity problems.

Is the Assistant Minister in order, therefore, to say that there is a problem of financial capability when the problem is capacity even to spend the money that the Ministry is given? The Ministry can spend even less than Kshs3 billion which is required.

Mr. Speaker: Mr. Billow, did I hear you say that 3 million multiplied by Kshs1,000 is Kshs3 billion and that, that is not a substantial amount.

Mr. Billow: Mr. Speaker, Sir, there are 3 million girls in primary and secondary schools. The towels cost about Kshs70 each. So, they require Kshs1,000 each. That will be less than Kshs3 billion and yet the Ministry of Health returns more than Kshs10 billion unspent every year.

Dr. Kibunguchy: Mr. Speaker, Sir, Mr. Billow is getting everything out of hand. I would like him to table the figures that he is talking about; that we return in excess of Kshs10 billion every year to the Exchequer. I want to refute that in the strongest terms possible. We are saying that we all understand the plight of these young girls.

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

Mr. Speaker: Could he finish? He is responding to a point of order!

Dr. Kibunguchy: Mr. Speaker, Sir, the biggest consideration is the aspect of these girls not going to school during that particular period. We are saying that, that is not the mandate of the Ministry of Health. It is in the ambit of the Ministry of Education. That is the time when these girls normally stay out of school.

May I also add that when the girls use the sanitary towels that we are talking about, they are more hygienic. I understand what the hon. Members are saying, but I am saying that the first consideration is for them not going to school. That should really be taken up by the Ministry of Education.

Dr. Manduku: On a point of order, Mr. Speaker, Sir. Is it in order when the Assistant Minister says that they cannot afford to pay for the cost of this very cheap material when yesterday the Ministry waived fees for maternity deliveries in this country? Was it not necessary to consider this cause? If the Ministry says that they are going to meet the Millennium Development Goals (MDGs), how will they achieve this when young girls are infected? Can they not get money like they have in the case of deliveries fees?

Mr. Speaker: That is a point of argument! Mr. Rotino, last question!

Mr. Rotino: Mr. Speaker, Sir, this is a Government and there is collective responsibility in every Government. If the Assistant Minister knows that this is a very serious issue, then he should consider discussing with the Ministry of Education to try and solve this problem. It is really an issue that should be taken seriously by the Ministry. Can they consider sitting down together to try to address the problem?

Dr. Kibunguchy: Mr. Speaker, Sir, we will discuss with our colleagues in the Ministry of Education and see how best to go about it.

Question No.381

DISAPPEARANCE OF SNR. PRIVATE
PHILIP OCHIENG

Mr. Odoyo asked the Minister of State for Defence:-

(a) whether he is aware that Snr. Private Philip Ochieng, Service No.66074 of the Kenya Army 78 Tank Battalion ("A" Squadron) disappeared on 15th May, 2004 while on duty in the vicinity of Lokichoggio;

(b) whether he is further aware that since the disappearance, the Kenya Army is yet to offer an official explanation or support to his family, given that the officer was the sole breadwinner; and,

(c) what the whereabouts of the officer is and what the he is doing to confirm his status to the family and to the 150,000 residents of Nyakach Constituency.

The Minister of State for Defence (Mr. Karume): Mr. Speaker, Sir, I beg to reply.

A Snr. Private Philip Ochieng Obudi service number 66074 of 78 Tank Battalion, Kenya Army, absented himself without official leave on 15th May, 2004 at 1200 hours and has never reported back to duty. According to the Armed Forces Act, Section 31(D) states:-

"If a person absents himself or herself without leave for a continuous period of more than 90 days, he is counted a deserter."

Snr. Private Ochieng has remained a deserter since August 2004. Both military and civil authorities were informed as per the regulation and they have continued to pursue the disappearance of the serviceman with a view to establishing his whereabouts. A missing person can only be legally declared dead after the expiry of seven years since his or her disappearance. It is

only after the expiry of this period that the issue of compensation is commenced through the Attorney-General's Chambers.

Mr. Odoyo: Mr. Speaker, Sir, may I request the hon. Minister to continue and read part (c) of the answer? There were parts "a", "b" and "c".

Mr. Speaker: He has said that he is absent without official leave; AWOL. He is AWOL!

Mr. Odoyo: Mr. Speaker, Sir, part (c) refers to the Board of Inquiry that was set up by the Kenya Army. I do have particular questions on part (c).

Mr. Speaker: But part (c) does not talk about that!

Mr. Odoyo: Mr. Speaker, Sir, I have the answer!

Mr. Speaker: Order, Mr. Odoyo! I have the Question that we are dealing with! Can you read part (c) of the Question?

Mr. Odoyo: Mr. Speaker, Sir, I have read part (c), but I am also saying---

Mr. Speaker: Order! Read it!

Mr. Odoyo: Mr. Speaker, Sir, it reads:-

"(a) What is the whereabouts of the officer and what is the Minister doing to confirm his status to the family and to the 150,000 residents of Nyakach Constituency?"

Mr. Speaker: He has answered that!

Mr. Odoyo: Okay, Mr. Speaker, Sir. Let me ask my question because the answer that I have has parts "a", "b" and "c".

The answer given by the Minister is a further testimony that, indeed, Ministers get answers from civil servants without interrogating them. I have with me here, an answer given by the Minister in addition to what he has said, that a Board of Inquiry was set up by the armed forces under Cap.199. That is very much in order. But I beg to differ. What was the conclusion of that Board of Inquiry?

To the best of my knowledge, Lokichoggio is a combat area and I believe that the camp that they are referring to was temporary. We do not have a battalion---

Mr. Speaker: Order, Mr. Odoyo! Will you let the Minister answer?

Mr. Odoyo: Mr. Speaker, Sir, what was the conclusion of the Board of Inquiry that was formed?

Maj-Gen. Nkaiserry: On a point of information, Mr. Speaker, Sir.

Mr. Speaker: Let him respond! What is it General?

Maj-Gen. Nkaiserry: On a point of information, Mr. Speaker, Sir. When somebody absents himself we call it AWOL which means Absent Without Official Leave. After 21 days, a board is formed so that his equipment is returned to the store. After the lapse of 90 days, that person is declared a deserter and until that person appears or whatever happens, there is nothing the armed forces can do about that individual.

Mr. Speaker: Will you quarrel with the General? Mr. Minister, do you accept what the General has said?

Mr. Karume: Yes, Mr. Speaker, Sir. I accept what the General has said.

Mr. Mwandawiro: On a point of order, Mr. Speaker, Sir. Is it in order for the so-called General to purport---

Mr. Speaker: Order! Order, Mr. Mwandawiro! You must not only refer the hon. Member as Gen. Nkaiserry, in fact, you should refer to him as the gallant Member and respect him for what he has done for this country. Will you apologise?

Mr. Mwandawiro: Mr. Speaker, Sir, I withdraw and apologise. But for the purpose of this House, the General is sitting on this side and is trying to answer on behalf of the Minister!

Mr. Speaker: Order! Facts and the truth do not sit on any side! The truth sits everywhere and I shall direct the truth to come and sit right on you!

Mr. Sungu: Mr. Speaker, Sir, Lokichoggio is a border area. In 2004, it became an operation area. The family of this person has not seen him. How does the Minister come to the conclusion that this person is AWOL when we know that in an area where there is hostility, somebody can be kidnapped by enemies or other people because this is a hostile zone?

Could the Minister state for sure that this man was not killed or kidnapped by the enemy other than saying that he left the camp without official permission? It is possible that he might be dead. It is a serious matter!

Mr. Karume: Mr. Speaker, Sir, our records show that a Board of Inquiry was convened on 9th June, 2006, to determine the circumstances under which Snr. Private Philip Ochieng Obudi, Service No.66074, absented himself without official leave, from 15th May, 2004; a total of 1,200 hours. When Snr. Private Philip Ochieng did not report on duty, he was reported absent, in accordance with Section 32, of the Kenya Armed Forces Act, with effect from May 2004.

Since he absented himself from Lokichoggio area, the civil police were informed accordingly. According to the Kenya Armed Forces Regulations, a board of inquiry shall be convened after 21 days. Since Snr. Private Philip Ochieng Obudi had not appeared, a board to investigate and report on the facts relating to the absenteeism was constituted.

Mr. Speaker: Last question, Mr. Odoyo!

Mr. Odoyo: Mr. Speaker, Sir, considering that Lokichoggio was a combat area, is it in order for the hon. Minister to insist that seven years must elapse before this family is compensated?

Mr. Speaker: But that is the law!

Mr. Odoyo: Mr. Speaker, Sir, that is not correct, considering that this person may have been killed or abducted by enemies! Why must the family wait for seven years before it is compensated? The Board of Inquiry---

(Loud consultations)

Mr. Speaker: Order, hon. Members! Mr. Odoyo, there are some circumstances in which you can justifiably be seen to be upset. Among them, the provisions of the law cannot be a basis of being annoyed. If we do not like the law, we amend it. This is because that is what the law says.

Je, Mzee Karume, kuna uwezekano kwamba huyu bwana alitoka kwa kambi, akapatikana na maadui na kupelekwa nje ya Kenya?

Mr. Karume: Mr. Speaker, Sir, anything can happen. He could have disappeared to another country. He could have gone overseas to do business. Anything can happen.

(Laughter)

Mr. Odoyo: On a point of order, Mr. Speaker, Sir. How can the Minister allude that an officer who has served Kenya for 18 years, with exemplary service, could have disappeared and gone overseas to do business? I am appalled to hear that an officer who has died or probably, been abducted by enemies, is being referred to, possibly, as a businessman operating, possibly, in Sudan. That is not correct! I seek your indulgence for the Minister to humbly withdraw that particular statement!

Mr. Karume: Mr. Speaker, Sir, nobody can know what happened to the officer until we find out whether he died or is still alive. I also sympathise with the family of this man, but unless the law is changed, nothing can be done to compensate the family, before seven years elapse.

Mr. Speaker: Very well! That is the end of Question Time!

Your Excellency the Vice-President and Minister for Home Affairs, you had a Ministerial Statement?

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

Mr. Syongo, you will see the Clerk or the Chair later. Since you were late, I dropped your Question. In fact, you will be lucky if I reinstate it. Be very relaxed and approach the Chair in his Chambers, in a very polite manner, because you are the one who is wrong!

(Laughter)

Proceed, Mr. Vice-President and Minister for Home Affairs!

MINISTERIAL STATEMENT

NOMINATION OF HON. WEYA TO DEPARTMENTAL COMMITTEE

The Vice-President and Minister for Home Affairs (Mr. Awori): Mr. Speaker, Sir, the House Business Committee has nominated hon. Sammy Weya, to serve in the Departmental Committee on Health, Housing, Labour and Social Welfare, to replace hon. Norman Nyagah, who has resigned from the Committee.

Thank you, Mr. Speaker, Sir.

Mr. Speaker: Very well! Next Order!

COMMITTEE OF SUPPLY

*(Order for Committee read being
Sixth Allotted Day)*

MOTION

THAT MR. SPEAKER DO NOW
LEAVE THE CHAIR

Vote 13 - Ministry of Roads and Public Works

*(The Minister for Roads and
Public Works on 24.7.2007)*

*(Resumption of Debate interrupted
on 24.7.2007)*

Mr. Speaker: Was there any hon. Member on the Floor? Let me just ensure that I get it right.

*(Mr. Speaker consulted
the Clerk-at-the-Table)*

The hon. Kipchumba was on the Floor. He has six minutes left to contribute. Is he not

here?

An hon. Member: Yes!

Mr. Speaker: If he is not here, he is deemed to have concluded this speech.
Proceed, Mr. Munyao!

The Minister for Livestock and Fisheries Development (Mr. Munyao): Thank you, Mr. Speaker, Sir. I would like to take this opportunity to support the Vote of the Ministry of Roads and Public Works. I would also like to congratulate the Minister for Roads and Public Works for the beautiful work that he has done in this country.

Some experiences are very useful to be cited in this House. We know what this Minister has done for this country, particularly, in the Public Service. If you gave him a chance of serving the country, he would know where there is a pothole, even without going there, because I think he has visited most parts of the country.

I also congratulate his team, that is, his officers in the Ministry, for their determination to do a beautiful job. At the beginning of the NARC regime, we spent about two years going round--- We had a terminology known as "bypasses." Little did we know the meaning of "bypasses." When this Minister took over the Ministry, we came to know that "bypasses" were not bypasses of roads, but they were those of taking over power.

Mr. Speaker, Sir, having said that, I would like to propose something to the Minister. The process of tarmacking roads takes too long. First, the recommendation is done. Then, the road is assessed, evaluated and designed. After design work is complete, tenders are advertised before they are awarded. This process takes a little bit too long. Is it possible for the Ministry to, at least, try the system of designing as the building continues? I am asking this because even roads that cover a short distance of about ten to 15 kilometres take a long time to be completed. Take, for example, the road from the Machakos turn off, to Machakos Town. The construction of that road which is only ten kilometres long, has taken about two years now. If the system of designing as we built had been applied it could have taken a shorter time. They could start by designing the first one or two kilometres and then, construction work starts.

I am saying this because when money is allocated to construct a particular road during a financial year, that money is never utilized within that financial year. Even if you start a road which has been allocated, say, Kshs100 million or Kshs200 million, just provide money that is enough to begin the works on that road first. Instead of waiting to give out the total amount of money allocated to clear that particular road, you could start by giving out money in instalments, which will cater for the construction of a given road within a given financial year until it is over. This is because every other year, there will be money to be given out. If this is done, and I believe it has been experienced in some countries, I do not know where, but the Ministry should know, it will help us in that many other roads that have not been completed will be done and many other roads will be considered.

We have recommendations which we have been making through the District Roads Committees (DRCs) in the countryside. I believe that some of these recommendations, which are made at the district level find their way to the Ministry. We would like to be given a feedback so that we know the progress of whatever is happening. This is because, every year, for example, for the last four years, the Makueni DRC has been making recommendations, but we never get a feedback on what is happening. It will also help us to know what the Ministry is thinking and what has been achieved. That way, we may also be able to argue about what has not been done.

Mr. Speaker, Sir, with regard to finances, during the beginning of a financial year, money is given out. I have in mind what the Minister said yesterday. I was happy when he talked about the Makutano-Kikima Road, which, last year, was allocated Kshs130 million. That money was not spent! Even after one year elapsed, the money had not been spent. Now, the road has been allocated

Kshs290 million. That is good, but we hope that, this year, we will not repeat the same thing that was done last year. What the Ministry should actually do is to concentrate on the roads in the countryside. The *wananchi* there expect that to happen and they would like these things to be done as fast as possible.

Mr. Speaker, Sir, two years ago, we had a meeting at Bomas of Kenya, which was convened by the Ministry of Roads and Public Works. That meeting was supposed to address the issue of classification of roads throughout the country. We thought that soon after that meeting, since recommendations were done and we spent a day or two discussing those issues---

Mr. Speaker, Sir, we spent public funds during that meeting and we want to know the results. What happened after that meeting? This is because we proposed so many roads that should be classified. In fact, because of the additional districts, there are roads that traverse from one district to another. We would like to know what actually happened after that meeting because it is important to know that.

Mr. Speaker, Sir, the Head of State has been going round the country. Most of the time, he is given memoranda and he accepts them by promising that this and that road will be done. From that time, it is no longer a private deal because everybody in that area is fully aware that those roads were recommended to be done. Could the Ministry, one day, come out and tell us how far some of these things have gone? This is because people from the countryside keep on following the issues from us to find out exactly what is happening.

I have in mind a road like Wamunyu-Kalawa-Wote Road, about which, on several occasions, directives have been given. I also have in mind Road D513, Tawa-Itangini and so many other roads and bridges. We would like to know what has actually happened and how soon the roads will be done.

Mr. Speaker, Sir, we must accept that for the first time, we are seeing enormous operations of the Ministry even at the local level, say, in every location and not even constituencies. Today, there is no part of this country where the Ministry of Roads and Public Works is not felt. There is no place where their works are not being seen. This is exactly what we would like to do. Therefore, we want to get updated so that we know what is being done. However, Mr. Speaker, Sir, the policies in the construction industry ought to be re-examined because they affect us. Any little delay affects us and that will not be in the interest of everybody. When the Minister comes to reply, I want him to tell us what happened to the construction of Road D516, which has been talked about every other year. Finances have been allocated for the construction of this road and *wananchi* have been waiting. We would like to hear the real thing concerning that particular road.

Mr. Speaker, Sir, recently, we experienced earth tremors. The moment the tremors started, I started thinking about the Ministry of Roads and Public Works and the Ministry of Finance. I knew that whatever would be affected would require a lot of money to rectify. It would also require the Ministry to go out of its way. I would like to request the Minister to form a team which should go round to examine Government buildings and, if possible, extend those services to private homes. The earth tremors that were felt recently did a lot of harm because most of buildings now have cracks. It will require the advice of structural engineers to tell us what we can do. We are concerned and we would like to be happy and live secure in our homes.

Mr. Speaker, Sir, I beg to support this Motion.

The Vice-President and Minister for Home Affairs (Mr. Awori): Ahsante sana, Bw. Spika, kwa kunipa fursa hii ili nami nichangie machache kuhusu kazi ya Wizara hii. Nafikiri sitakuwa nikimaliza wakati wa Bunge hili nikiwakumbusha Wabunge kwamba barabara ni muhimu kwa uchumi wa nchi. Ikiwa barabara zimeharibika na kuzoroteka, ni shida kusafirisha nafaka kutoka kwa stoo au mashambani hadi mahali pa kuuza. Hiyo itafanya uchumi uende chini. Kwa kweli, kwa miaka hiyo iliyopita, tumeona kwamba barabara zetu zilikuwa zimezoroteka sana.

Ningependa kuchukua fursa hii kumpongeza sana Waziri na maofisa katika Wizara yake kwa kazi njema wanayofanya. Siku hizi, harakati za marekebisho ya barabara zinaonekana. Kokote unakokwenda katika nchi hii utakuta mashine zikifanya kazi.

Zamani, ilikuwa ni katika maeneo yale yaliyosemekana kuwa "*politically-correct*" ndiko ungekuta mashine ya kujenga barabara. Wakati huu, ni katika sehemu zote za nchi ambako utakuta watu wakifanya kazi. Jambo la kusikitisha ni kwamba mara nyingi hatuwezi kutumia hizo pesa zote. Hii ni kwa sababu ya upungufu wa nguvu tunazoweza kutumia kufanya kazi. Hii imetokana na uhaba wa wahandisi jinsi Waziri mwenyewe alitueleza hivi majuzi. Watoto wetu wengi waliohitimu kuwa wahandisi wamehama nchi hii na kuenda nchi nyingine.

[Mr. Speaker left the Chair]

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

Ukienda Botswana, utaona kwamba wahandisi wakubwa wametoka nchini Kenya. Vile vile, tuna uhaba wa wanakandarasi wenye uwezo wa kuchukua kandarasi kubwa. Sisi kama Serikali, sasa tunataka kuweka mazingira bora ambayo yatawashawishi vijana wetu waliohamia nchi za nje waregee nchini ili wachukue jukumu la kutusaidia kurekebisha barabara zetu na kujenga barabara nyingine. Tunataka kuongeza harakati za kurekebisha barabara. Kuna maafa mengi sana yanayosababishwa na ajali zinazotokea barabarani kwa sababu hatujaweza kuwa na uwezo wa kuifanya hiyo kazi kwa upesi. Lakini sisi ni lazima tuipongeze Wizara wakati huu. Tumeona kwamba kazi inaendelea vizuri.

Bw. Naibu Spika wa Muda, kuna mambo machache ambayo ningependa kumshawishi Waziri na wahudumu wake wayatilie mkazo. Mara kwa mara, pesa zinatengwa ili tuweze kuweka maramu katika barabara fulani. Kuna sehemu ambako tumetumia kama Kshs90 million, lakini kunaponyesha punde tu kazi hiyo inapokamilika, barabara yote inaharibika. Wakati umewadia sasa wa kutafakari juu ya jambo hili. Labda, inafaa tuache kuharibu pesa nyingi sana tukiweka maramu barabarani na badala yake tuwe tunazifanyia barabara hizo *grading* tu, na zile pesa ambazo zinazosalia zitumiwe kuweka lami.

Ningependa kutoa kama mfano Barabara C30, ambayo kwa miaka mingi sana, kila mwaka, ilitengewa zaidi ya Kshs100 milion na kabla ya mwaka kuisha, kunaponyesha, barabara hiyo inaharibika. Ilichukua zaidi ya miaka 15. Ukipiga hesabu, utaona kwamba Kshs1.5 billion zilitumiwa lakini hatukufua dafu. Sasa barabara hiyo imeanza kuwekwa lami. Ninajua kwamba kandarasi hiyo imegharimu chini ya Kshs1 billion. Ningependa tufikirie sana jinsi tutakavyo hifadhi pesa kidogo kidogo ili tukiwa na barabara ya kuweka lami, tuanze tu kuiweka lami. Hazina kama hiyo inaweza kutusaidia.

Bw. Naibu Spika wa Muda, ningependa kutoa shukurani kwa Waziri na wahudumu wake kwa kuanzisha mpango wa kuiweka lami barabara hiyo, ambayo mimi huitumia sana. Sasa tunataka kuona kwamba iwapo mwanakandarasi anafanya kazi vyema, stakabadhi zake za malipo zinapotayarishwa, awe analipwa upesi. Vile vile, ningependa kuomba kwamba barabara inapowekwa lami, barabara hiyo ikipitia sokoni, au karibu na makao ya tarafa, kutengwe pesa nyingine kidogo ambazo huyo mwanakandarasi atatumia kuiweka lami barabara inayoingia kwenye soko hilo. Barabara kama hiyo inaweza kutusaidia.

Ningependa kumuomba Waziri kwamba, kama inawezekana, kwa vile mwanakandarasi anayeiweka lami katika barabara hiyo bado yuko katika sehemu za kwetu, ikubaliwe ili mwanakandarasi huyo aweke lami barabara zinazolingia kwenya Masoko ya Funyula na Port Victoria, miongoni mwa mengine, pamoja na barabara inayoelekea kwenye ofisi ya DO.

Bw. Naibu Spika wa Muda, kuhusu suala la kuhifadhi barabara, miaka mingi iliyopita

kandokando ya barabara kulikuweco na kambi za wahudumu ambao walikuwa wakihifadhi na kurekebisha barabara. Utaratibu huo uliwawezesha wahudumu hao kurekebisha kwa haraka sehemu za barabara zilizohitaji kurekebisha. Kulikuweco na *inspectors* ambao walikuwa wakizikagua barabara mara kwa mara. Kambi hizo zikirudishwa hivi sasa, mashimo yanapotokea kwenye barabara zetu za lami, yataweza kuzibwa kabla ya kuwa makubwa zaidi.

Tumelizungumzia sana suala la kuzisimamia barabara zetu kwa msingi wa kibiashara. Wakati sasa umewadia wa kuwatafuta wawekezaji wazichukue na kuzisimamia barabara zetu kubwa kupitia mpango wa kuwatoza wenye magari pesa kidogo ili tuweze kurekebisha barabara zote humu nchini. Pia, tunataka Wizara iwasiliane na National Environment Management Authority (NEMA), ambayo inashughulikia maswala ya mazingira humu nchini. Litakuwa jambo la busara iwapo kutakuweco na sharti, katika stakabadhi za tenda, litakalomlazimu mwanakandarasi kupanda miti kandokando ya barabara atakayojenga. Sharti hilo litatuwezesha kuwa na miti mingi sana humu nchini.

Bw. Naibu Spika wa Muda, katika miji mikubwa kama Nairobi kuna msongamano mkubwa sana wa motokaa. Tunataka kuuangalia mpangilio wa barabara zetu ili tuona kama tunaweza kujenga milingoti, halafu juu yake tuweze kujenga barabara. Kuna miji mingi mikubwa kama ile ya Malaysia, Korea, na kwingineko, ambako serikali zimefanya hivyo. Kufanya hivyo kunasaidia kupunguza msongamano wa motokaa. Ningependa kumwomba Waziri aanze kulifikiria jambo hilo.

Nikizungumza kuhusu District Works Committees, ninazipongeza, lakini, wakati sasa umefika wa kuziongezea ruzuku kamati hizo katika kila sehemu ya uwakilishi Bungeni kwa kiasi cha kati ya Kshs15 million na Kshs20 million ili tuweze kukamilisha kutengeneza barabara ndogo ndogo.

Mwisho, ni ombi tu kwa Wizara kwamba kuna watu wengi wanaotaka kusafiri kwa ndege hadi makwao, au kwingineko, ili waweze kuhifadhi masaa ya kufanya kazi. Tungependa Wizara izingatie suala la kuvirekebisha viwanja vidogo vidogo vya ndege. Kuna *airstrip* ambazo hazikuwa zikishughulikiwa kwa muda mrefu, na ambazo zimeharibika. *Airstrip* hizo zinahitaji kurekebisha, na nyingine mpya zianze kujengwa. Ingekuwa bora kama Wizara ingeanza na *airstrip* iliyoko kule Nangina katika sehemu yangu ya uwakilishi Bungeni ya Funyula.

Kwa hayo maneno, ninauunga mkono mjadala huu.

Maj-Gen. Nkaiserry: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this very important Vote. Last year, while contributing to debate on the Vote of the Ministry of Roads and Public Works, I lamented that prudence in the distribution of resources by this Ministry was lacking. I even went out of my way to suggest that we should not even approve the Vote of this Ministry. Unfortunately, because I did not have powers to stop its approval, the Vote was approved.

Mr. Temporary Deputy Speaker, again, this year, the issue of equitable distribution of resources by this Ministry leaves a lot to be desired. Looking at the way the resources have been allocated, I note that the Government of National Unity-friendly constituencies got the lion's share, just like last year, while the rest of the country, which requires infrastructure more than some of those constituencies or districts, has been ignored.

Is this Government working for the people of Kenya or is it working to please Government of National Unity-friendly constituencies? We should not, as a country, allow that to happen. We should allow equitable distribution of resources.

Hon. Members: Give the figures!

Maj-Gen. Nkaiserry: Mr. Temporary Deputy Speaker, Sir, I will come to the figures, which are very unfortunate. Kajiado District as a whole was allocated Kshs21 million. Not a single shilling was allocated to my constituency, except the amount of money allocated through the

District Roads Board (DRB), which is peanuts! The amount of money allocated to Kajiado District through the Kenya Roads Board (KRB) is Kshs159 million. Not even a single cent has been allocated to Kajiado Central Constituency, because it is an Opposition constituency. Those are Kenyans who are paying taxes! I want the Minister to note that, because I know he is a good man. I know he is a straight-forward person. Maybe, the technocrats are the ones who are bringing this. The size of Kajiado Central Constituency alone is more than Kisii Central, Gucha and Nyamira districts combined. Nyamira, Kisii Central and Gucha districts were allocated more than Kshs1.3 billion. Those are three districts which are smaller than a constituency! That money belongs to Kenyans! I want the country to know that, that is unfair!

Mr. Mwanicha: On a point of order, Mr. Temporary Deputy Speaker, Sir. We have come to give our views in this House and seek assistance from the Ministries depending on our districts. Why is the hon. Member telling untruths in this House that the three districts are smaller in size compared to Kajiado Central Constituency?

The Temporary Deputy Speaker (Mr. Sungu): Order, Mr. Mwanicha! What is your point of order? Please!

Mr. Mwanicha: Mr. Temporary Deputy Speaker, Sir, is the hon. Member in order to assail on other districts when he should be asking about his own district?

The Temporary Deputy Speaker (Mr. Sungu): Maj-Gen. Nkaisserry, you can ignore that!

Maj-Gen. Nkaisserry: Mr. Temporary Deputy Speaker, Sir, I want to contribute positively and objectively! Resources for this nation should be divided equitably. That is what we want for this country. That is exactly why we are in this Parliament, so that our people--- I do not have to be a Minister, so that Kajiado District can develop. We must ensure that this country develops equitably.

Last year, I mentioned the road between Isiolo and Moyale. I talked about the road from Kitale and Lokichoggio. I talked about the road between Garissa and Mandera. I also mentioned a small road from Bisel to Torosei, which is a security road. We are not here to contribute just by talking. We want the Government to take note of our contributions, because we want this country to develop. We can only develop if infrastructure is in place.

Mr. Temporary Deputy Speaker, Sir, my constituency was given Kshs4 million from the district money. I want to donate that money. They can take it away because it is nothing! If we are talking about Kshs159 million in Kajiado District, and we have three constituencies and yet, they cannot divide that money equally, they can take the Kshs12 million for district roads for Kajiado Central Constituency! Next year, we will be in the Government and we will allocate money equally to the whole Republic! We will give the Republic a fair share!

Hon. Members: Tell them!

Maj-Gen. Nkaisserry: Mr. Temporary Deputy Speaker, Sir, I would like to talk about Kajiado Central Constituency in particular. We have so many roads. We have a road starting from Kitengela to Namanga. I think the Government should put up a toll station at Isinya because we have very heavy trucks from Tanzania that are damaging that road. That is very important. I concur with the statement that was made by the Vice-President and Minister for Home Affairs. Why should we keep on maintaining roads every year after heavy rains? Which school did our engineers go to? Why are roads in other countries better or durable than ours? We have spent money training our engineers and yet, when drops of rain hit Nairobi today, there will be 1,000 potholes! What is all that? Is it not corruption? The engineers actually collude with the contractors. They give very little materials for the roads. The roads get damaged and they continue earning money. How can we save this country from spending more money by putting proper durable roads? That is a critical thing which we must address.

Therefore, we should put up a toll station at Isinya on the Kitengela-Namanga Road, so that

we can attract more money to maintain that road. That is because trucks from Tanzania are actually damaging that road.

Mr. Temporary Deputy Speaker, Sir, last year, I said that the road between Kitale and Lokichoggio is a security road. The Government should continue maintaining that road. The road between Bisel and Torosei is also a security road. I insisted that those roads should be allocated money. I tried to use my little money from the Constituencies Development Fund (CDF), but it is not enough. I believe that we, as a country, want to follow the truth, equity, fairness and justice as regards resources, so that this country can benefit equitably. We cannot live in the past. Just because you are not in the Government, your people continue to live like they are in solace. These gentlemen who are called technocrats in the Ministries come from all over the Republic of Kenya. They must take Kenya as their country. They must develop Kenya and not go by the whims of politicians. I want to state again that we want and demand equity. This is not the Minister's or the technocrats' money. This is the taxpayers' money! We must go back to the drawing board and ensure that the whole of this Republic is equitably given resources.

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

Mr. Musila: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this very important Motion. From the outset, I support the Motion. This is my tenth year of standing here to support the Vote of the Ministry of Roads and Public Works.

I visited the library this morning and looked at the HANSARD of last year. My contribution, sort of, followed the lines of my friend, Maj-Gen. Nkaisserry. I even donated the Kshs7 million that I got to Mr. Kimunya. But I am sorry to say that this year is no better than last year! But I want to apply a different tune - not the one of my friend. I understand very well the frustrations of my friend, Maj-Gen. Nkaisserry.

Mr. Temporary Deputy Speaker, Sir, yesterday, I spent the better part of the day going through books, the district allocations and the Printed Estimates. I was disappointed in the sense that there has not been improvement in the allocation of resources on roads development in this country. Last year, for example, in November, there were floods around the country. One very important road in my constituency, E749, was washed away. I took the initiative to take photographs of that road. As everybody knows here, Mr. Nyachae is not only a friend, but he is my mentor! I worked with him for many years and I respect him.

I made an appointment with him, he gave me a hearing and called the officers. I showed Mr. Nyachae the photographs and he could not believe that donkeys were ferrying goods from one end of the road to another because it had been washed away. He immediately ordered engineers to go to the road. They went to the road the following day. I would like to inform the Minister that today; eight months down the line, the practice of donkeys carrying goods across the road is still going on. That road has not been constructed despite clear instructions from the Minister!

Mr. Temporary Deputy Speaker, Sir, Kshs10 million was availed. They did a few repairs, but the road still remains impassable. Soon we are going to get rains, we do not know what we will do. I looked through the Printed Estimates to see whether funds had been allocated for this road. Despite the fact that we only need Kshs17 million to make this road passable, nothing has been done.

Mr. Temporary Deputy Speaker, Sir, the only tarmacked road that runs through Mwingi District is Road A03; Thika-Garissa Road. Yesterday, I believe it was Mr. Lagat, who asked what the use of classifying roads is if development does not follow classification. I am talking of Road A03. This is an international road. Thika-Garissa Road stretches all the way to the Somali border. Last year, Road A03 was allocated some money for re-carpeting, but nothing happened. We were told that some other road in Coast Province was given priority because His Excellency the President directed so. Therefore, the money was moved from Road A03 to somewhere in Coast

Province. I believe it is in Kilifi. If that was the case, why was this road not re-allocated funds this year, so that it could be re-done. As I speak, Road A03; Thika-Garissa Road is gone! It is full of potholes and we do not understand why a road classified as E-Road somewhere, is given priority and nobody seems to care about Road A03. Is it because it passes through Mwingi District and goes to the North Eastern Province? That is the only logical conclusion we can make.

Mr. Temporary Deputy Speaker, Sir, again, I want to support the issue of equitable distribution of resources. I spent a lot of time last year talking about that. If you recall, I did not even finish my ten minutes that day. This was because I was angry. Today, I want to finish my ten minutes, therefore, I will cool down. However, the anger still remains!

Since Independence, Road B07, Kibwezi-Kitui Road was earmarked for tarmacking. Today, nearly 45 years after Independence, that road is still dusty and mostly impassable. The people of Kitui and Mwingi districts coming from Mombasa have to travel to Nairobi then through Machakos Road to avoid the Road B07.

Mr. Temporary Deputy Speaker, Sir, the hon. Minister is one of the Ministers who always ensures that his officers come to Parliament when we discuss their Votes. I know, for sure, that these are the same officers who deal with these funds and allocate them. I am glad that they are listening to me today. I hope they will go and reflect, think about it and tell us why Road A03 has been ignored and another road classified under Class-"E" has been allocated Kshs500 million. Why has Road B07 been ignored for the last 45 years and some unclassified roads which cannot even qualify to be in class-"E", have been tarmacked and developed?

Mr. Temporary Deputy Speaker, Sir, whatever we say, we have problems. I am not blaming the Ministry of Roads and Public Works, I think we must rethink our priorities. We must know that all Kenyans are taxpayers. We must know that Kenyans from wherever they come from, are Kenyans! Resources must be allocated or appear to be allocated equitably. This clear discrimination of certain areas and favouring others, will not hold. Our officers who are charged with this responsibility must rethink.

As I conclude, may I appeal to my mentor and good friend; the Minister for Roads and Public Works, to write down somewhere. Rescue my people and ensure that Road E49, which was washed away in November last year--- I made a personal visit to his office with photos. He saw the desperate situation my people were working under. I am not asking for Kshs500 million! I am only asking for Kshs17 million to make the road passable.

Mr. Temporary Deputy Speaker, Sir, may I appeal to the Minister to know that Road A03 is the lifeline of people from North Eastern Province. It is impassable now. There are engineers going through those roads and yet, they deviate those funds. A road that goes from the capital city to another province is completely neglected. I would also like to appeal to the Minister to consider Road B07. The other day, the President was surprised that this road was not tarmacked. He told me that he approved it when he was the Minister for Finance. It is really a pity.

Finally, Mr. Temporary Deputy Speaker, Sir, on Road C94, I saw some people pegging meaning that it is being designed. Could we have some funds allocated, so that at least when design is over, we can start some work as we wait for the next financial year?

With those few remarks, I beg to support.

Mr. Kosgey: Thank you very much Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute. I support this Vote.

When the Minister was moving this Vote I listened very attentively. I must commend him for the way he moved the Vote. It was quite clear. However, that does not mean that everything is okay. It was an indication that the Minister understands what is going on. I was very happy to know the clarity of the Vote.

The Minister referred to Vision 2030 in his speech. We have not seen this Vision. We have

asked to be given this Vision. What does it say about roads and infrastructure in Kenya? We are yet to see it and yet it is being referred to by Ministers in this House and elsewhere.

Mr. Temporary Deputy Sir, roads in Kenya have actually deteriorated quite substantively. The Minister may say that there is work going on. But let me inform him and this House that roads, particularly those in western parts of Kenya and Rift Valley Province, are in bad state. Something needs to be done on those roads urgently.

The Minister may say that there are some contractors working here and there. But besides that, if you try to go by road to Eldoret, Kakamega, Kisumu and Kisii from Nairobi, you will go through hell. It now takes close to eight hours to go by road from Nairobi to Eldoret. It has become prohibitive in terms of cost and time. We cannot afford to travel by road to those areas.

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

[Mr. Deputy Speaker took the Chair]

Mr. Deputy Speaker, Sir, any road that you mention in that part of the world is either potholed or completely dilapidated. Whenever one small new one is built, like the one from Kipsigat to Serem--- What the engineers now do is to put up bumps and rubble strips - six of them in a row. That makes it impossible to travel by that road. So, if you are not travelling on potholes, you are travelling on bumps or rubble strips. Could the Government or the Ministry review the location and number of those unnecessary bumps? They actually cause accidents.

Mr. Deputy Speaker, Sir, on the construction of Road A104 which is going on now, the diversions around Gilgil and Timbora are impassable. I know that contractors are required to provide motorable or reasonable diversions. Those diversions are not in those particular cases.

I also want to say something about the designing of roads. We know that, in the past, there have been occasions where a road has been awarded to a contractor without proper designs. That amounts to giving a blank cheque to a contractor. So, they continue costing the road as it is being built.

(Mr. Mutiso stood up in his place)

That habit--- Hon. Mutiso should sit down because I want to be seeing the Minister. I was just saying that a road should actually be fully designed and engineer's estimates given before it is awarded to a contractor. I know it may be happening now. From the way the Minister is looking at me, it may be happening now. But it was not happening in the past. It used to happen when I was there.

Mr. Deputy Speaker, Sir, on stalled projects--- There were very many stalled projects. We were told by the Ministry that it will complete those stalled projects before starting new ones. I hope the Minister is aware that the road going through Miteitei Valley called Timboroa - Miteitei Road was abandoned. Only 18 kilometres remained and the bridges. You might not call them bridges because they are really culverts. So, I hope that will be taken care of under the Kenya Roads Board. Similarly, the Kesses-Lessos Road that links Moi University to Lessos, and Lessos-Arwot, that also links Moi University to Arwot---

Mr. Deputy Speaker, Sir, a lot has been said about road maintenance. If you look at the number of roads that have been tarmacked or serviced in this country, it has not increased. It is still around 9,000 or close to 10,000 kilometres of State roads.

(Loud consultations)

Mr. Temporary Deputy Speaker, Sir, could I be protected around here!

Mr. Deputy Speaker: I think they have heard you!

Mr. Kosgey: Mr. Temporary Deputy Speaker, why has it not been possible to increase the length of classified roads? It is because we are spending time and money re-building the roads that were built in previous years. That is a failure in road maintenance. If we could maintain the roads--- Maintaining does not mean waiting until it is completely gone. That way, you will actually be doing construction afresh. So, you are taking two steps forward and three backwards. All those roads will be destroyed and you will rebuild them afresh. I know the Minister knows very well the road from Kisii to Kilgoris. I travelled on it recently. A few years back, it was good. Now, it needs complete reconstruction. So the Kshs300 million which the Minister is requesting for road maintenance sometimes goes to waste. The engineers only patch those potholes. They patch the big ones and leave the small ones. Next week, the small one is bigger than the one they had patched. So, the road really never gets done. That money goes completely to waste. We should have a very well documented programme on road maintenance. That way, money allocated to the Ministry could be used to build new roads, and not to reconstruct the ones that they did last year.

Otherwise, I fully agree with the Minister that, in spite of an increase in the allocation by 59 per cent, a lot of money is required to bring our roads to what you might actually call a reasonable state. We will support him whenever he asks for more money.

Mr. Deputy Speaker, Sir, the Minister has mentioned some of the roads that are being done this year in various areas. I heard him say that he is only waiting to patch the Chavakali-Kapsabet Road. I did not hear what he is going to do with Kapsabet-Mosoriot and Nandi Hills-Kapsabet roads. Those roads do not just need patching, Mr. Minister! They need re-carpeting. The state in which they are does not require little patching here and there. We need to re-carpet them in order to save that investment. Otherwise, next year, they will need to be constructed afresh.

Mr. Temporary Deputy Speaker, Sir, on the constituency money, that is the Kshs12 million, that may not be much. But that is what the Kenya Roads Board could give us. We would like that money to be spent well. In some constituencies, we do not see what that Kshs12 million has done. We have made suggestions to the Kenya Roads Board and the Ministry on how that money should be used. It should be used the way the road access roads money was being used. Let it be labour intensive. Let the local people build the roads themselves, using simple tools. That means they should have a tractor, trailer and a shovel. That is the way we used to build roads under the rural access roads programme. That way, the money could go a long way in actually achieving something. At the moment, the road engineers award the tenders to themselves, supervise themselves and pay themselves.

Mr. Deputy Speaker, Sir, I want to talk about the classification of roads. We have been waiting for the classification of roads for the last several years. I hope something will be done to classify our various roads.

With those few remarks, I beg to support.

The Minister of State for Defence (Mr. Karume): Asante sana, Bw. Naibu Spika, kwa kunipa nafasi hii. Kwanza, ninasimama hapa kuunga mkono bajeti ya Wizara ya Barabara na Ujenzi kwa sababu wanafanya kazi ya maana sana nchini. Ninataka pia kumshukuru sana Waziri kwa kazi yake nzuri. Tunajua hajamaliza miaka miwili katika Wizara hii lakini amefanya mambo mengi. Ukitazama kila eneo Bunge na wilaya, utaona ya kwamba kuna ujenzi au ukarabati wa barabara. Hapo awali, barabara zetu hapa nchini zilikuwa zimeharibika kabisa. Barabara zetu, hasa Wilaya ya Kiambu, zilikuwa zimeharibika sana kiwango cha sisi kuweka kokoto na changarau ili magari yetu hasikwame. Wakati huu, Wizara hii inafanya kazi ya maana sana katika pembe zote za

nchi hii bila kubagua sehemu au watu fulani.

Bw. Naibu Spika, mwaka jana tulikuwa na mvua kubwa hapa nchini. Mvua hiyo iliharibu barabara nyingi hapa nchi. Mkoa wa Pwani uliathirika sana; daraja nyingi ziliharibiwa. Lakini maofisa wa Wizara hii walifanya kazi usiku na mchana ili kuzirekebisha. Ninawashukuru wafanyakazi wote wa Wizara hii kwa kazi yao nzuri ya kurekebisha barabara zetu. Hata watu wa Mkoa wa Pwani hawangeweza kusafiri hadi Tanzania kwa sababu ya kuharibika kwa barabara. Kwa sababu ya juhudi zao, kwa muda mfupi waliweza kurekebisha barabara hizo na mambo ya biashara yakaendelea sawasawa. Kwa hivyo, tukiwapa pesa nyingi wataweza kufanya kazi nzuri sana hapa nchini. Pesa hizi ambazo tunahitajika kuzipitisha leo, haziwatoshi. Serikali inafikiria sana kuimarisha barabara za nchi hii. Ninaiomba Serikali ifikirie kuongezea Wizara hii pesa nyingi ili ifanye kazi nzuri zaidi hapa nchini.

Juzi, Waziri alizungumza juu ya kandarasi za barabara. Alisema wajenzi wa barabara fulani wanafanya kazi yao polepole sana. Ningependa kuona wanajitahidi sana ili wafanye kazi kwa haraka. Ikiwa kuna wajenzi ambao hawamalizi kutengeza barabara kwa muda fulani, basi wasilipwe pesa hata wakifanya kwa muda zaidi. Hawa ndio wanaotakiwa kukazwa kwa sababu hatujui kwa nini wanafanya kazi yao polepole. Kwa hivyo, watu wamefurahia sana kazi ya Wizara hii. Hii inaonyesha ya kwamba Serikali yetu inayoongozwa na mhe. Mwai Kibaki inafanya kazi nzuri. Si ukarabati wa barabara pekee, bali inafanya kazi katika sehemu zote za nchi. Barabara zinawekwa lami kila mahali. Kamati za Barabara za Wilaya pia zinafanya kazi ya maana sana. Lakini taabu ni vile barabara hizi zilikuwa zimeharibika kwa muda mrefu. Kwa hivyo, kuzirekebisha, kutachukua muda. Ni wazi kwamba Wizara hii ikipata pesa za kutosha itaweza kufanya kazi ya maana sana. Inafaa kamati hizi zipewe pesa nyingi ili wakarabati barabara huko mashinani. Bila kuwa na barabara za kutosha hata mambo ya biashara yataathiriwa. Sekta ya ukulima ni ya maana sana katika nchi yetu. Hata wakulima wakifanya kazi bidii, bila barabara nzuri, hawataweza kuuza mazao yao.

Bw. Naibu Spika, jambo lingine ni kuhusu utalii. Watalii wanaiitea nchi hii pesa nyingi sana. Tunakumbuka hapo awali, utalii ulikuwa umeathiriwa sana nchini. Watalii wengi hawangetembelea nchi yetu kwa sababu ya barabara mbaya. Lakini vile Wizara hii inatengeneza barabara, hasa upande wa Pwani, watalii wameanza kuja kwa wingi. Kwa hivyo, ningependa kumhimiza Waziri aendeleo kufanya kazi hiyo nzuri.

Bw. Naibu Spika, katika Kiambaa na Wilaya ya Kiambu kwa jumla, barabara za lami zilikuwa zimekwisha. Magari yalikuwa yanakwama huko lakini furaha ni kwamba Wizara imeanza kuzitengeneza barabara hizo. Kwa hivyo, inafaa Wizara hii ipewe pesa za kutosha ili iendeleo kufanya kazi nzuri. Pesa hazijatosha lakini najua wakipatiwa pesa, watatengeneza barabara zetu.

Bw. Naibu Spika, naungana na Wabunge wengine kufikiria vile hii Wizara inaweza kusaidiwa zaidi katika ujenzi wa barabara. Waziri anajua Kiambaa sana na mimi sitaki kumwambia huko kuko namna gani. Sote wawili tunajua vile ameanza kututengenezea barabara ya kutoka Gachie hadi Kanyungu. Najua ujenzi wa barabara hiyo utakamilika haraka. Hiyo barabara ilikuwa imeharibika kabisa kiasi kwamba hata usiku wagonjwa hawangefikishwa katika hospitali. Kuna hospitali ya maana sana hapo. Wakati hospitali za karibu ziko na dawa, hiyo inasaidia kwa sababu badala ya wagonjwa kwenda Kenyatta National Hospital (KNH) wao wataenda katika hospitali zilizo karibu nao. Kwa hivyo, mimi nashukuru kwa hiyo barabara ambayo imeanza kutengenezwa. Najua kuwa zile barabara nyingine, kwa mfano, ile ya Ndumberi-Kanunga-Banana-Ndenderu itatengenezwa. Hii barabara ndiyo nilisema kwamba zamani ilikuwa ya lami lakini hiyo lami ikakwisha. Najua pia wanakumbuka barabara ya Ndumberi-Limuru-Githiga. Furaha yangu ni kujua kwamba sasa kuna watu katika Wizara ambao tunaweza kwenda kuwaona ili tuwaambie shida zilizoko kwenye barabara zetu. Hata Waziri atakuja kuziona barabara hizo mwenyewe. Wafanyakazi wote wa Wizara hii wako imara sana na kwa hivyo najua kwa kweli hii kazi ya

barabara itafanywa. Ningependa kuiuliza Serikali ikipata pesa nyingi hata kabla ya Bajeti ya mwaka ujao, ijaribu kusaidia Wizara hii ya barabara ndiposa iweze kutengeneza barabara nyingi zaidi.

Bw. Naibu Spika, najua kuna Wabunge wengi sana ambao wangetaka kuzungumza kuhusu mambo ya barabara. Nitakomea hapo. Ahsante sana na naiunga mkono Hoja hii.

Prof. Anyang'-Nyong'o: Thank you, Mr. Deputy Speaker, Sir. I have been listening to this debate since yesterday, and there seems to be a consensus building that there is an increased roads improvement all over the country. I happen to come from Kisumu Rural Constituency, and in order to come to Nairobi by road, I have to drive from Kisumu to Nairobi. If you try to drive from Kisumu to Nakuru, you will be a dead duck because there is no road. In the west of the Rift Valley, there are no roads. If you try to drive from Kisumu to Kakamega and then to Eldoret, you will be as dead as a duck because there is no road. So, this chorus that has been going on in this House that there have been roads improvement all over this country is a myth.

There are no roads worthy calling roads in the west of the Rift Valley. That is a fact. That is why we have to fly to Kisumu. There have been increased flights between Nairobi and Kisumu because people cannot drive from Nairobi to Kisumu. Some people believe that there is a conspiracy between those who own planes and those who make roads, so that those who make planes can make money while those who make roads do not make the roads. That is how we live in the west of the Rift Valley. In the east of the Rift Valley, life may be different but in the west of the Rift Valley, that is the reality.

When we established the NARC Government in January 2003, we came up with an Economic Recovery Strategy for Wealth and Employment Creation. One of the key pillars was the rehabilitation of the physical infrastructure. That physical infrastructure has not been rehabilitated in Kenya, as a whole. That is the truth. The second truth is that where physical infrastructure has been rehabilitated, I will give you one example. The road from Muthaiga Roundabout, as you go to Limuru, has now been rehabilitated. I am sure that the Permanent Secretary and the Minister have been given a very good report about the work which has been done on that road. I live in that area and I would like to bet with the Minister that one year from today, there will be no road there. The manner in which that road was rehabilitated, even to a common human being, was sub-standard. We cannot take tarmac and put it on top of murrum in one day - that is something which sinks - and expect lorries to run on it for one year and still expect to have a road. We are trying to recarpet roads in a quick way without substantial technological innovation to make these roads live long. The only road which I know will live long in the City of Nairobi is the one that goes near the mortuary called Mbagathi Way. That one was constructed to last. However, it could have been constructed in a cheaper manner, if we used the American technology to construct roads.

Mr. Muite: On a point of order, Mr. Deputy Speaker, Sir. Prof. Anyang'-Nyong'o is talking about a road living for long. Does he mean lasting for a long time or living for a long time?

An hon. Member: That is a matter of English!

Prof. Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, it could mean both because when you live, you last and when you last, you live!

(Laughter)

Mr. Deputy Speaker: Order! Order! Please, let the hon. Member make his contribution because he does not have a lot of time.

Prof. Anyang'-Nyong'o: Mr. Deputy Speaker, Sir, I would like the Minister and the Permanent Secretary not to believe everything in the reports they get; telling them about the roads

the contractors are constructing. As a Minister, and I know because I have been a Minister, you are very busy and you receive reports from people who appear to be very genuine. However, all that glitters is not always gold. So, this quick recarpeting of roads in the city, in a year's time, I assure you, it will be a completely different story. So, something must be done about standardisation in roads rehabilitation so that we get lasting roads.

Secondly, I would like to plead with the Minister to forget the World Bank in road construction or in the physical construction of this country or the transportation sector. All the countries which have made it in the Third World, like Malaysia, forgot about the World Bank. One of the things which the Government has done, and for which it should be commended, is to get a sovereign rating for Kenya so that we can get credit in the international market as we wish. That is a very progressive step. The World Bank is one body that has frustrated the development of the physical infrastructure in the Third World. The *Concessions of the Economic Hitman* shows that---

This is a book that was written recently. The *Economic Concessions of the Economic Hitman* is not rocket science. It is something which we know. This whole long road to procurement process that the World Bank subjects us to is nonsensical. The only thing we need to do is to be transparent and accountable to our people, establish proper institutions in Government and get proper people in places and they can do the work. The World Bank like any other bank is there to make money.

However, the manner in which they make money from us does not help our development. So, if they are not making money from us in a way that helps our development, let us stop them from making money from us. Let us use our credit rating internationally, borrow money that we can account for, build the physical infrastructure in a long lasting way and then we can develop our country. I plead with the Government to forget about the World Bank as the best way forward to develop roads in our country. Roads are extremely important for development. We need trunk roads, dual carriageways that connect us with our neighbours; dual carriageways from Nairobi through Moyale to Ethiopia and another one from here to Lokichoggio to Juba and another one from here going to Kigali, Kampala and to the DRC Congo, and one from here that connects us with Arusha because Arusha is the capital of East Africa.

It is a big shame that if you drive, today, from Nairobi to Arusha, you will see that the Kenyan side of the road is in a pathetic situation. When you cross the border to enter Tanzania, you experience civilisation.

(Applause)

If you go to our borders either Busia or Arusha, you will see that the Ugandans have computerized their borders. The Tanzanians have also computerized their borders. We are still using precambrian methods of getting people through our borders. This does not help transportation in our country. Let the Ministry of Roads and Public Works work in conjunction with the Ministry of State for Immigration and Registration of Persons to make transportation between us and our neighbours something which is up todate in the 21st Century. This is the only way the East Africans will respect us, as leaders in the East African Community, and then we can take our rightful place, as leaders in the region. There is no need of saying that we are leaders in the region by word of mouth only.

Let us do it practically for the region to see that we are setting standards for Africa. We can do it because we have hard working people and we have a knowledge-based society today because there are many people who know what to do. What we do not have are proper systems to ensure that we use our resources and knowledge appropriately.

Mr. Deputy Speaker, Sir, the Minister for Roads and Public, previously called the Ministry

of Public Works as we knew it during the colonial times or as we knew it in Nyanza as *Apida*, is a Ministry which is very old and that has had good standards for road construction. Let me ask the Government one question: Why is it that in certain sections of Nairobi like Lavington, Kileleshwa, Milimani the narrow roads which were constructed during the colonial times lasted for a long time? They have been there for ages and they do not break down. They have very few potholes. This is because they were properly constructed. However, these roads which are constructed overnight by cowboy contractors--- We should stop that habit.

Let me give another example. The sugar belt; Chemelil, Muhoroni and Miwani, is a very rich region in this country. However, if try to travel from Kisumu to Miwani, Chemelil and to Muhoroni, you will cry. In this day and age, nobody should come to Kenya and see a road like that in existence, especially when we said in the year 2003 that the rehabilitation of physical infrastructure will be a key pillar of our economic recovery. Five years down the line, we have not done it.

Mr. Deputy Speaker: Order now! I think I will give Mr. G.G. Kariuki this chance to contribute, and then one more person.

Proceed, Mr. G.G. Kariuki!

Mr. G.G. Kariuki: Thank you, Mr. Deputy Speaker, Sir. This is a very important debate and, I think, from there, we might start moving towards the right direction.

Mr. Deputy Speaker, Sir, there is no need to express how roads are important. Roads are a major factor in the development of any country, in terms of communication and transportation of human beings and produce.

Mr. Deputy Speaker, Sir, I have listened to hon. Members who have spoken before me, and all we are doing is to complain about our roads. But I think time has come when hon. Members must assert their position and appear to be directing this country to where it should go, instead of appearing as if this is only a complaining House.

Mr. Deputy Speaker, Sir, we must appreciate that the current political era--- All of us know that during the last 24 years, and even after Independence, the Governments of those days were expected to do quite a lot; more than what they have done. We are talking about rehabilitation, re-carpeting and murrarming of roads because, for the last many years, this country stagnated in all spheres of development. We had stagnated in terms of education, roads and everything that you can think of. What we need to do is exploit the current political environment where civil servants and Ministers are given the authority to deal with their matters without much interference.

Mr. Deputy Speaker, Sir, the era where a President or any other person could go to a particular area and promise that a road would be tarmacked has come to an end. It should be left to the people who have the technical know-how to deal with the situation, and not the technical know-how of building the roads. We must know the reason for building the roads. Why do you need a road in a particular area? Very many factors should be taken into account. We should not just construct roads to please politicians or just for political expedience.

Mr. Deputy Speaker, Sir, I think our problem here, and we have been saying it in our aspirations of development--- That is because where the Minister comes from, whether he is the Minister for Roads and Public Works or whoever--- Except hon. Nyachae! Within a very short time, you have shown the country that you can be independent and do the job in the right way. But it is because of the current political environment. Would you have done that during the first Government? Yes, I know! Would you have done that during Kenyatta's time, unless it was sanctioned by Kenyatta himself? It was not possible!

An hon. Member: *Kaburu!*

Mr. G.G. Kariuki: Therefore, this is the time we need thinkers in the Ministry of Roads and Public Works, not just engineers! Engineers are people to be managed and told what to do! We

need people with a vision; people who look at the country in terms of development without fearing any political interferences or whatever. That can only happen if we return the current President to power: The man who would allow people to do their jobs without interference. So, the important part here is this: We have hon. Nyachae in this Ministry and, fortunately, he has a very mature Permanent Secretary! All you need today is to allow technocrats with very good minds to look at Kenya and decide which way to go. That has been happening. If you look at the current Budget, you will see that areas which have too many people, for example, where you come from---

You will find that there are areas where the Government needs to take keen interest. Hon. Nyachae, the Minister for Roads and Public Works, is aware of what I am going to say because in Rift Valley Province, where he has been a Provincial Commissioner for a long time, it was transformed by the people of this country. They purchased all the land. It became their property. What the Ministry has never done is to know there are old districts; what we call "traditional districts" and new districts mostly in Rift Valley Province, the former white highlands. We, in those districts, are not asking for tarmacked roads. We are, really, asking for access roads. But here, you have officers, some of whom are like if they do not come from this country! They do not know what is happening! If you go to Laikipia, Nakuru or a place like Eldoret and Kitale, you will find that people cannot even move their crops out of their farms! They have no way! They even use bicycles and donkeys to get to the main roads. Those are the areas that we must be concerned about! We should not just aim to please the whole world that we have tarmacked a road between here and Kakamega and, therefore, feel great!

Mr. Deputy Speaker, Sir, the essence of development is to make a person who is not able to be able. You must enable him to be sure that he belongs here!

(Applause)

But the way we are standing here and talking about major roads; "This has not been done! That has not been done!", let us go back to our political history! Unless we transform our minds, unless we change and agree to transform ourselves to become new people, we still have the old brains. None of us thinks about what he is expected to think. So, Mr. Deputy Speaker, Sir, those are the areas that I urge the Ministry to give deliberate attention. When we distribute 16 per cent of the levy equitably---

Mr. Deputy Speaker, Sir, when you were talking here, you talked about equitability of finances and resources. It is not possible, in a fair developing programme, to equalise everybody! Even in the house, you cannot equalise all the children! There are things that you can buy for a child who is not capable, and leave the one who is able to do his job. So, areas that are poor need to be given attention. If you give Kshs12 million to Kiambaa Constituency or hon. Nyachae's Constituency, and you give me Kshs12 million, what are you talking about? Where the two gentlemen come from had all the development before, and it is as if I am coming from the bush! When you equalise me with somebody who has seen the light--- There is a need to change our way of thinking!

If people are so poor, give them more. There is what we call "the Poverty Index (PI)", but I even question those who do them. It must be very fair! If some districts are so poor, what are we, therefore, to do? It is to try and get these people to come up and not just to think of equitable distribution of resources. This is unfair! It is an indirect way of manipulating others using politics.

Mr. Deputy Speaker, Sir, let us be fair and genuine, that those who are poor need to be promoted. If we do not do that, we are creating a society based on class. Many years to come, we shall still continue to have the poorest many and the richest few. That way, we will be soliciting for our downfall in many years to come, because there is no way some people will be let to be so rich

while others remain poor, yet think we are doing very well because of equitable distribution of resources. I think it is high time the Ministers started changing their concept of development.

With those few remarks, I beg to support.

Mr. Deputy Speaker: Sorry, Hon. Members, I only have nine minutes. In nine minutes' time I will be calling upon the Minister to reply.

An hon. Member: Give two people a chance!

Mr. Deputy Speaker: No! I can only give one person the chance and, therefore, it will be upon that person, if he is kind enough, to talk for two minutes.

Maj. Madoka: Mr. Deputy Speaker, Sir, I will be very brief and, maybe, allow somebody else to say something.

I stand to support this Vote, and say that I wish we could give this Ministry a lot more money, because I know a lot of money is needed because of the various roads in the country that need to be done. Mine is mainly to complain to the Minister about the Voi-Mwatate-Taveta Road. We have had promises from the late Mzee Kenyatta's time, Mr. Moi's time and Mr. Kibaki's time that this road would be tarmacked but nothing has been done. I really believe that something needs to be done. Last year we were told the African Development Bank (ADB) were making arrangements to fund work on this particular road. It is my sincere hope that something will be done.

The other thing, which I would like to say, is that I think we need to find a way of saving on the little money we get. When we do the gravelling of roads, I think a simple single sealing of those gravel roads will give them a much longer life and that will help in ensuring that we keep these roads going. Equally, we do many of these roads but the major problem is that we do not take enough trouble about drainage. So, I think, again, some of these roads will last much longer if we took trouble about gravelling.

I will now give my time to---

Mr. Deputy Speaker: Order, Maj. Madoka! You just sit down and I will call Mr. Khaniri.

Maj. Madoka: Sorry, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: That would have been my order if I had the opportunity.

Mr. Khaniri: Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity. I do not have much time but I just want to take this opportunity, first of all, to congratulate the Minister, Mr. Nyachae, for his eloquence and the manner in which he is steering this Ministry. We must say that we are very happy, and are satisfied with what he is doing with the little resources that he is getting.

This is a very important Ministry that, in my opinion, is under-funded. To allocate Kshs25 billion to maintain our roads and do new roads is almost impossible. This is barely enough to maintain the roads. So, where do we expect him to get money to give us new roads? For this country to attain the economic growth that we have been dreaming about, we must have good infrastructure. We must be ready to invest in infrastructure.

Mr. Deputy Speaker, Sir, I know the Government is constrained for resources, but I want to tell the Minister to try concessioning some of our highways. Let us contract some companies to maintain the highways, and erect some toll stations to collect funds so that they can maintain those particular highways.

I have three points that I want to tell the Minister in order to help him give us some good road network. First, he should ensure that there is proper workmanship when he is doing new roads. The contractors that are contracted to do these roads must be compelled to keep to the required specifications that are in the contracts. Many times the contractors give a shoddy job and we do not get value for our money.

Secondly, the issue of drainage must be addressed. We do very good roads and we do not

address poor drainage. When water floods these roads, they start developing potholes.

Thirdly, Mr. Deputy Speaker, Sir, the law of axle load and over-loading must be strictly enforced to ensure that we do not have over-loaded trucks on our roads. Most of the times these trucks are not even Kenyan trucks. These are trucks from a neighbouring country. Therefore, we want to ask that this law must be applied to the letter.

Just before I finish, I want to remind the Minister - I raised this issue in this House through a Parliamentary Question - about the Gambogi-Serem Road, which was done half way. The Minister gave me an answer that we were getting some funds from the Chinese Republic to complete this road. That was last year and I did not see anything in the Budget for this, and I just want to request him to address this matter.

There is also the Majengo-Serem Road about which the Minister, himself, told me that he would look for funds to see if he could upgrade it. I have not seen anything in the Budget, and I want to request him that he provides funds for that particular road.

With those few remarks, I beg to support.

Mr. Deputy Speaker: Mr. Sambu, you have two minutes!

Mr. Sambu: Mr. Deputy Speaker, Sir, I have two comments. I want to thank the Minister for having recognised that Mosop Constituency is a highly productive agricultural area. I have seen something in the Budget for Mosoriot-Chepteruai Road. We are so grateful, and I want to request that, since it has been designed, it be tendered for immediately, so that work can begin. The people of Nandi and Mosop will all be very grateful as soon as we see the contractor on site.

Secondly, I want to thank the Minister and the Permanent Secretary for sending us a good District Works Officer (DWO) for once. Eng. Wanyama is an excellent engineer. Previously, I have had to complain here, but this time I am not because Eng. Wanyama is transparent. The others used to just collude and steal the money.

Finally, I want to say that the bridge unit in Eldoret should be facilitated to visit and inspect some of the bridges which were built during the colonial days. On Road D288, there are bridges between Rivatex and Kipkaren that will soon fall apart. We should facilitate the bridge unit to go and see them.

Mr. Deputy Speaker, Sir, something should be done about Eldama Ravine-Eldoret Road, because it helps us while the Timboroa Road is being repaired.

With those few remarks, I beg to support.

Mr. Deputy Speaker: Order, hon. Members! I will now call upon the Minister to reply.

The Minister for Roads and Public Works (Mr. Nyachae): Mr. Deputy Speaker, Sir, thank you for giving me this chance to reply.

May I start by thanking all the hon. Members who have made their contributions. Even those contributions which may have sounded a bit critical or harsh, we know that, that is how we get educated on our performance. When you think that you are too smart, you need somebody else to tell you, "that jacket does not look good." Therefore, we appreciate what you have told us. Let me say that when we are discussing about roads and public works in our country, with our determination to see development, one can understand the frustration that hon. Members are expressing here on behalf of their people. This is quite understandable. But we should also appreciate the fact that this Ministry is dealing with a back-log of more than 12 years of roads which were not maintained. We do not want to blame the past Government. Maybe the resources were not there. We do not want to ask why they did not do it. But we are dealing with a back-log and we cannot ignore maintaining those roads which have deteriorated just because we want new roads. We should appreciate that we have that major problem.

Mr. Deputy Speaker, Sir, I want the House to appreciate the fact that the country has limited resources to cover all the roads that some hon. Members have mentioned here. You need

money for education, health and other services. As a Ministry, this Financial Year, there is a shortfall in the allocation of more than 12 billion. If that had been included, perhaps, we would be having less frustrations being expressed here. But then, the Government cannot deny people other services because of the roads. Therefore, we should appreciate that there is a small cake, in terms of resources, which we are sharing all round.

As we talk about our own constituencies and districts, there is no constituency which is satisfied that they have the roads that are good for them. Every constituency has road problems. The problems are not in one or two constituencies. It is nearly in all the constituencies. I can understand the frustrations that even the Chair is facing. When Prof. Anyang'-Nyong'o talked about the World Bank, I felt embarrassed. They are our partners in development and yet what Prof. Anyang'-Nyong'o said has a lot of substance because the road which he talked about, which goes to Garissa has taken more than one year of the World Bank study. Once you have given them that assignment and later kick them out, then all the development partners say that you do not want them and problems will crop up. So, there is a degree of perseverance that we have to face when that happens. Let us also appreciate the fact that the roads that we are doing are not for one district or constituency.

Mr. Deputy Speaker, Sir, Maj-Gen. Nkaiserry talked about roads in Kajiado and his own constituency, Kajiado Central. But the truth of the matter is that, equitability is also important. Kajiado District including Kajiado Central, should be very grateful this year. They should not be complaining. They will have two roads done, at a cost of over Kshs2 billion. There is the Emali-Oloitokitok Road at a cost of more than Kshs1 billion and the Athi River-Namanga Road at a cost of another Kshs1 billion. Over and above that, feeder roads in that area of Kajiado District will take Kshs159 million. Now when you come here and just talk about Kshs12 million, that is not fair. What about the other areas?

There is an hon. Member from Western Province who made a genuine request. He mentioned of a road that was being done and we ran short of money. We are looking for more money from China to complete it. That is a genuine request. But we do not do it through complaints. Give us encouragement. My senior officers are here and if you imply that they are doing nothing, then where are we going? I think you should also appreciate the little that we are doing so that we can give them encouragement. Where are you going to get other engineers to do the job? We should encourage our own people. We cannot condemn our own contractors, instead, we should enhance their capacity. We are even organizing training for them. For the highways, we are bringing in equipment to hire out to them so that we can build our capacity.

Mr. Deputy Speaker, Sir, some hon. Members talked about bringing in contractors from outside. That is true. The Chinese are coming in and they are doing well. But we do not want people to come in just to take our local funds. For external contractors who want to come in, their countries must come with some money to support our road construction. They should not just come and get contracts here and take our tax-payers money out of the country. We are discussing with other countries and before the middle of next month, Malaysians are coming to negotiate with us. We discussed with Indian contractors last month and we want to encourage all these people to come. However, they should not just come to take our money; they should bring in their money and technology.

When we talk about public-private sector partnership, this is something that we are encouraging. It has been discussed and the policy framework is being worked out. We want to bring in our own ideas and those of the investors, so that private investors who come in should know that they are working with us on our own specifications so that they do not do it for the purpose of only making money. Public-private sector partnership means involving the tax-payers' money as well. So, we must have a clearly laid down policy arrangement with them so that the tax-

payer is not exploited by the private investor while doing our roads. That is why we are negotiating. In the case of Nairobi by-passes, we have already received some quotations and we are negotiating. We must agree on what they are going to charge the road users at the toll stations. If you leave it to them, they will exploit our people and there will be an outcry from road users. Those are some of the technical areas that we have to go into.

Mr. Deputy Speaker, Sir, hon. Members talked about the cost of road construction yesterday. This is an exercise already being undertaken with the help of the World Bank. In fact, the study is being done in other parts of Africa, including Ghana and other African countries. From there, they will go to India. We can then look at their specifications and the cost per unit. We shall include that when we will be evaluating our own contract quotations. Also, our consultants will be in the picture of that report, so that we can improve not only the cost, but also the quality of constructing our roads.

Mr. Deputy Speaker, Sir, yesterday, there was talk about hiring out of the new equipment that we bought to assist the contractors. Now, this equipment was meant to improve the capacity and performance of the contractors. It was never intended that these contractors should, again, go and make profit from the third party. That is what has been going on in some places. We do not want that to go on. If a particular area wants to hire out its equipment, then it should get in touch with our Mechanical Department branch and convince it, and it will get the same cost as what the contractor is being charged.

Over and above that, I want to mention to this House that we are planning to source more equipment, because this is an experiment. Since we have seen that it is working, we will move ahead and negotiate to get more funds in the form of loans, to purchase more equipment for this purpose.

Mr. Deputy Speaker, Sir, for the information of this House, the classification of roads exercise is going on right now. In fact, we are soon going to come up with indications as to how we can re-classify roads continuously, as opposed to waiting until the District Roads Committees (DRCs) or District Development Committees (DDCs) ask us to do so. We must continuously go through the traffic arrangements and know their movements and so on.

Hon. Kosegy complained about too many bumps on the roads, yet, he is a Member of a DRC. I wish he was here. It is the DRCs and traffic department, which recommend where they want bumps to be constructed on roads. If you recommend and then come to complain here, what do you expect us to do? I think that is politics which does not help us here.

On the issue of construction of new roads, I am sorry, the hon. Members must accept that the existing roads must also be maintained. If we do not maintain the ones which exist now, what is going to happen to them? I wish hon. Karume was here--- At one time a "big" businessman died in Nairobi. When his body was being transported home for burial, the vehicle got stuck on a road that was tarmacked during the regime of the late President Mzee Kenyatta.

You can see the condition of our roads even in those areas where some hon. Members allege that more money has been allocated. The problem is experienced all over the country. But, we must not feel despondent. We are going to achieve and get results. If we move at this pace, within the next five years, we will be complaining about the improvement of roads in terms of specifications only. This is because we are doing the improvement of roads, but quality is going to be the issue in another five years. But between now and then, we must struggle. Give me more money and an enlarged team.

Of course, the money must also be released quickly. Some hon. Members here are quite right when they say that contractors are not moving fast enough. This happens also as a result of the system that we have put in place, but I am not complaining. Our own officers, both in the Treasury and other Government departments, sometimes, do not realise the speed at which people want to

move. They move slowly in approving papers before releasing money to the engineers and contractors. We must all wake up and do a better job, because the taxpayers have paid money.

Right now, this House has already authorized expenditure, but one month is gone, yet, the Ministry has not received the money. I have not started working on those projects because I have not received the money. I hope I will receive it this week. So, we must all move fast.

The issue of axle load is the den of corruption. It has been a headache to all Kenyans. Over and above that, if you look at the law, it has been very soft on the transporters who break it. The fine that the transporters pay for breaking the law is, actually, the same amount which they give in corrupt deals. So, they do not care. A transporter would just say: "Let me go and be fined."

Now, if the hon. Members could look at the Roads Bill which we amended recently, they would realise that penalties are going to be raised. We are also going to issue a Gazette Notice. For example, we are going to deny certain axle loads from being on our roads. This is because it does not matter what kind of roads we construct--- Recently, I viewed the feature by a Nation Television Station reporter who went round from Nairobi to Kisumu, Eldoret and so on. It was a very interesting feature that I enjoyed watching. He was telling us the truth, because he was driving and we could see the potholes. These are the problems that we face. But who creates those problems? The reporter reached a place where the road had been constructed recently and noticed that it had valleys. These valleys were created by the heavy vehicles.

So, these transporters must be told by all Kenyans that they have exploited them for too long. This is because it is the Kenyans who are paying taxes in order to construct those roads. So, when you see us being tough about it, hon. Members must support us here, instead of coming to ask me questions. Even if it means confiscating the overloaded vehicles, we shall do it.

In addition to that, to deal with the corruption in that area, we are changing the weigh bridge system. We have now introduced the mobile weigh bridges. We are also creating a satellite system, with a centralized monitoring system, showing how much a vehicle which has passed through a mobile weigh bridge weighs. The number of that vehicle is also shown. We are already at an advance stage of implementing this system. This will ensure that if an officer or policeman out there agrees with a transporter who has excess axle load beyond what is approved, and he allows him to pass through the weigh bridge, that officer will also be taken to court and charged with corruption. This is because that is evidence. So, we are moving fast to harmonise the correction. The Ministry of Transport will be issuing a Gazette Notice. It has already issued one, but it did not touch on the axle load; on the basis of the way we had agreed. So, it has to be amended in order for that anomaly to be corrected.

Mr. Deputy Speaker, Sir, hon. Members talked about the Roads 2000 Programme. It is true that the Roads 2000 Programme has actually been under the umbrella of the external donors in the five districts. However, we have now decided that the Roads 2000 Programme will cover every district in this country in order to create employment and let some of these access roads to be done manually. So, we are moving on and, actually, one-month-and-a-half ago, I made that announcement although some hon. Members may not have gotten that information at that time.

With regard to implementation of projects, it is true that we would like to move faster. However, we are faced with the problem of contractors. I know we have the problem of consulting engineers. We have a problem because even as I talk to you right now, I am short of more than 50 engineers. When the World Bank and other donors disappeared or stopped giving us money for roads, many of our engineers went out of the country. We have many Kenyan architects and civil engineers working elsewhere outside Kenya. We have to create a climate which will bring them back. You know you cannot just get a qualified engineer from the university overnight and then expect him to be a resident road engineer. It cannot work! So, at the moment, some of you complain about the resident engineers, the district roads engineers and so on. Let us help them to

improve their performance rather than condemning them.

Mr. Deputy Speaker, Sir, at this juncture, let me say that all Members of Parliament are members of the District Roads Committees (DRCs). They should not say that the District Road Engineers do not tell them how much money they got and how they have utilised it. It is up to hon. Members to control them! If they do not listen to the DRC, then write to us informing us that the DRCs decided this and that, but the engineers have not followed those decisions. But if hon. Members leave the officers to do things the way they want and yet they are just seated there only to complain, now who is to share this problem? Let us all take responsibility. For me, in all my life, I believe that if I am given responsibility to sit in a committee, I will make sure that the committee works. That is the responsibility of hon. Members because after all, they are the ones who are answerable to the people. So, we should not allow one individual, a technical man, who does not know what *mama* is talking about with regard to reaching the market, to do things in his own way. You should tell him!

With regard to the policy of building, this problem has been there for a long time. There are too many quacks in this country, including in the cities. We have insisted upon architects and quantity surveyors that we must correct this situation. I am glad to say that the Association of Architects and that of Quantity Surveyors have gone ahead and drafted by-laws, which, once gazetted, will then eliminate this problem of quacks--- Even local authorities, like the city councils, must follow those by-laws. One of the smallest things, but very important, and which will be required in the by-laws is that every building will not be put up before the erection of a sign board which shows who the architect, the quantity surveyor and the contractor are so that the qualifications of all those people are known. So, when a problem comes up on the building, it will be easier for us to know the people to follow. So, that Association has done a good job and we are going to gazette that. It is not that we are asleep in dealing with this kind of problem.

Mr. Deputy Speaker, Sir, in summary, let me also mention about implementation of the recent Bill, which was approved in this House; that is, the creation of the institutions. What this House approved has necessitated the creation of an interim committee to plan for the offices, where they would operate and things like the initial budget and so on. That committee has already been established even before I see the assent of the President. My approach is this: By December, 2007, these institutions will be gazetted and become operational. However, that committee must follow the law as approved by this House. Therefore, we are moving and not delaying in implementing all this.

Mr. Deputy Speaker, Sir, having said all these, I am not going to tell you that all roads will be ready tomorrow. Let us do this: Let us agree that resources are limited, but we should utilise them to the best of our ability.

Finally, I want to inform this House that hon. Members, as representatives of the people--- One clear understanding we have in our Ministry is that the doors for hon. Members must be open in every engineer's office so that they can go and seek clarifications. Hon. Members can get details about the programme, and if they are not satisfied, my doors are also open. Therefore, let us work together.

I know that this time hon. Members are determined to show their own people that something is being done. All that I can say is that it is being done. With regard to the Vote that we have given hon. Members this time, we have gone backwards over several years to look at how the Ministry has distributed money for roads for the last 15 years.

Mr. Deputy Speaker, Sir, I want to challenge any hon. Member to show me whether this Vote, this time round, is more equitable or less equitable than in the past Votes. If it is less equitable, they should show me which year equitability was exercised the way we have done it.

Mr. Deputy Speaker, Sir, you look amused because of your roads. This time I was very

happy that you did not donate the money back to me, but we understand hon. Members' feelings and concerns. We will do what we can, and where possible, we will look for supplementary money to fulfil the urgent requests.

Mr. Deputy Speaker, Sir, I would like to request hon. Members to support and approve this Vote.

Hon. Members: I beg to move!

The Minister for Roads and Public Works (Mr. Nyachae): Mr. Deputy Speaker, Sir, do I say that now or later on?

Mr. Deputy Speaker: Now.

The Minister for Roads and Public Works (Mr. Nyachae): Mr. Deputy Speaker, Sir, I beg to move for approval.

(Applause)

(Question put and agreed to)

[Mr. Deputy Speaker left the Chair]

IN THE COMMITTEE

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

Vote 13 - The Ministry of Roads and Public Works

The Temporary Deputy Chairman (Mr. Sungu): Hon. Members, we are now in the Committee and I call upon the Minister to move his Motion.

The Minister for Roads and Public Works (Mr. Nyachae): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT, a sum not exceeding Kshs12,021,295,565 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2008 in respect of:-

Vote 13 - Ministry of Roads and Public Works

The Temporary Deputy Chairman (Mr. Sungu): Hon. Members, I will now propose the Question.

(Question proposed)

VOTE R13 - RECURRENT EXPENDITURE

SUB-VOTE 130 - GENERAL ADMINISTRATION AND PLANNING

The Assistant Minister for Co-operative Development and Marketing (Mr. Mwenje): Mr. Temporary Deputy Chairman, Sir, before we approve this Sub-Vote, that Head which was read out---

The Temporary Deputy Chairman (Mr. Sungu): Mr. Mwenje, could you, please,

mention the Head and Item you are referring to? Also, remember that you---

The Assistant Minister for Co-operative Development and Marketing (Mr. Mwenje): Mr. Temporary Deputy Chairman, Sir, I am on Sub-Vote 130, General Administration and Planning---

The Temporary Deputy Chairman (Mr. Sungu): Order! Order, Mr. Mwenje! Listen to the Chair. You have to name the Head and the Item you are referring to for the guidance of the Minister and his officers, so that we can get an appropriate reply. You should also remember that you are a Member of this Government. So, if you are going to question the Government---

The Assistant Minister for Co-operative Development and Marketing (Mr. Mwenje): Mr. Temporary Deputy Chairman, Sir, I am talking about the whole Sub-Vote, and particularly the officers who are posted to supervise roads works under the District Roads Committees. What I have been seeing happening in the general administration is that they decide on one contractor---

Mr. Muturi: On a point of order, Mr. Temporary Deputy Chairman, Sir. Are you satisfied that the hon. Member is in order to re-open debate when we are in the Committee?

The Temporary Deputy Chairman (Mr. Sungu): You are right, Mr. Muturi. Mr. Mwenje, you are out of order! In addition to that, you are also in the Government you are questioning. That is, really, unheard of. You are bound by the rule of collective responsibility.

Hon. Members, I will now put the Question.

*(Heads 154, 380, 381, 382,
419 and 600 agreed to)*

(Sub-Vote 130 agreed to)

SUB-VOTE 132 - BUILDING AND WORKS

*(Heads 400, 401, 402, 409
and 413 agreed to)*

(Sub-Vote 132 agreed to)

SUB-VOTE 133 - OTHER SERVICES

(Heads 399, 505, 506 and 507 agreed to)

(Sub-Vote 133 agreed to)

SUB-VOTE 136 - ROADS

(Heads 384, 386, 392, 393, 482 and 483 agreed to)

(Sub-Vote 136 agreed to)

(Vote R13 agreed to)

The Temporary Deputy Chairman (Mr. Sungu): Hon. Members, we are through with the Recurrent Expenditure. We are now going to the Development Expenditure.

VOTE D13 - DEVELOPMENT EXPENDITURE

SUB-VOTE 130 - GENERAL ADMINISTRATION AND PLANNING

Head 380 - Headquarters Administrative Services

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, I will keep raising this issue, because right from the first Vote of these Estimates, it has always been like this. I am referring to the first Item under this Head, Item 3110300 - Refurbishment of Buildings - and the next one, Item 3110200 - Construction and Civil Works. The amounts allocated in the current financial year are Kshs10 million for the first Item, and Kshs20 million for the second Item. So that we are able to also exercise proper oversight, could we know from the Minister which of the buildings at the Headquarters are going to be refurbished and which civil works are being undertaken, so that when we go there, having been invited by the Minister himself to be visiting him, we will be checking to see whether, indeed, the Kshs10 million and Kshs20 million will have been properly utilised?

The Minister for Roads and Public Works (Mr. Nyachae): Mr. Temporary Deputy Chairman, Sir, most of the district headquarters were constructed during the colonial days. Some of them have deteriorated, and need administrative offices. These have also to be done. We are in charge of old buildings. I would like the hon. Member to know that even my own district headquarters were built when I was in primary school. I went to the District Commissioner's Office to attend a District Education Board meeting, and the ceiling was falling on us. We have got to do some repairs. The same applies to even our own buildings at the various district headquarters. We have to do it.

The Temporary Deputy Chairman (Mr. Sungu): Mr. Muturi, do you have a question?

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, the heading there is General Administration and Planning, Headquarters Administrative Services. If this reference is to districts and not the Ministry Headquarters, then, perhaps, there may be need to indicate which district headquarters the Minister is referring to.

The Temporary Deputy Chairman (Mr. Sungu): Mr. Nyachae, you should indicate whether this is actually the Headquarters or the districts. If it is the districts, indicate which ones, if possible.

The Minister for Roads and Public Works (Mr. Nyachae): Mr. Temporary Deputy Chairman, Sir, we are talking in general terms. But it is also true that our Ministry Headquarters requires a lot of work to be done. Some partitioning has to be done. In fact, the Headquarters include our training institution in Industrial Area. That institution has to be refurbished in a different way because the number is increasing.

A sum of Kshs10 million will cater for the Ministry Headquarters. The other amount which has been put here is for organising facilities for Presidential functions. We are the ones who do the dais. Some of the dais were done for the late President Kenyatta. They are old. There are so many things we have to do. We also have to provide furniture. The amount we are asking for is not much. It is only Kshs20 million plus the amount for our Headquarters, which totals to Kshs30 million. This is more than what an hon. Member accumulates in a whole year!

Mr. Syongo: Mr. Temporary Deputy Chairman, Sir, on Head 400---

The Temporary Deputy Chairman (Mr. Sungu): Order, Mr. Syongo! We have not reached Head 400. You have to wait. You have to be patient!

Mr. Syongo: Sorry, Mr. Temporary Deputy Chairman, Sir.

(Head 380 agreed to)

(Sub-Vote 130 agreed to)

SUB-VOTE 132 - BUILDINGS AND WORKS

Head 400 - Architectural Department

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, there is Item No.3110200 on Construction of Building. They have allocated slightly over Kshs1 billion for that Head. I do not know whether there is a problem from the Treasury or there is something that we are not being told, as Parliament. That is Construction of Building, meaning one building. The next Item is Refurbishment of Buildings.

Mr. Temporary Deputy Chairman, Sir, we need to be told about that classification. I have been raising this issue since we started debate on the Office of the President. Nobody seems to be really telling us whether it is just classification or is there something that is hidden that we are not supposed to know?

When we say Construction of Building, ordinarily and logically, it must mean only one building. But the explanation that we have been given throughout is that, that refers to several buildings. Why then not call them buildings?

The Minister for Roads and Public Works (Mr. Nyachae): Mr. Temporary Deputy Chairman, Sir, I am not a printer. What is written as "Building" should be Buildings. That covers mainly stalled buildings.

I covered that issue very well in my introductory remarks, when I introduced our Vote.

The Temporary Deputy Chairman (Mr. Sungu): *Bw. Waziri*, you have to be responsible for the veracity and accuracy of what is presented to Parliament. Do you have any further comments?

The Minister for Roads and Public Works (Mr. Nyachae): Mr. Temporary Deputy Chairman, Sir, maybe, you are right there. But if you look at the size of this book, do I, as the Minister, have to go to the Government Printer from this House to tell him to reprint the whole book? I have no authority for that! I do not do proof reading!

The Temporary Deputy Chairman (Mr. Sungu): Mr. Nyachae, the amount of money required is a lot. The hon. Member is quite right to find out exactly whether it is one building or many buildings. If it is several buildings, at least, there should be an indication of what those buildings are, so that we can proceed.

The Minister for Roads and Public Works (Mr. Nyachae): But, Mr. Temporary Deputy Chairman, Sir, I have given an answer! I have said it is for the stalled buildings all over the country!

The Temporary Deputy Chairman (Mr. Sungu): Mr. Muturi, are you satisfied?

The Minister for Planning and National Development (Mr. Obwocha): On a point of information, Mr. Temporary Deputy Chairman, Sir.

The Temporary Deputy Chairman (Mr. Sungu): Who do you want to inform?

The Minister for Planning and National Development (Mr. Obwocha): Mr. Temporary Deputy Chairman, Sir, I want to inform the House.

The Temporary Deputy Chairman (Mr. Sungu): Are you informing the Minister or Mr. Muturi?

The Minister for Planning and National Development (Mr. Obwocha): Mr. Temporary Deputy Chairman, Sir, the Minister is also an hon. Member of this House.

The Temporary Deputy Chairman (Mr. Sungu): Order, Mr. Obwocha! Mr. Nyachae, do you accept to be informed?

The Minister for Planning and National Development (Mr. Obwocha): Mr. Temporary Deputy Chairman, Sir, on this Vote, even if you see all the---

The Temporary Deputy Chairman (Mr. Sungu): Order, Mr. Obwocha! Let us follow the procedure. You are an old hon. Member of this House and you know the procedure! If you are

informing, we must know who you are informing. The Minister must accept or reject to be informed!

The Minister for Planning and National Development (Mr. Obwocha): Mr. Temporary Deputy Chairman, Sir, this is a general printing error---

The Temporary Deputy Chairman (Mr. Sungu): Just one minute, please! Mr. Nyachae, do you accept to be informed? We want record of it.

The Minister for Roads and Public Works (Mr. Nyachae): Yes, Mr. Temporary Deputy Chairman, Sir.

The Minister for Planning and National Development (Mr. Obwocha): Mr. Temporary Deputy Chairman, Sir, he has just said that it is a printing error. I am confirming that under that Item No.3110200, all of them are Construction of Building, even if you see the Votes of all the other Ministries.

The Temporary Deputy Chairman (Mr. Sungu): Order, Mr. Obwocha! You are out of order! Please, it down!

Yes, Mr. Muturi!

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, I quite agree that Mr. Obwocha is out of order. As Parliament, we really must exercise our oversight role. When we print Construction of Building, I accept the explanation by the Minister that, that actually must refer to several buildings. But why is it consistently in all Ministries? On this particular aspect - Construction of Building - we are told that it means many buildings, and that it is a printing error. But the Item below is very clearly printed as Refurbishment of Buildings. When it comes to Refurbishment of Buildings, it is only Kshs19 million. But this Construction of Building is Kshs1 billion plus.

I am convinced that it may mean several buildings, but there is something we are not being told either from the Treasury or several Government Ministers.

The Temporary Deputy Chairman (Mr. Sungu): The hon. Member has a point. But from what I hear from the Minister, there are several stalled projects, including my beloved Nyanza Provincial Headquarters. They are all over the Republic of Kenya. That is what I understand it to mean. Refurbishment of Buildings would refer to other buildings which are complete, but old. So, let us, please, move on. Let us not create debate here.

Mr. Syongo: Mr. Temporary Deputy Chairman, Sir, this is the same Item that I wanted to raise an issue earlier on. First of all, it is the question of the amounts. If you look at Item No.3110200 - Construction of Building, a sum of Kshs1.3 billion was set aside last year. This year, another Kshs1,096,000,000 has been set aside for that purpose. If you put that on a continuous scale, it is a very substantial amount of money. My original intention was to ask the Minister for some explanation, which you have actually sought from him. It is a lot of money.

The Temporary Deputy Chairman (Mr. Sungu): Mr. Syongo, that is noted. But the Minister has answered that, unless he has additional comments. Maybe, we have to refer to the district allocations.

The Minister for Roads and Public Works (Mr. Nyachae): Mr. Temporary Deputy Chairman, Sir, in addition to this huge book, for the purpose of making it easier for hon. Members, my Ministry has printed another document to clarify what is meant by this error of "s" missing. I do not know whether I have your permission to read.

The Temporary Deputy Chairman (Mr. Sungu): Mr. Minister, you may explain briefly because we are not debating.

The Minister for Roads and Public Works (Mr. Nyachae): Mr. Temporary Deputy Chairman, Sir, if hon. Members look at page 43 of this document, they will see the list of the buildings we want to complete or refurbish. So, there is nothing hidden.

(Heads 400, 402 and 413 agreed to)

(Sub-Vote 132 agreed to)

SUB-VOTE 133 - OTHER SERVICES

Head 506 - Materials Department

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, this is a question of lamentation. There is this Item that worries me. The Minister has been talking about training and building capacity for our own people. However, he is only asking for Kshs500,000 for training services.

Mr. Temporary Deputy Chairman, Sir, I wonder how many people he will train using this money. Could he explain? Could this money for training be elsewhere, perhaps, in the Recurrent Expenditure?

The Temporary Deputy Chairman (Mr. Sungu): Mr. Minister, I think the hon. Member has a valid point. He is simply saying that the amount seems to be too little, yet we cry about capacity building because we do not have enough engineers. Could you, please, comment?

The Minister for Roads and Public Works (Mr. Nyachae): Mr. Temporary Deputy Chairman, Sir, the Kshs500,000 is for in-house training. These are officers earning their salaries. They are only given additional seminars and that does not require a lot of money.

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, if one were to believe the Minister, then how does that fall with the fact that last year, under the same Item, they were allocated Kshs3 million and the next financial year, they propose to allocate Kshs2 million? This Kshs500,000 appears to be misplaced.

The Temporary Deputy Chairman (Mr. Sungu): Mr. Muturi, if you need that, I have it right in front of me. Last year, the allocation was Kshs1 million, not Kshs3 million. Would you correct that on the HANSARD?

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, I agree with you. I do not know, I think it requires somebody who wears spectacles; is it Kshs1 million or Kshs3 million for last financial year?

The Temporary Deputy Chairman (Mr. Sungu): It is Kshs1 million.

Mr. Muturi: It is Kshs1 million.

(Mr. Michuki commented off-record)

Mr. Temporary Deputy Chairman, Sir, I hope Mr. John Michuki who agonized a lot here, should keep his cool!

(Laughter)

The Temporary Deputy Chairman (Mr. Sungu): Okay, please, let us be serious!

The Minister for Roads and Public Works (Mr. Nyachae): Mr. Temporary Deputy Chairman, Sir, right now, we are discussing Development Expenditure. Training expenses have just been passed under Recurrent Expenditure. This is for creation of additional facilities. If you look at page 566, Head 380, Recurrent Expenditure, you will see the actual expenses for training. This is for creation in the development areas just to add facilities.

Head 399 - Kenya Building Research Centre

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, Item 3111400 on Research, Feasibility Studies, Project Preparation and Design, Project Supervision, the allocation is slightly Kshs4.9

million, if I see it correctly. When the Minister spoke here he laid a lot of emphasis on the question of research.

I am just wondering, within the area of development, is he satisfied that the allocation of Kshs4.9 million is enough for all these works; research, feasibility studies, project design, preparation and project supervision?

The Temporary Deputy Chairman (Mr. Sungu): Mr. Minister, the hon. Member just wants to know whether that amount is enough to cater for all those expenses.

The Minister for Roads and Public Works (Mr. Nyachae): Mr. Temporary Deputy Chairman, Sir, I am satisfied because this year we plan to do research on materials and standards. I am satisfied that the allocation is enough.

*(Heads 399, 505, 506 and
507 agreed to)*

(Sub-Vote 133 agreed to)

SUB-VOTE 136 - ROADS

*(Heads 384, 385, 488 and
489 agreed to)*

(Sub-Vote 136 agreed to)

(Vote D13 agreed to)

*(Question put and agreed to)
(Resolution to be reported
without amendment)*

(The House resumed)

[Mr. Deputy Speaker in the Chair]

REPORT

Vote 13 - Ministry of Roads and Public Works

Mr. Sungu: Mr. Deputy Speaker, Sir, I am directed to report that the Committee of Supply has considered the Resolution that a sum not exceeding Kshs12,021,295,565 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2008 in respect of Vote 13 - Ministry of Roads and Public Works, and has approved the same without amendment.

The Minister for Roads and Public Works (Mr. Nyachae): Mr. Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

The Minister for Planning and National Development (Mr. Obwoha): Seconded.

(Question proposed)

Eng. Okundi: Thank you, Mr. Deputy Speaker, Sir, for giving me a moment to comment on this very important Motion. The Government, through the Ministry of Roads and Public Works, has been given over Kshs62 billion for roads in this country. This is a very major development. I think the House has acted very well to approve it. We can see that almost all the areas of the country are being touched in one way or another.

Mr. Deputy Speaker, Sir, what I would like to ask the Minister and his officers to do is the following: We know the long procurement processes in this country - tendering, mobilisation, checking and waiting for bills and so on. That takes more or less six months. So, even the ones that have been allocated money will end up not being done in the next financial year. We will then do another reallocation and the story continues. I would like this House to urge the Minister to call for tenders immediately so that, by the time the allocations are refined, moved into allocations and Authority to Incur Expenditure (AIE), the money is there. Contractors would then be appointed and work would be done.

Lastly, it is important, particularly this year, for *wananchi* to understand what is going to happen in their areas, with respect to the approval of these major funds. I would, therefore, like to ask the Ministry to act very responsibly and quickly in that particular manner.

The Assistant Minister, Office of the Vice-President and Ministry of Home Affairs (Mr. Moroto): Thank you very much, Mr. Deputy Speaker, Sir.

First and foremost, I want to thank and congratulate the Minister in charge of roads for the slight improvements that some of us have realised in their areas. We cannot say that they are major improvements because if you look at the roads that were considered, you will see that, in fact, they are not in West Pokot.

In West Pokot, there are some areas which, since God created this world, have not seen a road at all. Yet, we have officers who are in charge of those facilities. They do not plan for those areas. Otherwise, some of us are now standing here to rubber stamp or to support other places and yet, our places have nothing!

Mr. Deputy Speaker, Sir, lastly, even when they speak about construction of District Commissioners offices--- West Pokot District still uses the *Mzungus* house as a DC's office.

I wish to appeal to the Minister that, as he plans for this year and in future, let him consider those areas.

Thank you.

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

Mr. Deputy Speaker: Hon. Members, I am not opening debate! I will give one minute each if you co-operate. One minute will be enough for you, Mr. Syongo!

Mr. Syongo: Mr. Temporary Deputy Speaker, Sir, in fact, under virtually every Vote Head, there is a Sub-Item 3111, Item 400. This House has given the Minister a substantial amount of money for a number of things, including project supervision.

While I am congratulating the Minister for a job well done, could I ask him to ensure that money meant for supervision is used to follow-up all the projects, particularly at the district level, and especially roads?

Thank you.

Mr. Deputy Speaker: That corner! I will give a chance to one person. I think Mr. Angwenyi is the most senior.

Mr. Angwenyi: Thank, Mr. Deputy Speaker, Sir. Mine is to congratulate the Ministry and the House for granting it so much money. But I want to plead with the Minister to spend 50 per

cent of the amount allocated to this Ministry between now and December, before the elections.

Mr. Deputy Speaker, Sir, if the Ministry of Finance is not realising funds, when they go to their Cabinet meeting tomorrow or Thursday, the Minister should report that to the boss of this country. That way, funds will be released and the work will be done.

Thank you.

*(Prof. Olweny stood up
in his place)*

Mr. Deputy Speaker: You will agree with me that Prof. Olweny had missed a chance when other Professors spoke.

One minute, Professor!

Prof. Olweny: Thank you, Mr. Deputy Speaker, Sir. I wish to congratulate the Minister for having his Vote approved. But I hope he will not return the money next year to the Treasury. Money was allocated to my constituency, but it was not used because your

people were procuring the whole year. By the time they finished procuring, there were rains all along.

Number two, I urge the Minister to tell his engineers that the best way to maintain roads is through proper drainage, particularly on murrum roads. Our roads are permanently watery because your people do not do proper drainage.

Mr. Deputy Speaker, Sir, lastly, I wish to point out an error in the district allocation budget. Refer to page 24 on Nyando District. Probably, it is an error. I hope so. Road C34, under the description given there--- Road C34 going from Muhoroni to Busia. There is no road from Muhoroni to Busia. Road C34 runs from Kisumu through Miwani-Chemelil-Muhoroni and then Fort Tenan. So, that is an error which I hope your officers will correct.

Mr. Deputy Speaker: Lastly, Mr. Ndambuki!

Mr. Ndambuki: Thank you, Mr. Deputy Speaker, Sir. I would like to congratulate the Minister for trying to capture almost every district. But I would like to ask him to make sure that the money is not shifted. In the last financial year, some roads were allocated Kshs30 million. Then, at the end of the day, the money went with the wind! Please, Mr. Minister, make sure that whatever has gone into the book is utilised.

Thank you.

(Question put and agreed to)

ADJOURNMENT

Mr. Deputy Speaker: Hon. Members, although we still have twenty minutes, there is no business before us. Therefore, this now marks the end of the proceedings of the House today.

The House is, therefore, adjourned until tomorrow Thursday, 26th July, 2007, at 2.30 p.m.

The House rose at 6.10 p.m.